



Kingdom of the Netherlands

**Statement on behalf of the Analysis Groups
(Austria, Lao People's Democratic Republic,
Mozambique, Netherlands, Peru, and Sweden)**

delivered by

Mr. Reint Vogelaar, First Secretary

at

**9th Meeting of States Parties to the
Convention on Cluster Munitions**

on

**Methodology for requests of deadline extensions under
Articles 3 and 4 of the Convention on Cluster Munitions**

Geneva, 2 September 2019

Mr President, Excellencies, ladies and gentlemen

On behalf of the Analysis Groups, I have the honour to present to you the Methodology for requests of deadline extensions under Articles 3 and 4 of the Convention on Cluster Munitions as contained in document CCM/MSP/2019/12 submitted by Sweden and the Netherlands.

In my presentation, I will briefly outline how the methodology was developed, before going through the most salient points of the methodology itself.

Following the decisions by the 8th Meeting of States Parties, on the adoption of the Guidelines for the Convention on Cluster Munitions Article 3 Extension Requests and the Guidelines for the Convention on Cluster Munitions Article 4 Extension Requests, as contained in annex II and annex III of the final report of last year (CCM/MSP/2018/9), the two so-called *ad hoc* Analysis Groups were established. One Analysis Group for article 3 extension requests and a second Analysis Group for article 4 extension requests.

The Analysis Groups were mandated by paragraph 11 of both aforementioned guidelines to: *“create a methodology, to be presented to and adopted by the Coordination Committee, which will be used for all future requests, in order to ensure a uniform approach to all requests. The methodology created will be incorporated into these guidelines, to be presented to States Parties for adoption at the next MSP or Review Conference.”*

On the basis of this mandate, and with the view of developing a uniform approach for all requests, the Analysis Groups have developed one methodology to be used for both article 3 and article 4 extensions requests.

In developing this methodology, the Groups have looked to methodologies and best practices of other conventions, most notably the Anti-Personnel Landmine Convention (APLC). Following the preparation of a first draft of the

methodology by the Group, feedback was requested from organizations and bodies with expertise relevant to the Convention. These included the implementation support units of the CCM and the APLC, the International Committee of the Red Cross, the Geneva International Centre for Humanitarian Demining, and the Cluster Munition Coalition among others. The Analysis Groups would like to take this opportunity to thank these organizations and bodies for their valuable support and expertise in developing the methodology.

In line with the mandate received from the 8th MSP, the methodology, that is before you, was presented to the CCM Coordination Committee on 17 January 2019, where it was formally adopted to be used for the first extension requests received this year. Subsequently, this methodology was submitted to the 9th MSP for adoption and hence this introduction.

Mr President, Excellencies, ladies and gentlemen,

Allow me now briefly to go through the most salient points of the methodology.

The methodology consists of two parts. Part one contains the elements of the methodology as developed by the Analysis Groups to guide the overall work of the Groups. Part two, consists out of two annexes, containing the checklists developed for the analysis of article 3 and article 4 extension requests.

Starting with the elements of the methodology Section A, these two paragraphs set out the pre-analysis efforts of an extension request, which help to ensure that extension requests are received on time as well as to ensure that all required information is contained in the initial request. Let me highlight here the role of the Implementation Support Unit, which plays a crucial role in supporting the Analysis Groups in all phases of the process and is therefore recognized as the *de facto* member of the Analysis Groups as noted in paragraph 3.

Section B deals with the possibility for the Analysis Group to make use of organizations and agencies that can bring relevant expertise. Since the extension requests also contain legal and technical information related to the clearance and destruction of cluster munition remnants as well as stockpile destruction, external expertise may be required as this expertise may be lacking among the members of the Analysis Groups.

Section C provides guidance on situation, where there is or might be a conflict of interest and provides the President with a mandate to deal with situations in which there are any uncertainties with regard to a possible situation of conflict of interests.

The next section, section D provides the Analysis Groups with the possibility of further developing tools for the conduct of their tasks under the supervision of the Coordination Committee. After all, practice makes perfect and practical experience with this methodology could help in to identify points of improvement in the future.

Section E provides guidance on the engagement between the requesting State Party and the Analysis Groups. The Analysis Groups are of the view that a continued dialogue between the State Party and the Analysis Groups will lead to the best results for the requesting State Parties and the Convention as a whole. Through the dialogue feedback can be provided, issues can be clarified and improvements to the request can be made.

Section F provides further guidance on the timelines for the Analysis Groups, in line with the suggested timelines contained in the aforementioned Guidelines agreed last year and contained in Annex II and III of CCM/MSP/2018/9. Through these timelines, both the Analysis Groups, as well as the requesting State Party, will have sufficient time to consider the extension request, engage

in a dialogue to further improve the extension request and to draft the final report.

Mr. President,

Last but not least, allow me touch upon the two checklists in Annex I and Annex II of the document before us. These checklists are designed as a tool to support the work of the Analysis Group, and in particular to ensure that any extension request contains all the information required by article 3 and 4 of the convention. Each of the Analysis Groups individual members is expected to fill out the checklist before the discussion of a specific extension request. In addition, the checklist provides a framework that guides the discussion and work of the Analysis Group in analyzing an extension request.

I will stop here and the Analysis Groups stand ready to answer any question or clarify any point.

Thank you, Mr. President.