



# 6TH MEETING OF STATES PARTIES TO THE CONVENTION ON CLUSTER MUNITIONS

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## MINUTES OF THE CCM COORDINATION COMMITTEE MEETING

Held on Thursday, 28 April 2016

at the Permanent Mission of the Netherlands, from 10:00 – 11:50 hours

### 1. PRESENT:

#### The Netherlands – 6MSP President

H.E. Henk Cor Van der Kwast  
Mr. Maarten Broekhof  
Commander Eddy Jolink  
Ms. Dorien de Keyzer - Intern

#### Croatia – Immediate Past President

Ms. Zlata Penić-Ivanko

#### Australia

Mr. Hugh Watson

#### Austria

H.E. Thomas Hajnoczi

#### Bosnia and Herzegovina

Mr. Ivica Dronjic

#### Costa Rica

Mr. Norman Lizano Ortiz

#### Czech Republic

Ms. Markéta Homolková

#### Ecuador

Mr. Leon Aviles Salgado

#### France

Mr. Louis Riquet

#### Iraq

Mr. Emad Al-Juhaishi

#### Mexico

Ms. Sandra Paola Ramirez Valenzuela

#### Norway

Ms. Malgorzata Hauge  
Ms. Thea Mjelstad - Intern

#### New Zealand

Ms. Katy Donnelly

#### Switzerland

Mr. Vincent Chofat PhD  
Ms. Aline Berdoz

#### Zambia

H.E. Encyla T. C. Sinjela  
Mr. Samson Lungo

#### Cluster Munition Coalition

Ms. Amelie Chayer

#### ICRC

Mr. Louis Maresca

#### UNODA

Ms. Silvia Mercogliano

#### Secretariat - CCM ISU

Ms. Sheila N. Mweemba

#### By Special Invitation

Mr. Matthieu Laruelle

#### **APOLOGIES NOT RECEIVED**

Chile

## **2. Opening Remarks by the President**

The 3<sup>rd</sup> Coordination Committee meeting of 2016 was opened by CCM President, Ambassador Henk Cor van der Kwast of the Netherlands with a warm welcome to all the Committee members.

## **3. Approval of the Minutes of 3 March 2016**

The draft Minutes, which had been circulated in advance, were approved without comment as a correct record of what had transpired during the Coordination Committee Meeting held on 3 March 2016.

## **4. Update from the CCM Presidency**

The President gave the meeting an update of the activities that the presidency had undertaken since the last Coordination Committee meeting.

### **4.1 New States Parties to the CCM**

The President was happy to report the addition of two States - Cuba and Palau – to the CCM community which had taken the membership to 100. He however, stated that there was still much to do with 93 States yet to join the Convention.

Costa Rica informed the meeting that it had been particularly delighted by the attainment of 100 CCM States Parties especially that in Dubrovnik, as the President of the 5MSP, it had challenged States to achieve that milestone as soon as possible. Costa Rica was also happy that a country in its region Cuba was finally on board.

### **4.2 Update on ISU Financial Contributions**

The President informed the meeting that more countries had met with their obligations under the financial decision and that as at that day a total of CHF 214,087.41 had been received in the ISU Trust Fund. However, there remained a large number of States that still needed to meet their obligation.

Ambassador van der Kwast thanked in particular New Zealand and Zambia for having made contributions towards the Working Capital Reserve. He urged all the Coordinators to encourage their governments to contribute to the reserve fund which would assure the smooth operations of the CCM ISU.

The President further informed the meeting that during the month of May, a letter reminding States that had not yet made any contributions to do so in accordance with the Financial Agreement reached at the First Review Conference in 2015.

## **5. Updates from the Coordinators**

The President then invited the Coordination Committee members to share any updates on their thematic mandates since the previous Meeting.

## 5.1 General Status and Operation of the Convention (Czech Republic and Switzerland)

The Coordinators on the General Status and Operation of the Convention, Czech Republic and Switzerland, informed the Meeting that they had since the last meeting met and progressed on two issues. In this regard, they had circulated non-papers on both matters and were seeking feedback from the Coordination Committee on how to proceed.

### a. The Progress Report

The Czech Republic on behalf of the Coordinators reported that since all 6MSP documents needed to be submitted at least two months prior to the meeting in order for them to be translated into all the UN official languages, all the Coordinators needed to start working on their respective sections of the Progress Report in May. To assist with this reporting requirement, a table highlighting the main goals of the Dubrovnik Action Plan (DAP) had been prepared and circulated to the Committee for comments. The Coordinators further reported that in the past the Progress Report had been comprehensive and very detailed however had tended to be too long. In this regard, the Coordinators put forward three options for consideration:

1. Document only a summary of the achievements with the table as a covering page to make it easily readable;
2. Prepare a list of achievements with a list of questions to guide States in the discussions during the 6MSP.
3. Stick to the old version; keep the narrative with a list of questions to the States to consider in preparing their statements at the meeting.

As there were no comments on the proposals presented, the Coordinators indicated that they would prepare a note with guidelines and circulate it to the Committee before the next Meeting.

### b. CCM Sponsorship Programme

Switzerland on behalf of the Coordinators reported that the CCM Sponsorship Programme did not have any agreed guidelines. The ISU had utilized an ad hoc arrangement to manage sponsorship to the 1RC in 2015. Prior to this, UNDP, in its role as the interim ISU, had managed the Sponsorship Programme. They further informed the meeting that they had examined the current organization of the programme and considered possible measures that could contribute to increase ownership of the programme. In this regard, the Coordinators had compared and contrasted how the sponsorship programme was managed under the CCM, BWC, CCW and APMBC. The key areas looked at were those of governance, guidance and level of formality.

The meeting was informed that while the sponsorship programme under the APMBC was governed by a Donor Group, the CCW used a Steering Group to oversee the decisions of sponsorship. In terms of guidance, the CCW had a more formal organization while the BWC and APMBC were more informal. The Coordinators in summing up their presentation posed three questions to the Committee.

1. Was there any need for a reinforced governance mechanism? The benefit would be more ownership of the programme by States Parties;

2. Was there a need for guidelines on how the funds contributed to the Sponsorship Programme should be used? This would establish a sponsorship criteria and objectives of the Fund.

3. What level of formality was required to manage the Fund?

In the ensuing discussion, clarity was sought on why there was a need to develop new arrangements. The Coordinators explained that it could be beneficial both to the membership since greater ownership could be achieved and to the ISU as having these guidelines would reduce the burden on the ISU Director, including the adoption of unilateral decisions. In contributing to the discussion, Australia as the informal Coordinator of the APMBC Sponsorship Programme supported the establishment of a type of steering committee to assist the ISU in this task. He added that this would also help with the outreach for contributions to the programme and ensure a broad base of responsibility. Costa Rica informed the meeting that discussions were also being held on the same matter under the Arms Trade Treaty (ATT) and saw great value to having clear rules on how to manage sponsorship funds. He added that a steering committee would have the added benefit of ensuring ownership.

In concluding the discussion, the Coordinators proposed to further explore options to consolidate the structure of the Sponsorship Programme.

## 5.2 Universalization (Ecuador and Zambia)

Ecuador speaking on behalf of the Universalization Coordinators expressed their happiness with the addition of two new States parties to the Convention. The Coordinators reported that since the last Meeting they had held bilateral meetings with two States – Serbia and Uganda.

Reporting on the meeting they had had with Serbia, he informed the Meeting that though Serbia had been involved in the Oslo Process through the hosting of the Belgrade Conference in 2007 and now participates actively in Meetings of States Parties, it still had not joined the CCM. Serbia even voted in favor of the UN Resolution on the CCM during the last UN General Assembly. The Serbian Permanent Representative had, however, indicated that with the new government ushered into power on 24 April 2016, there was a high probability that his country would join the CCM. He further informed the Coordinators that the Ministry of Foreign Affairs of Serbia would be pursuing the matter though it was not a high priority.

On the bilateral with Uganda, the Coordinators reported that the meeting had provided them with an update on the ratification process which had been going on for some time. The Ugandan Permanent Representative had informed them that the advancement of the issue had been complicated by a disagreement between the Parliament and the Cabinet on how to proceed with the matter. This had further delayed the ratification though the draft Bill would be tabled for consideration by the new Cabinet in May 2016. Uganda promised to keep the Coordinators updated any new developments.

In contributing the report, Zambia added that the Coordinators had encouraged both the Serbian and Ugandan Permanent Representatives to take up the matter with their respective capitals to expedite the processes. The challenge with Serbia would be that the military was still hesitant on joining the CCM.

The President thanked the Coordinators for their report and informed the Meeting that on its part the Netherlands was finalizing letters to be signed by the Foreign Minister and to be sent

to all Signatory States as well as to Non- Signatory States that supported the UN General Assembly Resolution on the CCM in 2015 to encourage them to join the Convention.

### 5.3 Victim Assistance (Australia and Chile)

Australia reporting on behalf of the Coordinators on Victim Assistance, informed the meeting that as previously indicated, the focus activity of the year for the Coordinators would continue to be the production of guidelines on an integrated approach to victim assistance. He informed the meeting that 39 invitations had been sent out to affected and donor States to participate in the workshop that would provide input into the guidelines.

He further reported that after the workshop, the draft guidelines would be circulated to the participants as well as to the victim assistance coordinators of similar Conventions such as the Anti-Personnel Mine Ban Convention (APMBC) and the Convention on Certain Conventional Weapons (CCW). The intention was to have the Guidelines ready for release at the 6MSP.

### 5.4 Clearance and Risk Reduction (Bosnia & Herzegovina and Norway)

On behalf of the Coordinators on Clearance and Risk Reduction, Norway reported that the Coordinators were looking at the perspective of the operators as the point of departure of their work during the year. It was further reported that the Coordinators were still looking at options of when to gather the various leading mine action operators to discuss how best they could all speak in one voice on mapping and clearance of contamination. The Coordinators also indicated that the focus of this meeting would be the completion of work by the stipulated deadlines and that such a meeting would possibly be held as a side event during the 6MSP.

The President also informed the Meeting that the presidency was considering the hosting of an event at the 6MSP to share best practices with States from the perspective of the operators as they had acquired vast expertise in many of the countries and regions.

### 5.5 Stockpile Destruction and Retention (France and Mexico)

The Coordinators on Stockpile Destruction and Retention reported that they were finalizing letters to those with obligations and as well as to those that needed to provide updated information in their current Article 7 Report. States that had completed stockpile destruction and could share best practices would also be written to. The Coordinators reported that these targeted letters would be sent either on that day or the next.

### 5.6 International Cooperation and Assistance (Austria and Iraq)

Iraq, on behalf of the Coordinators on International Cooperation and Assistance, reported that the Coordinators had met with the Acting Director of the APMBC ISU to understand how the Platform on Partnerships established by the Unit was performing. They learnt that the online based tool had not performed according to expectations and would therefore be sending letters to States to encourage them to use the Platform.

The Coordinators also reported that letters had been sent to donor States to seek clarification on their priorities regarding cooperation and assistance in mine action. Similar letters were also sent to the United States of America and the European Union as some of the major actors in mine action. Iraq thanked the ISU for all its support in this regard.

In the ensuing discussion, Switzerland observed that indeed the Platform had not worked as expected and that perhaps the two Conventions could work together on the matter to enhance cooperation. This was especially as this would be an item to be discussed at the APMBBC intersessional meetings to be held in May 2016 and the possibility of cooperation could be explored.

#### 5.7 Transparency Reporting

In providing an update on Transparency Reporting, Coordinator of this thematic topic, Costa Rica, informed the meeting that since the First Review Conference a total of 22 Initial Transparency Reports were overdue. After sending out a number reminder letters, only two reports had been received from Saint Kitts and Nevis and since the last meeting, Chad. He further reported that the initial Transparency Report of South Africa would be due the following day on 29 April 2016 and had not yet been submitted. Already, since the Review Conference, a total of three new State Parties had missed their deadlines for the submission of their respective initial Report.

He further conveyed to the meeting that only 48 States had submitted their 2014 Article 7 Reports and that only 10 had already submitted their 2015 Annual Reports. Costa Rica, also informed the meeting that it would in collaboration with civil society continue the work started by the former Coordinator, Belgium, on Reporting Guidelines with specific emphasis on victim assistance reporting.

The President in concluding the update inquired whether a simpler reporting format would result in higher reporting rates. He recognized that the number of reports required to be submitted by States contributed to the low reporting rate and if it were possible to simplify the procedure it would assist many States who faced a challenge with numerous reporting requirements.

#### 5.8 National Implementation Measures

The Coordinator on National Implementation Measures, New Zealand, informed the meeting that they were organizing a brainstorming session on 17 May 2016 with a wide array of representatives and whose main objective was to explore ways to try and break the barriers that States face in national implementation measures. It was hoped that new ideas would be shared perhaps also on common issues that could enhance universalization efforts as well.

She further reported that unfortunately its Africa Project would not be going ahead as originally planned due to some challenges. A reconfiguration of the project was still under consideration, including the possibility of allocating funds instead to support the attendance and participation of African delegates in the 6MSP.

### **6. Feedback on the Proposed Generic Press Release on Use of Cluster Munitions**

In introducing the agenda item on a generic press release for further discussion, the President reminded the Committee that the intention of a group statement was to have a larger group of countries promoting the CCM. He reported that two states had been hesitant to support this approach but that the proposal was open for further discussion.

In the ensuing discussion, France reiterated its reservations about the proposal because it did not think that it was the preserve of the Coordination Committee (CC) to undertake such a course of action. Furthermore, the primary responsibility of the CC was to focus on implementation of the

Convention, rather than trying to agree in advance on generic condemnations, especially since the Dubrovnik Statement already contained a strong condemnation in principle. He added that such a proposal would need to be tailored to specific situations: a generic statement could give the impression that every case would be dealt with in the same manner, in order to preserve the authority and relevance of condemnations. In his opinion, a presidential statement would have more political weight and be more effective than using a negotiated statement, whose substance would then most probably be diluted, depending on the particular situation.

Iraq reported that a negotiated statement would be difficult for it to support as compromise language would have to be found and capitals would need to study every statement before supporting it. He further said that he favored the current practice where the president issued the statements on use.

In contributing to the discussion, New Zealand noted that it understood some of the concerns expressed in the meeting but that it would have preferred to base the discussion on a generic text to help States determine whether the hypothetical issues that had been raised would actually be a problem in practice. New Zealand remained of the view that having a generic statement in advance would ensure that in the event of a report of cluster munitions use, the statement could be quickly adjusted to the particular situation and ready to be issued in the shortest time possible.

In its contribution, Switzerland raised the question of the Committee's mandate and its capacity to speak on behalf of the whole CCM membership. In Switzerland's view it was important that the Committee remained in a position to fulfill its key function, which was to facilitate the implementation of the Convention. Switzerland further stated that it was important that the Committee should not be politicized by considering an issue that could cause division among the membership. Switzerland further noted that even with a generic text, there would still be some reservations in some cases which could result in the CCM membership being perceived as exhibiting double standards.

Zambia stated that it was evident that the Committee was not in total agreement on how to proceed and in view of this that the CCM president should continue issuing statements as he already was doing. Zambia noted that the key objective of these statements was the conveyance of the message that the CCM community condemned the use of cluster munitions and that the world was aware of this condemnation.

In its submission, Austria started by reminding the Committee how the discussion had come about in the first place. He reminded the Committee that it had been as a result of the recognized need to ensure a quick reaction by the CCM States and to garner as much media coverage as possible within the shortest time possible. He lamented the tendency for reactions to be long after civil society had reacted and that it was incumbent on all 100 States Parties to react to incidences of cluster munitions use and not to turn a blind eye. He proposed that the presidency puts forward a draft generic text to be used as a basis for further discussion on the matter.

Australia in contributing to the debate stated that it shared the concerns expressed by France and Switzerland and that its main concern was that if this was not done properly it would result in a division within the Coordination Committee. Australia further noted that if ever a situation occurred where there was no agreement, it would be awkward.

In contributing to the discussion, the CMC welcomed the fact that States were willing to discuss the possibility of a generic statement on cluster munitions use. The CMC pledged to continue to

work on collecting good information regarding use and that when a threshold of certainty had been attained to share that information with the Coordination Committee. Similarly, it would share information on any allegations of use.

In summing up the discussion thus far, the President noted that as this was a sensitive matter, only when there was substantial information would a statement be issued. While he acknowledged that it was not ideal to politicize the matter, it was imperative that some action had to be taken as part of the implementation of the CCM. He added that there was need for a fast reaction in the media for the desired added value to be achieved. As a way forward, the President proposed that in addition to the President's statement, another statement could be circulated so that States that wanted to be a part of it could join in. This way, it would not be a Coordination Committee statement but that of a group of States. The only drawback with this approach would be the amount of time it would take which would inevitably result in delays and be the very situation the proposal of a generic statement was trying to counter.

In supporting the President's proposal, Austria suggested that the joint statement could be circulated after the president had already issued an initial Statement.

Bosnia and Herzegovina emphasised that the timing of the statements was of the essence and that once a president had been selected by the CCM membership, some latitude needed to be given to the presidency to act on behalf of all the States. He also welcomed the use of a threshold of certainty as employed by the CMC before a statement was issued.

The ICRC acknowledged the importance of issuing statements but emphasized that the meeting should be clear if it was discussing a statement of the Convention's President or a press release. The two are different with the latter being specifically drafted to attract the attention of the Press and was often directly sent to media outlets.

In concluding discussions, it was agreed that the CCM President would continue with the current practice of issuing, but that in addition, a common statement would be circulated to others that wanted to join in and also released.

## **7. President's Report on Meeting with leading NGOs**

The President reported that together with the ISU he had had very fruitful meetings on 20 April 2016 with leading mine action operators as well as with civil society representatives. The main elements of the two meetings would be recorded and shared with the Committee once it was finalized.

## **8. Looking ahead to the 6<sup>th</sup> Meeting of States Parties (6MSP)**

The President reported that various ideas were being considered for inclusion in the 6<sup>th</sup> Meeting of States Parties and that these would be circulated at a later date as a follow up to the meetings he had held the previous week with major mine action operators and with civil society. He shared that one such idea would be hosting of an event were operators shared with States Parties on the best practices in Convention implementation.



## **9. Consideration of 2016 – 2018 Thematic Coordinators**

The President reminded the Committee that the term of office for half of the Coordination Committee would end at the 6MSP but that they were welcome to continue under another thematic area of the Convention. They were also encouraged to consult with their capitals regarding this option.

## **10. Update on the search for 7<sup>th</sup> MSP President**

The CCM President informed the meeting that two States had been approached and that he would report back at the next meeting on a meeting he planned to hold with a third State.

## **11. Approve proposed CCM Statement to the World Humanitarian Summit**

The President drew the attention of the Committee to the draft Statement that had been circulated and opened the floor for comments.

New Zealand proposed a few changes to the draft and Australia stated that while it was happy for the most part with the draft, it also proposed some changes that would be more in line with the language of the Dubrovnik Action Plan. Australia was of the view that such a statement needed to represent the views of all the CCM membership. For its part, France informed the meeting that it did not have an official position as yet since the draft was still being reviewed by its capital. France also sought clarification on a procedural matter regarding who would endorse the statement: CCM President, the Coordination Committee or all CCM States.

Austria provided more clarity on the objectives of the World Humanitarian Summit by stating that there would be 5 core responsibilities that States would make commitments to. Individual States would make independent commitments but that it would be good if the CCM Presidency could propose a general statement that other CCM could incorporate into their country commitment statements.

In conclusion, the President proposed to prepare another draft taking into consideration the suggested amendments by New Zealand and Australia. He would then circulate the amended draft for further comments. The new proposal would be circulated before the following Thursday.

## **12. Update on ISU Staff Recruitment**

The President invited the CCM ISU Director to provide the meeting with an update on the process of recruitment of staff for the ISU. The Director reported that the recruitment of the Implementation Support Specialist had been concluded and introduced the successful candidate Mr. Matthieu Laruelle to the Committee. Mr. Laruelle would officially take up his position on 9<sup>th</sup> May 2016.

Mr. Laruelle, a Belgian national, born and raised in Western/Central Africa, introduced himself to the Committee and gave a brief overview of his work experience. He informed the meeting that he had worked for the International Committee of the Red Cross for over a decade, as Deputy Head of the Mine Action Unit in Geneva, Mine action Programme Manager in Asia, Africa and Latin America and finally as Head of Mission. His last assignment was in Colombia as Head of Project for Handicap International where he managed its humanitarian demining accreditation process.

### **13. Any Other Business**

#### 13.1 Farewell

Ms. Zlata Penić-Ivanko announced that her tour of duty at the Croatian Mission in Geneva had come to an end. She also took the opportunity to say good-bye to colleagues and thank the Coordination Committee for all its support to Croatia during its CCM presidency and the preparations for the First Review Conference in Dubrovnik.

#### 13.2 Launch of CCM Publication

The President announced to the meeting that on 17 May the Third Edition of “A Guide to Cluster Munitions” would be launched at a reception to be hosted jointly by the Netherlands, Italy and the GICHD. The ISU Director explained that the new publication was a joint venture between the CCM ISU and the GICHD to provide an updated resource on cluster munitions for a varied readership base. The last edition was printed in 2009 by the GICHD.

The ISU Director further informed the meeting that the Dubrovnik Action Plan was also being printed as a booklet to make it easier to carry around and as an easily accessible reference document. This booklet would also be made available at the launch event.

### **14. Date of the Next CC Meeting**

It was agreed that the next meeting of the Coordination Committee would be held at the Permanent Mission of the Netherlands, 4<sup>th</sup> Floor Conference Room, at 10:00 hours on Thursday, 26 May 2016.

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