

**CCM: Second Meeting of States parties, Beirut Lebanon  
13-16 September 2011  
National Implementation: Remarks by Friend of the Chair**

Thank you, Madam President, for your continuing support for and faith in your Friend for National Implementation.

In introducing this topic for discussion this afternoon let me remind everyone of developments on National Implementation since Vientiane.

We had a useful discussion at the Intersessional Meeting in Geneva in June – the mid-way point in the first year of our Vientiane Action Plan. It was clear then that much work still remains to ensure that all States Parties are confident that they have met the requirement in Article 9 to give comprehensive effect to all the Convention's obligations.

I am indebted to the ICRC for the attention they drew in June to the instances of legislative implementation to date, or in the pipeline. I won't repeat those figures now – they're in the record of our June meeting and outlined in the draft Beirut Progress Report. These figures do suggest that we have some way to go before we can be fully confident that all Parties have the measures in place to ensure effective implementation of the Convention.

Also at the Intersessionals, we alerted colleagues to some work New Zealand was undertaking to prepare two documents for this Meeting aimed at assisting States Parties in meeting their Article 9 (action 63 of the Vientiane Action Plan) requirements.

These documents were prepared specifically in response to the request of two small States which was put to us at this exact session during last year's Vientiane meeting. These States felt that current legislative models, and precedents, tended to cater for countries in different circumstances to their own

(notably countries contaminated by cluster munitions) and that if small states not contaminated by cluster munitions looked to mirror the more complicated provisions of these laws, that would hinder their prospects for getting legislation in place in their own countries.

So, those two documents have since been produced and tabled. You will see they are for the information of delegates - not for decision or formal adoption at this meeting.

The first document (in CCM/MSP/2011/W.P.6) is put forward as one possible version of legislation for small states which have not been affected in any way by cluster munitions.

We see this model as the most concise version possible of the legislative elements needed to meet the implementation requirements of small states. I hope that it will assist to accelerate the pace of ratification of, or accession to, the Convention, and, therefore, of advancing both universalisation and effective implementation.

The second document (contained in CCM/MSP/2011/W.P.7) takes the form of a checklist which sets out the various ways in which National Implementation can be carried out. Not only as regards the necessary implementing legislation, but also the mechanisms to be used for implementing aspects of the CCM that do not require legislation – regulations administrative decisions, military manuals and so forth.

I hope these documents can prove useful to small states. We have in fact recently received a number of drafting suggestions and comments on our small states model – including some given to us here. We propose to consider them all and then to update the documents set out in CCM/MSP/2011/W.P.6 and W.P.7.

In addition to updating our version, we are also happy as Friend of the Chair on this issue – to enter into a discussion (including by email) in coming months with any small state which would like our assistance and help in taking this model legislation forward in their country.

Our small states model is not intended as a definitive guide – it is one possible way to implement the obligation of Article 9 of the Convention. And it may indeed prove to be a useful means of fast-tracking the accession of small states – something that is raised in question 27(d) of the draft Beirut Progress Report (in its universalisation section).

I would also wish to acknowledge the important ongoing work of the ICRC in this area: those of you involved with the Ottawa Convention will be fully acquainted with the ICRC's track record of advice and assistance on National Implementation of that Convention. The same is true for cluster munitions and our Convention here – as evidenced, for instance, by the “All States” model legislation and the ratification toolkit which they have produced.

Turning more broadly, now, to our discussion of the challenges and factors affecting National Implementation, I look forward to hearing our speakers' contributions on this important issue.

Thank you Madam President