RESPONSES TO THE ADDITIONAL OBSERVATIONS AND COMMENTS OF THE CONVENTION ON CLUSTER MUNITIONS (CCM) ARTICLE 4 ANALYSIS GROUP ON THE UPDATED EXTENSION REQUEST SUBMITTED BY CHILE ON MAY 9, 2022.

Santiago, May 13, 2022.

1. Clarify on the clearance capacity

(a) given that Chile only has 2 teams of 12 EOD specialists at each site, to what degree does Chile expect to actually find submunitions at the four sites?

Comment

- Chile for 18 years successfully faced the challenge of demining extensive areas contaminated with antipersonnel mines. The experience gained allows us to properly plan cluster munitions remnants removal and clearance activities in accordance with IMAS standards.
- Consequently, the planning presented is considered appropriate according to national technical capabilities.

(b) does Chile expect that the density/number of unexploded submunitions might in fact be quite limited, following previous clearance that took place after the cluster munitions were used/tested at the sites for training purposes? This would assist to assess if the clearance target is achievable.

Comment

- Chile knows exactly the number of ammunition used, which was reported in its first annual report of Article 7, presented in 2012.
- On the other hand, it is estimated that of the total of 648 cluster munitions used, only a percentage of submunitions would have remained unexploded.
- The Armed Forces permanently carry out activities in these military ranges and after each
 exercise, it is arranged for EOD crews to review and eliminate UXOs. The last time cluster
 munitions was used was between 2007 and 2008, since that date, EOD crews have
 eliminated the UXOs found.
- Consequently, it is estimated that the remains of cluster munitions to be found will be minimal.

2. More Detailed Resource Mobilization Plan

While Chile has provided more information on its plan to mobilize the necessary resources to undertake the necessary activities during the extension period, it remains unclear whether or not the annual requests for funding from the Ministry of Finance will not constitute a threat to uninterrupted operations. In this regard, the Analysis Group recommends that :-

- (a) Chile provides greater assurance that the necessary annual funding will be secured, and that the proposed work will be done according to the presented plan.
- (b) Chile clarifies whether the prioritization of COVID-19 will continue to disrupt funding.

Comment

- Chilean Law establishes that each year the nation's budget must be presented to Congress
 for the following fiscal year. According to the above, the necessary resources to carry out the
 operations to remove the remains of cluster munitions remnants are expected to be
 requested from the Ministry of Finance in June of each year.
- It will be the sovereign power of the National Congress to authorize such resources.
- Regarding whether the prioritization of COVID-19 will continue to interrupt financing, it is reported that Chile is currently controlling the pandemic, notwithstanding the foregoing, no one can guarantee the behavior of said scourge in the future.

3. Clarity on the need for risk education and plans for related activities.

The updated request informs that risk education activities will be conducted in coastal settlements in the vicinity of the Barrancas military range and a couple of other settlements near the Delta military range. It would also seem that risk education would only be relevant in the first two years of the extension period after which these 2 areas should be cleared.

If there is a clear threat to local population, Chile needs to submit a more detailed plan on risk education which would include details on the target groups, actual plan of activities (who would do what, where, and when), as well as cost of risk education outreach and provide clear sources of funding for these activities.

Comment

- In Chile to date there have been no registered victims of cluster munitions.
- The military compounds where cluster munitions were used are located in isolated sectors of populated localities and access to the civilian population is prohibited.
- Therefore, there is no clear threat to the reduced local population. Notwithstanding the foregoing, activities to reinforce risk education are planned.
- Planning for cluster munitions remnants removal and destruction operations includes risk education within the budget, which will focus on the small local population closest to the Confirmed Hazardous Areas (CHAs). The above will be implemented in a similar way to what was done during the process of compliance of the Ottawa Convention.

4. Gender and diversity.

The Analysis group commends the inclusion of some information on the inclusion of women in the EOD teams and of their access to existing senior positions within the structures. However, the request does not mention the element of the diversity of populations in accordance with Lausanne Action Plan commitments adopted by States Parties. Chile is encouraged to elaborate on this information in line with LAP provisions.

Comment

• The extension request does not mention the element of population diversity in accordance with the commitments of the Lausanne Action Plan, since it is reiterated that the areas where cluster munitions were used are military compounds. These compounds are destined exclusively for military training; after cluster munitions remnants removal and destruction operations, they will continue to function as military training camps. Therefore, access to the civilian population will continue to be prohibited.

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