



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

MINUTES OF THE CCM COORDINATION COMMITTEE MEETING

Held on Thursday, 30 June 2016

at the Permanent Mission of the Netherlands, from 15:30 – 16:30 hours

1. PRESENT:

The Netherlands – 6MSP President

H.E. Henk Cor Van der Kwast

Mr. Mark Versteden

Ms. Heleen Huijgen - Intern

Bosnia and Herzegovina

Mr. Ivica Dronjic

Ecuador

Mr. Leon Aviles Salgado

France

Mr. Simon Decaux

Iraq

Mr. Emad Al-Juhaishi

Mexico

Mr. Victor Martinez

New Zealand

Ms. Katy Donnelly

Switzerland

H.E Urs Schmid

Ms. Aline Berdoz

Zambia

Mr. Samson Lungo

Cluster Munition Coalition (CMC)

Ms. Amelie Chayer

International Committee of the Red Cross (ICRC)

Mr. Louis Maresca

UNODA

Ms. Silvia Mercogliano

Secretariat - CCM ISU

Ms. Sheila N. Mweemba

Mr. Matthieu Laruelle

APOLOGIES RECEIVED

Australia

Austria

Chile

Costa Rica

Czech Republic

Norway

2. Opening Remarks by the President

The 5th 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 who were able to attend the meeting despite the late change in the time of the meeting. The President acknowledged that as a result of a parallel meeting of the Conference on Disarmament, several Committee members were not able to attend the rescheduled meeting as they had prior engagements.

He then presented the Agenda and enquired of the Committee if it had any additional items for discussion. There being none, he proceeded with the Agenda as presented.

3. Approval of the Minutes of 26 May 2016

The draft Minutes, which had been circulated in advance, was approved without comment as a correct record of what had transpired during the Coordination Committee Meeting held on 26 May 2016.

4. Update from the CCM Presidency

The President commenced with an update on matters of a general nature in regards to the implementation and performance of the convention.

4.1 CCM ISU Annual Audit Report

The President informed the Committee that the 2015 Audit Reports of the Implementation Support Unit dated 27 May 2016 had been submitted as required. The reports covering the CCM Implementation Support Unit Trust Fund and the CCM Sponsorship Programme financial reports were reviewed by external auditors, Deloitte SA, and deemed to be in compliance with Swiss Law.

The President commended the ISU Director for its prudent management of the ISU funds and informed the committee members that if they wanted a copy of the reports these could be availed. The ISU Director informed the meeting that a summary of the audit reports was included in the ISU 2015 Annual Report which would be available online and was also one of the official 6MSP documents.

4.2 Follow-up on 17 May 2016 Meeting

The President reported that subsequent to the several suggestions made during half day informal meeting with a selected group of States Parties to the CCM on *Universalization and Strengthening of the norm against their use*, the presidency would be making a follow-up on how to implement the suggestions effectively. He further invited additional suggestions, if any, from the Committee members.

4.3 Participation of GICHD during 6MSP

Ambassador van der Kwast reported that he had held a meeting with Ambassador Toscano, Director of the Geneva International Centre for Humanitarian Demining (GICHD) had he expressed the willingness of the GICHD to participate in the 6MSP. It was proposed that the GICHD could give an introductory presentation on topical subject of survey and mapping during the session on clearance and risk reduction education. The President asked if there were any objections to this proposals and as there were none, it was agreed that the GICHD would be invited to give a presentation on the subject during the 6MSP.

4.4 Submission of outstanding Transparency Reports during 6MSP

The President thanked the Cluster Munition Coalition (CMC) for the proposal to provide an opportunity for States to submit overdue initial and annual Article 7 Reports during the 6MSP. With the support of the Implementation Support Unit and the CMC, a special place would be set up to receive these reports and every submission would be photographed and publicized with the aim of stimulating an increase in current rate of transparency reporting.

5. Updates from the Thematic Coordinators

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

5.1 Universalization (Ecuador and Zambia)

Ecuador reporting on behalf of the Universalization Coordinators informed the committee that 11 bilateral meetings had been held with the following States since the last coordination committee meeting: Angola, Argentina, Brazil, Democratic Republic of Congo, Haiti, Madagascar, South Sudan, Tanzania, United States of America, Venezuela and Yemen.

It was reported that on 17 June 2016, the coordinators met with the Deputy Permanent Representative of Brazil who informed them that his country had been involved in the Oslo Process. However, it had to discontinue its engagement with the convention because of the obligation that all states participating in meetings of States parties had to share the costs of the meeting, a requirement which its legislation does not allow in its observer state status. He, nonetheless, informed the coordinators that he considered the accession of Brazil to the CCM as more of a technical rather than political issue as it related to its military industry and production capacity. He further stated that the political decision to accede the CCM would be taken in the future and in the meanwhile, the military industry had begun to work on adaptation and reconversion of its production in order to fulfil the technical requirements of the CCM and be ready in time for when the political decision on the accession would be taken.

Regarding the bilateral meeting with Venezuela on 21 June 2016, the coordinators were informed that Venezuela as a State Party to the Anti-Personnel Mine Ban Convention was fully committed to the goals and provisions of the CCM. In this regard, the Permanent Mission would follow-up with the capital concerning the current situation and that if there were any new developments in the internal process towards accession, the Coordinators would be informed accordingly. On their part, the Coordinators on CCM Universalization were considering sending a letter to the capital.

On the bilateral meeting with Argentina, held on 22 June 2016, the Permanent Mission informed the coordinators that Argentina had participated in the Oslo Process, but due to some differences in the technical interpretation of the characteristics of cluster munitions, did not sign the convention. However, this fact did not mean Argentina could not change its position in the future, and consider the possibility of accession. Furthermore, with the change of government, there was the probability of change regarding its accession decision and therefore the Permanent Mission would follow-up the matter with its capital and would inform the Coordinators accordingly. As a further step, a letter from the Coordinators on universalization was under consideration for submission.

The Coordinators reported that on 23 June 2016, they had met with representatives of Haiti. Haiti is a signatory State and remains very committed to the CCM though it is not an affected state and ratification is just a matter of adequate national technical capacity. In this regard, the coordinators provided the Permanent Mission of Haiti with the necessary CCM documentation and the model ratification kit to assist in the internal process. The Permanent Mission would report to the capital the bilateral meeting, attaching the documents provided and would follow-up on any developments of these endeavours.

The Coordinators further reported that on 30 June 2016, they had approached the United States of America delegation to highlight the importance of the decision taken by the US Government to suspend the sale and transfer of cluster munitions to Saudi Arabia. It was pointed out that hopefully this action would prevent any further use of cluster munitions in the conflict in Yemen. To learn more about the US policy with regard to the CCM, the Coordinators put forward the proposal that it would be important to have the participation of the United States as an Observer State in the 6MSP. The US delegation responded that it would take the suggestion into consideration, though at the same time expressed that its position remained the same without change at this time.

During the meetings with Angola, DRC, Madagascar, South Sudan, Tanzania and Yemen, the Coordinators were informed by the respective delegations that their represented countries were very committed to the goals of the convention and thanked the Coordinators for the meeting. They further assured them that they would transmit this important matter to their capitals asking for an update of the internal process towards ratification or accession.

In contributing to the discussion on CCM universalisation, the UNODA representative informed the meeting that the UN Secretary General had sent letters encouraging countries that have not ratified or acceded to the Convention to consider becoming party to it. In past years the UNSG has sent such letters every other year.

The President also informed the meeting that the Netherlands in its role as the CCM President had also written letters to several states to encourage them to join the convention.

5.2 Clearance and Risk Reduction (Bosnia & Herzegovina and Norway)

On behalf of the Coordinators on Clearance and Risk Reduction, Bosnia & Herzegovina reported that since the last Coordination Committee meeting, Norway had organised a working lunch with the deputy permanent representatives of about six affected countries. The aim of the lunch was for the coordinators to get a sense of what their national needs and if there were any new developments at the operational level.

5.3 Stockpile Destruction and Retention (France and Mexico)

The coordinators on Stockpile Destruction and Retention reported that since the last Coordination Committee meeting, there had been no responses to any of the targeted letters sent to States that needed to provide updated information in their current Article 7 Report and States that had completed stockpile destruction and could share experiences and best practices.

The President thanked the coordinators for their work and hoped for feedback from these States by the next Coordination Committee meeting.

5.4 International Cooperation and Assistance (Austria and Iraq)

Iraq, on behalf of the Austria, reported that the Coordinators on International Cooperation and Assistance had submitted their input to the Geneva Progress Report on time as requested by the Coordinators on General Status and Operation.

He further informed the Committee that as already reported by the Coordinators on victim assistance, they had been part of the meeting with the victim assistance Coordinators of the CCW and the APMBC to give them feedback on the 18 May 2016 workshop on *An Integrated approach to Victim Assistance in the context of Development, Human Rights and Humanitarian Initiatives*. The Coordinator also thanked the ISU for its support on the work of the Coordinators on the draft VA Guidelines document.

5.5 Transparency Reporting (Costa Rica)

The Coordinator on Transparency Reporting, Costa Rica, had previously informed the Presidency and ISU-CCM of his absence and as requested the ISU Director presented the following update on his behalf:-

That since the last update provided on Transparency Reporting, that 4 initial transparency reports had been submitted by Mali, Panama, Paraguay and Slovakia. The first three states had been overdue with their reports while the last state had made its submission on time. Furthermore, 6 more annual reports had been received increasing the total 2015 annual reports from 38 to 44. As such a total of 49 States Parties still needed to submit their 2015 annual Article 7 report.

5.6 Victim Assistance (Australia and Chile)

The Coordinators on Victim Assistance had sent in their apologies but made a written update for presentation in their absence. On behalf of the coordinators, the ISU Director informed the meeting of the following highlights:-

1. That the Coordinators had submitted their input to the Geneva Progress Report on schedule as requested;
2. That the draft document on *Guidance on an integrated approach to victim assistance* had been finalized as one of the 6MSP working documents and submitted to the UN through the ISU for translation into all the 6 official UN languages;
3. That the Coordinators had met on 20 June 2016 with the Victim Assistance Committee of the Anti-Personnel Mine Ban Convention to brief them on the outcomes of the CCM VA workshop held in May. At this meeting, it had been agreed in principle to launch the final version of the VA Guidance document at a joint side event during the APMBC MSP to be held in Santiago, Chile in December;
4. That the Coordinators would commence consultations on the draft Guidance with workshop participants, the APMBC VA committee and the CCW VA coordinators.

The President concluded this segment by thanking the Coordinators for the update.

5.7 National Implementation Measures (New Zealand)

In providing an update on National Implementation Measures, the Coordinator, New Zealand, informed the meeting that it had been working on the summary of its workshop held on 17 May and once finalized would send it to the ISU for circulation to all States parties and signatories. She further reported that New Zealand was also undertaking a number of follow-up activities to implement some of the recommendations that came out of the 17 May meeting such as the one from the Coordinators on Universalisation to identify and target a common list of priority states for outreach.

The Coordinator also reported that New Zealand had continued its particular focus on Africa and was working closely with the ISU on the meeting to be held in Addis Ababa in early August. New Zealand also announced that it was contributing to the Sponsorship Programme to bring a select group of African delegates to the 6MSP in September. The focus of these would be to follow up with target states to accelerate implementation of the CCM. She also informed the meeting that New Zealand was at the same time looking for ways to promote the CCM in the Pacific.

It was also reported that New Zealand was in touch with three States regarding their policies and practices on the dissemination of information regarding national obligations under the CCM to all relevant stakeholders (for example, the military). The coordinator hoped that the information received could be used to build a compilation of best practice that might help other states with their implementation in this area.

In contributing to this discussion, the CMC representative reported that one of its affiliates, PAX, focused its new publication on companies that invest in cluster munitions. In the PAX report, States are encouraged to enact legislation in line with the Dubrovnik Action Plan. She also informed the meeting that more information could be found at the www.stopexplosiveinvestments.org website.

The CMC also provided an update on the Amnesty International Report that cluster munitions produced in the United Kingdom before it joined the CCM were reported to have been used in Yemen. She further reported that both the UK Minister of Defence Procurement Phillip Dunne and the UK Secretary of State for Defence Michael Fallon had denied that any UK supplied cluster munitions had been used in the current conflict in Yemen despite clear evidence to the contrary. The matter was debated on 8 June 2016 in the UK House of Commons. Thereafter in New York, at a briefing for NGOs on issues related to the Security Council, the UK said that it had not sold any cluster munitions after 1989 and had therefore not broken the law. She further informed the meeting that UK based CMC campaigners would continue to engage with the UK government on the matter.

In its contribution to the discussion on National Implementation Measures, the ICRC reported that Mauritius had recently passed legislation on the CCM and the APMBC.

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

Switzerland reporting on behalf of the Coordinators on the General Status and Operation of the Convention, gave an update on two matters: the Geneva Progress Report and Sponsorship Programme.

(a) Geneva Progress Report

The Coordinators reported that they had worked together with the ISU to consolidate the various thematic reports into one. They further reported that the Progress Report had been finalized and the draft circulated to the other Coordinators for their comments. However, if any of the Coordinators had any additional comments, they could submit these before the end of the day so that the submission deadline could be met later that day.

(b) Sponsorship Programme

It was reported that the Coordinators had, a few days prior to the Coordination Committee meeting, circulated for comments a table presenting three possible options on the management of the CCM Sponsorship Programme (see annex). The Coordinator highlighted the pros and cons of each model and emphasized that the option recommended for implementation would be based on how the final decisions would be taken on the list of sponsored delegates as this was a key aspect of the programme. It was stressed that while the role of the ISU was critical in the management of the Sponsorship Programme, the Coordination Committee had to provide it with the necessary guidance to undertake its role. Taking all aspects into consideration, the Coordinators recommended Option 2 as best formed to meet these criteria.

It was clarified that Option 2 was the existing model but with the added role of the Coordination Committee to increase governance of the programme and allow for greater ownership of the process by States.

The President then requested the Committee to make known any objections to the recommendation. There being none, it was **agreed** that Option 2 would be the model implemented to guide the Sponsorship Programme.

In concluding discussions on this matter, the President thanked the Coordinators for the hard work they had put into the tasks they had provided updates on.

6. Looking ahead to the 6th Meeting of States Parties (6MSP)

The President shared a general overview of the event with the Coordination Committee and elaborated as follows:-

- 6.1 That the Netherlands would host a welcome reception on the evening of 5th September and that it would be held at the Press Club of the Palais des Nations.
- 6.2 That the Presidency was still looking at the possibility of having a high level personality to participate in the meeting to raise the profile of the Convention. The option of inviting a personality registered on the list of United Nations Messengers of Peace was being considered. The President also requested for ideas from the Committee on possible celebrities that could be invited to the 6MSP.
- 6.3 That the Presidency had sent out a letter providing States Parties with an update on the financing of the Implementation Support Unit. He also proposed that all new States should be added to the indicative schedule of contributions after the Meeting of States Parties at which they would first be attending as States Parties. He further suggested that this proposal would be formally made at the 6MSP for approval by the meeting.

6.4 That the presidency had drafted and circulated to the Coordination Committee a Political Declaration for possible adoption at the 6MSP. He asked the Committee to read it constructively and remained open to any suggestion to improve on it. He further explained that the Convention had achieved a lot in its short lifetime and this progress needed to be maintained. He highlighted that the draft declaration included a number of new issues looking forward such as underlining victim assistance and the introduction of an implementation deadline such as the 2025 deadline for the APMBC. However, given that the Convention is still young, the deadline of 2030 was being proposed. He elaborated that setting a deadline had advantages in that it puts pressure not only on affected states to complete the job but also on donor states to concentrate their efforts in meeting the set implementation end date. He informed the meeting that the draft Declaration would be discussed in more detail at the next meeting of the Coordination Committee before circulation to a wider group.

7. Updates on the consideration of 2016 – 2018 Thematic Coordinators

The President thanked the States that had come forward to take up the positions that would be falling vacant. In this regard, he reported that the following States had expressed their interest to oversee the under listed thematic working groups:

Universalization- Germany to replace Ecuador

International Cooperation and Assistance – Australia to replace Austria

General Status and Operation of the Convention – To replace Czech Republic, Bosnia & Herzegovina (to confirm once a final decision had been taken by the capital)

France – to confirm which working group

8. Update on the search for 7th MSP President

The President reported to the Committee that he would be having a second meeting to follow up with a potential candidate state to preside over the CCM and 7MSP. He would provide further information at the following meeting.

9. Any Other Business

9.1 GICHD participation in the Coordination Committee

The President presented to the Coordination Committee a proposal to consider the participation of the Geneva International Centre for Humanitarian Demining (GICHD) in its meetings as an observer organisation. He informed the meeting that as the CCM presidency there was no objection but requested the Committee to consider this option for further discussion at the next meeting.

9.2 Farewell messages

Two members of the Coordination Committee took the opportunity to announce that they were leaving Geneva and to bid farewell to the Committee.

Mr. Ivica Dronjic informed the meeting that after four years, his tour of duty at the Mission of Bosnia and Herzegovina in Geneva had come to an end. He shared that he had been participating in the work of the Coordination Committee in other portfolios and wished the

presidency a good meeting in September. He also stated that it was likely not a final goodbye and hoped to meet with Committee members at other meetings. In response, Ambassador van der Kwast thanked Mr. Dronjic for the good work he had done for the convention and wished him all the best and hoped to see him at other meetings.

Ambassador Urs Schmid of Switzerland also took the opportunity to say good-bye to colleagues. He informed the Committee that he had been working on the CCM since September 2012 and highlighted the important work that was being done by the young treaty. He noted that the institutional framework had been strengthened and that he was happy with this. Ambassador Schmid thanked all his friends around the table and wished the President and the Coordination Committee a good 6MSP. The CCM President in turn thanked Ambassador Schmid for all the work he had contributed to the CCM and especially in getting the treaty on track. He also wished him luck in his new appointment and the future.

9.3 Sponsorship Programme for the 6MSP

The President shared his idea of approaching a number of major airlines with big corporate social responsibility programmes to request their assistance in supporting the participation of affected and low income States in the 6MSP. The Committee thought that it was an excellent idea and supported the efforts of the president in this regard.

9.4 Update from UNODA

The UNODA representative informed the Committee that UNODA had facilitated a meeting between the Chairpersons of the UN disarmament treaties and UNOG Financial Resources Management Service. The purpose of the meeting was to discuss two main issues, namely unpaid past contributions and the requirements of the United Nations Financial Regulations and Rules to receive funds in advance of any expenditure. In this regard, she announced that the status of contributions for each treaty would be posted online on the UNOG webpages.

9.5 Use of Cluster Munitions in Sri Lanka

In light of media reports that the UN High Commissioner for Human Rights (OHCHR) had called for further investigations into the alleged use of cluster munitions in Sri Lanka, New Zealand asked if any members of the Coordination Committee had any information to share.

In contributing to the discussion, the CMC representative reported that the Liberation Tigers of Tamil Eelam (LTTE) had claimed many years ago that the government of Sri Lanka had used cluster munitions. She referred to a recent article in the Guardian indeed stating that three clearance operators in the country had recovered cluster munitions remnants in certain areas – an article that was followed by denials of use from the government. She informed the meeting that her Monitor colleagues were looking into collecting further data.

9.6 Draft Report of 17 May Workshop

The CMC reported that the draft report of the 17 May 2016 workshop on *Universalization and Strengthening of the norm against their use* had been circulated and invited feedback by mid-July. The final version would then be made available at the 6MSP.

10. Date of the Next CC Meeting

It was agreed that the next meeting of the Coordination Committee which would focus on the preparations for the 6MSP be held at the Permanent Mission of the Netherlands, 4th Floor Conference Room, at 10:00 hours on Thursday, 11 August 2016.

Another follow up meeting would most probably be held shortly after on Thursday, 1 September 2016.

ANNEX

CCM Sponsorship Programme Governance – 3 possible alternatives

After exchanges on the CCM sponsorship programme, the Coordinators for General Status and Operation have narrowed down the possible governance options for the programme to three alternatives which are spelled out below. In elaborating these options, the Coordinators have come to the conclusion that the programme should continue to be run on a flexible and informal basis in order to remain in keeping with the spirit of the convention. They have therefore refrained from submitting any option relying on formal guidelines.

Option	Description	Advantages/disadvantages
Status quo	<ul style="list-style-type: none"> • Informal process • Programme run by the ISU, assisted by the GICHD. No guidance regarding criteria and decisions, ad hoc functioning • Drawing up of the list of delegates to be sponsored based on exchange between ISU and thematic coordinators • Validation of the list by the CCM presidency 	+ no need to amend existing process + streamlined process - limited governance - lack of ownership from SP
Relying on existing structure	<ul style="list-style-type: none"> • Informal process • Programme run by the ISU, assisted by the GICHD • Drawing up of the list of delegates to be sponsored based on exchange between ISU and thematic coordinators • Possibility of inviting donors to join the Coordinating Committee when discussing this item • Validation of the list by the coordination committee 	+ limited change + no need for additional new structures and processes + larger accountability/ownership from SP - workload transferred to the Coordinating Committee
APMBC model	<ul style="list-style-type: none"> • Informal process • Programme run by the ISU, assisted by the GICHD, • Establishment of an informal sponsorship programme working group led by a coordinator • Working group made up of interested donors • Drawing up of the list to be sponsored based on exchange between sponsorship coordinator, ISU and thematic coordinators • Validation of the list by the sponsorship programme working group 	+ clear, established example to follow + countries contributing to the programme have a large decision-making power - parallel process to coordination committee - need to identify a willing coordinator - important workload for the coordinator