

Concept Note: CCM Clearance and Risk Reduction Education

Enhancing Implementation of Action 4 of the Dubrovnik Action Plan (Clearance and Risk Reduction Education) up to the 8th Meeting of States Parties (8MSP)

1. Background to Work Plan Context

Under Article 4 paragraph 1 of the Convention on Cluster Munitions (CCM), each State Party undertakes to clear and destroy, or ensure the clearance and destruction of, cluster munition remnants located in cluster munition contaminated areas under its jurisdiction or control.

Furthermore, in fulfilling their obligations under paragraph 1, States Parties are required, according to paragraph 2, to survey, assess and record the threat, as well as assess and prioritise needs in terms of marking, protection of civilians, clearance and destruction and take steps to mobilise resources and develop a national plan to carry out these activities. They are also required to take all feasible steps to ensure that all cluster munition contaminated areas under their jurisdiction or control are perimeter-marked, monitored and protected by fencing or other means to ensure the effective exclusion of civilians. The paragraph also requires that States Parties conduct risk reduction education to ensure awareness among civilians living in or around cluster munition contaminated areas of the risks posed by such remnants.

Ten States Parties reported contamination by cluster munition remnants and therefore have obligations under Article 4. As indicated in Article 7 reports submitted by those States, the level of contamination, the timelines to address it, and the need for cooperation and assistance varies greatly per country. The Coordinators will therefore take a tailor-made approach when addressing the issue of Art. 4 implementation with a view to reaching the objectives set below. They will thus take into account the specific situation of each of the involved States Parties.

2. Objectives

- Increased number of States Parties with obligations under Article 4 that are on track to reaching their respective deadlines under the Convention with a view to avoiding – where realistically feasible – extension requests;
- Increased effectiveness and efficiency in clearance methodology and land release practices in order to increase land released for subsistence, cultural, social and commercial resources;
- Increased exchange of information of good and cost effective clearance practices.

3. Work plan and expected output by the 8MSP

General

- **Guidelines for extension requests:** The first Article 4 deadlines fall due in 2020 and 2021. Even though States Parties have reaffirmed their commitment to fulfilling their clearance obligations under Article 4 through the 6MSP political declaration, some States Parties - despite their best of efforts to meet their deadlines - might need to seek extensions. Accordingly, there is a need to elaborate methodologies, and decide as appropriate, key elements of an extension request process, including the development of clear guidelines to obtain one. Pending the decision of the Coordination Committee on which coordinators will be responsible for working on this issue, the Coordinators for Clearance and Risk Reduction Education will provide input to this process taking into account their mandate and their specific experience with Art. 4 implementation.
- **Voluntary report:** As a follow-up to the Balkans regional workshop organised by (former) Coordinators Norway and the Netherlands in November 2017, the Kosovo Mine Action Center will be encouraged to submit a voluntary Art. 7 Transparency Report on their progress.

Country specific

- i) **Croatia:** Croatia is on track and has indicated it will finalise its remaining clearance of less than 1 km² ahead of their 2020 deadline in 2018.
- ii) **Germany:** Germany reports only to have 11 km² of contaminated land with a deadline due on August 2020. Coordinators will encourage Germany to submit a (more) detailed completion plan, in which they provide a timeline on their clearance progress. Germany will be encouraged to complete their obligations ahead of their August 2020 deadline, thereby avoiding an extension request. Coordinators will initiate meetings to address this issue and possibly follow-up by other means, such as letters.
- iii) **Lao PDR:** Lao PDR has 8,470 km² of contaminated land with a deadline due on August 2020. Lao PDR has indicated it will finalise their general survey by the end of 2018 in cooperation with operators, in order to get a better overview of the levels of contamination. On the basis of the survey, Lao PDR will be in a position to submit a more accurate completion plan, including timelines and cost estimates. This information is of great importance prior to the submission of an extension request. On the margins of the National Mine Action Directors Meeting in February the Coordinators will request a meeting to discuss the situation in Lao PDR with a view to prepare in time for an extension request and further steps. Coordinators will also ask Lao PDR to provide as much detailed information as possible in its 2017 annual report due before 30 April 2018.
- iv) **Montenegro:** Montenegro has a remaining contamination of approx. 2 km² with a deadline due on August 2020 (as reported and discussed at the Balkans regional workshop). Coordinators will request Montenegro to share in writing the information provided orally at the Meeting organised by the Coordinators on International Cooperation and Assistance on 24 November 2017. Coordinators will engage with respective donor countries and mine action operators to see whether a funding decision is due. Depending on this decision and on a discussion with Montenegro as to how to proceed, the Coordinators might further engage with the Coordinators on International Cooperation and Assistance to see whether further work can be undertaken in that context.
- v) **Bosnia and Herzegovina:** BiH has a remaining contamination of approx. 7 km² with a deadline due on 1 March 2021. 2.7km² of the contaminated land is the result of individually launched KB-1 submunitions fired from modified AK-47 rifles, which falls outside the scope of the Convention. The Coordinators will send BiH an official letter confirming this (as discussed during the Balkans regional workshop). The ISU will prepare a first draft, with a view to sending it to BiH before the National Mine Action Directors Meeting in February. During that meeting, the Coordinators could follow-up with BiH. BiH also intends to prepare a clearance plan, which includes cluster munition clearance, early 2018. The Coordinators could also follow-up on that with a view to encourage BiH to finish the remaining clearance before their deadline. Coordinators will encourage BiH to clarify its Cluster Munitions Remnants contamination figures in its 2017 annual report due before 30 April 2018.
- vi) **Chile:** Chile reported that it has contaminated areas on military training ranges covering approx. 34 km². However, clarification on their situation and progress (e.g. clearance plan) is needed. The Coordinators will prepare a letter asking for more information on Chile's plans for clearance with a view to their deadline of 1 June 2021. The ISU will provide some guiding questions for the letter. The Coordinators will discuss informally with Chile prior to sending the letter. After the letter is sent, the Coordinators will decide how to further address this issue. Coordinators will encourage Chile to provide information on its plan to clear its Cluster Munitions Remnants contaminated areas in its 2017 annual report due before 30 April 2018.
- vii) **Lebanon:** Lebanon has a remaining contamination of 18 km² with a deadline of on 1 May 2021. It indicated that with its current capacities, it will not be able to meet the deadline. The Coordinators will discuss this issue with Lebanon (e.g. on the margins of the National Mine Action Directors meeting in February) and will encourage addressing it together with the Coordinators on Cooperation and Assistance and with operators working in Lebanon, taking into account the

lessons learnt from the workshop the (former) Coordinators organised in Beirut in November 2016.

- viii) **Afghanistan:** Afghanistan's cluster munition contamination is in a mixed area. Recently, it indicated orally that it received funding and that they will most likely finish their cluster munition remnants clearance before their deadline due on 1 March 2022. The Coordinators will encourage Afghanistan to reconfirm this in their Art. 7 Transparency Report due no later than 30 April 2018.
- ix) **Chad:** It is not clear how much contaminated land Chad still needs to clear as it did not provide information on this in its Art. 7 Transparency Reports. Targeted survey is needed in Chad to define the scope of the contamination. The Coordinators will engage with Chad at the start of 2018 to encourage it to submit detailed information on Article 4 implementation in its 2017 annual Art. 7 Report.. Their deadline for clearance is 1 September 2023.
- x) **Iraq:** Iraq indicated that it needs to clear approx. 30 km² of contaminated land per year in order to meet their deadline of 1 November 2023. Without increased international cooperation and assistance, they will not be able to do so. The Coordinators will engage with Iraq (preferably during the National Mine Action Directors Meeting in February) in order to obtain more precise data on their contamination levels and their progress so far, while taking into account the priority setting it has with regard to other contamination (AP-mines, ERWs, IEDs).

4. Timeline

By the end of 2017

- Request **Montenegro** to share information in writing which they provided orally at the 24 November meeting.
- Meet with **Germany** informally to discuss their situation and to develop a way forward.
- Meet with **Chile** informally to discuss their situation with a view to sending the letter after that meeting. Possibly follow-up on the margins of the APMBC 16MSP.
- Informally meet with relevant stakeholders on the margins of the APMBC 16MSP to discuss the cases of **Montenegro** and **Lebanon**.
- 12 December: Coordination Committee meeting at which decisions will be made with regard to developing guidelines and procedures for extension requests.

First quarter of 2018

- Prepare a letter for **Bosnia and Herzegovina** to clarify the contaminated areas that fall outside the scope of the Convention and follow-up on this at the National Mine Action Directors Meeting in February. Also follow-up on their clearance plan after its submission expected early 2018.
- Engage with **Chad** at the start of 2018 to encourage it to submit detailed information on Article 4 implementation through its 2017 Art. 7 annual Report..
- Meet with **Lao PDR** on the margins of the National Mine Action Directors Meeting in February to discuss their situation in particular to inquire about how their general survey is proceeding with a view to provide a clearer picture of the contamination by the end of 2018.
- Follow-up with **Lebanon**, possibly together with the Coordinators on International Cooperation and Assistance, on the margins of the National Mine Action Directors Meeting in February.
- Engagement with **Iraq**, preferably during the National Mine Action Directors Meeting in February, in order to obtain more precise data on their contamination levels and their progress so far.
- End of February / early March 2018:** meeting with **ISU** to discuss progress on Coordinators' Work Plan and update Concept Note accordingly.