

Convention on Cluster Munitions

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Item 9 of the provisional agenda

**Presentation of deadline extension requests
under Articles 3 and 4 of the Convention
and of the analysis of these requests**

Analysis of Lao People's Democratic Republic's deadline extension request under Article 4.1 of the Convention on Cluster Munitions*

**Submitted by the Analysis group for Article 4 extension
requests – Italy, Lebanon, Norway, and Switzerland**

I. Background

1. The Lao People's Democratic Republic (Lao PDR) signed the Convention on Cluster Munitions (CCM) on 3 December 2008 and ratified it on 18 March 2009. The CCM entered into force for Lao PDR on 1 August 2010. Under Article 4 of the Convention, Lao PDR was obliged to clear and destroy, or ensure the clearance and destruction of cluster munition remnants (CMR) located in contaminated areas under its jurisdiction or control, by 1 August 2020.
2. In its initial transparency report submitted on 25 January 2011, Lao PDR reported an estimated cluster munition contaminated area of 87,000km², with the exact contaminated areas still being defined. In its 2012 annual transparency report submitted on 28 March 2013, Lao PDR reported that the estimated size of contaminated area had been updated to 8,470km². At the Eighth Meeting of States Parties (8MSP) to the CCM, Lao PDR informed States Parties that it would be unable to fulfil its obligations under Article 4 by its initial deadline and of its intention to submit an extension request.
3. Lao PDR submitted its first request to extend its Article 4 deadline of 1 August 2020, to the Ninth Meeting of States Parties (9MSP) to the CCM. The 9MSP granted Lao PDR an extension of five years, until 1 August 2025.
4. On 20 June 2023, during the 26th International Meeting of Mine Action National Directors and United Nations Advisers (NDM-UN26) Lao PDR notified the CCM Implementation Support Unit (ISU) of its intention to submit a second request for extension as it would be unable to comply with all its Article 4 obligations by the current deadline. Furthermore, at the Eleventh Meeting of States Parties (11MSP), Lao PDR informed State Parties that the massive extent of contamination in the country was – and remains – the most significant obstacle to achieving Article 4 completion within the set deadline and that it would be submitting a second extension request under Article 4.

* The present document is being issued without formal editing.



5. On 15 November 2023, Lao PDR submitted a zero draft extension request to the CCM ISU for an initial assessment to ensure that the request included all critical components, on which the ISU provided feedback.

II. Consideration of the request

6. On 31 January 2024, Lao PDR submitted an official request for a five-year extension of its Article 4 deadline up to 1 August 2030, to the President of the Twelfth Meeting of States Parties (12MSP) for the request to be considered at the Meeting. On behalf of the 12MSP President, the ISU informed States Parties to the Convention that Lao PDR submitted its extension request and made it available on the CCM website.

7. The Analysis Group convened a meeting on 12 February, inviting representatives of the International Committee of the Red Cross (ICRC), the Cluster Munition Coalition (CMC), the Geneva International Centre for Humanitarian Demining (GICHD), the Mines Advisory Group (MAG), Mine Action Review, and Norwegian People's Aid (NPA) to join them in considering the request.

8. As per established practice, the Analysis Group used the procedure outlined in the document "*Methodology for requests of deadline extensions under Articles 3 and 4 of the Convention on Cluster Munitions*" (CCM/MSP/2019/12), adopted at the 9MSP, to analyse Lao PDR's extension request.

9. On 5 April 2024, the Analysis Group conveyed its observations and comments to Lao PDR, requesting additional information and clarifications to facilitate further consideration of its request. On 26 April, Lao PDR submitted detailed clarifications to the questions posed by the Analysis Group and a revised extension request with updated work plans and additional information.

10. On 30 April 2024, at the request of Lao PDR, the Analysis Group met with the national delegation attending the 27th International Meeting of Mine Action National Directors and United Nations Advisers (NDM-UN27), to further discuss the extension request. Following that meeting, Lao PDR submitted an updated version of the revised extension request and work plans on 17 May 2024.

11. On 27 May 2024, the Analysis Group met to consider the updated version of the revised extension request. Following that meeting, on 3 June 2024, the Analysis Group recommended that Lao PDR provide further clarity on specific issues. On 10 June 2024, Lao PDR submitted a new updated version of the revised extension request with clarifications, requesting a five-year extension of its Article 4 deadline up to 1 August 2030.

12. The extension request highlights that Lao PDR has the world's highest level of contamination by unexploded submunitions as a result of the Indochina War of 1964–1973. The request clarifies that, despite significant financial investment and progress in clearance, the size of the task of clearance means that the government of Lao PDR will not be able to clear all the national territory within the current Article 4 deadline. Furthermore, the request makes clear that Lao PDR will be requesting further extension requests beyond the second extension period due to the massive extent of contamination and expected clearance rates. The request indicates that, based on US bombing data, the suspected contaminated area in Lao PDR is close to a third of the national territory, totalling around 87,000km². As for cluster munition contamination, the initial estimation amounted to approximately 8,470km². The request specifies that this initial estimation is based on 70,000 individual cluster munitions target locations with each cluster munitions strike producing a footprint of up to 12 hectares (0.12km²). The extension request highlights that these calculations gave a very broad understanding of the extent of contamination, but were, obviously, based on assumptions. The request makes clear that determining the extent of cluster munition remnant contamination in Lao PDR is an on-going process through survey.

13. The request informs that, since its first extension request, Lao PDR has implemented a Cluster Munition Remnant Survey (CMRS) methodology to identify Confirmed Hazardous Areas (CHAs). Within the first extension request period, during the period from 2021 to 2023, Lao PDR identified more than 65,134 hectares (651.34km²) of contaminated land using

the CMRS methodology. In the same period, Lao PDR cleared over 16,943 hectares (169.43km²) of this amount, equalling 26% of the total identified contaminated area for that period.

14. The request further specifies that CMRS of villages has been undertaken systematically in 6 of the most contaminated provinces in the Lao PDR (Attapeu, Champasak, Salavan, Savannakhet, Sekong and Xieng Khouang). CMRS survey methodology was further adopted in 5 provinces (Bolikhamxai, Houaphan, Khammouane, Luang Prabang, and Vientiane) although not systematically due to funding constraints. A remaining 4 provinces with contamination (Oudomxai, Phongsaly, Vientiane Capital and Xaisomboun) whilst known to have levels of contamination, do not have any ongoing CMRS to date. The request confirms that the Desk Study – NTS – TS (CMRS) – Clearance methodology would continue as the most effective approach, with the government reviewing alternative methods to improve efficiency during the requested extension period.

15. The request further clarifies that the CMRS process in Lao PDR focuses on village level where contamination is identified by villagers, identifying areas which impact directly on village life. Areas which are outside of human interaction and villages (forests, mountains, other areas with no human activity) are not included in the CMRS process and not registered immediately. To date, the mapping of CHAs in villages has been completed in 5 of the 6 provinces assigned for systematic (proactive) survey. In these 5 provinces, CMRS is ongoing but at a greatly reduced rate as operators are responding to ad hoc requests when evidence (ordnance) is found by villagers, outside of previously surveyed areas (reactive CMRS).

16. The request specifies that Lao PDR would prioritize UXO clearance in high contaminated, densely populated areas, focusing on the poorest districts and aiming to enable rural development projects necessary for schools, clinics, and infrastructure.

17. The request indicates that clearance activities are undertaken by UXO Lao (the national clearance operator), Unit 58 (the humanitarian clearance unit of the Lao People's Army), as well as international INGOs. The sector employed just under 5,000 staff for clearance, risk education, and victim assistance activities in 2023.

18. The request specifies that Lao PDR government has contributed to the UXO sector by funding various initiatives, including support for Unit 58 of the Lao People's Army. The government has also provided in-kind contributions such as properties for UXO-Lao offices, dormitories, training sites, and tax exemptions for equipment. Funding mainly comes from bilateral agreements with donor countries, UNDP, and INGOs. The UXO Sector Working Group (UXO SWG), a mechanism resembling the country coalition concept, has been improved since the first extension period, ensuring strengthened coordination. Since September 2023, the Ministry of Foreign Affairs has taken over from the Ministry of Labour and Social Welfare the chairing of the National Regulatory Authority (NRA) Board and the coordination of the UXO sector.

19. Notwithstanding, the request clarifies that reliance on external funding complicates long-term planning and staffing, with fluctuations leading to loss of trained personnel and hindering progress.

20. The request also outlines Lao PDR's risk education and victim assistance prioritization and goals, in addition to providing data on cluster munition victims disaggregated by age and gender.

21. The request highlights that with a current annual budget estimated of approximately US\$45 million and an annual clearance rate of approximately 6,500 hectares (65km²), Lao PDR expects to clear a total of approximately 32,500 hectares (325km²) over the forthcoming 5-year extension period, with an estimated of 375,000 cluster munitions destroyed. During the same period, Lao PDR expects to identify 20,000 hectares (200km²) of CHA per annum, totalling 100,000 hectares (1,000km²) over the 5-year extension.

III. Conclusions

22. The Analysis Group expresses its appreciation to Lao PDR for the significant progress achieved in the past extension period and overall, from 2010–2023, including improvements in land release methodology and adoption of evidence-based clearance.

23. The Analysis Group acknowledges with appreciation Lao PDR's explicit integration of humanitarian demining efforts within the framework of the 2030 Agenda for Sustainable Development and the sustainable development goals (SDGs). This strategic alignment positions "mine action" within a broader, long-term logic of impact, enhancing opportunities for funding mobilization.

24. The Analysis Group welcomes Lao PDR's commitment to submit an extension request that meets all the criteria outlined in the "*Methodology for requests of deadline extensions under Articles 3 and 4 of the Convention on Cluster Munitions*" document (CCM/MSP/2019/12) that was adopted at the 9MSP.

25. The Analysis Group also commends that Lao PDR has adopted the CMRS process which is an evidence-based methodology which identifies CHAs, which in turn form the basis of the Lao PDR's efforts to establish a baseline of cluster munition remnant contamination.

26. The Analysis Group notes that the work plan presented by Lao PDR is contingent upon stable funding and retaining strong partnerships with international stakeholders, among other factors needed to continue creating an environment conducive to increase the capacity and efficiency of clearance activities.

27. The Analysis Group also welcomes that Lao PDR has begun and is expanding efforts in mainstreaming gender and diversity considerations and conducted a Gender Analysis and integrated Gender and Diversity focal points into the four Technical Working Groups to address gender and diversity issues at a technical level.

28. The Analysis Group also notes Lao PDR's ongoing efforts to ensure that cluster munition clearance impact on the environment is minimised and looks forward to the review of its National Standard on Environment Management to align it with the Environmental Management in Mine Action (IMAS 7.13).

29. The Analysis Group notes that the Convention would benefit from Lao PDR reporting annually through its Article 7 reports and the Meetings of State Parties or Review Conferences, on the following:

- (a) Progress made relative to the commitments contained in Lao PDR's work plan during the extension period;
- (b) Updated information on remaining confirmed contamination and outstanding areas to be subject to survey;
- (c) Updated detailed annual plans for the implementation of its extension request based on new information gathered from survey activities;
- (d) Resource mobilization efforts and external financing received, and resources made available by the government of Lao PDR to support implementation efforts;
- (e) Other relevant information.

30. The Analysis Group notes the importance of, in addition to Lao PDR reporting to State Parties as noted above, keeping State Parties regularly apprised of other pertinent developments, as necessary.

IV. Draft Decision on the Article 4 Extension Request submitted by Lao PDR

31. The Meeting of State Parties assessed the request submitted by Lao PDR for an extension of its deadline for completing the clearance and destruction of cluster munition

remnants in accordance with Article 4.1 of the Convention and agrees to grant the request for an extension of five years until 1 August 2030.

32. In granting the request, the Meeting noted that Lao PDR is one of the most heavily contaminated countries by unexploded submunitions. In this regard, notwithstanding the substantial efforts undertaken during the first extension period, Lao PDR still faces significant remaining challenges in order to fulfil its Article 4 obligations.

33. In granting the request, the Meeting welcomes that within its first extension request, during the period from 2021 to 2023, Lao PDR undertook technical survey using the CMRS methodology to identify more than 65,134 hectares (651.34km²) of contaminated land and in the same period cleared over 16,943 hectares (169.43km²) of this amount, which equates to 26% of the contamination identified for that period.

34. The Meeting further notes that the massive extent of contamination in Lao PDR means that survey of villages is complete in five high priority provinces but remains incomplete in the majority of provinces. As such, the rate of areas identified as CHAs will continue to rise as survey continues in the remaining provinces.

35. In granting the request, the Meeting noted Lao PDR's ongoing efforts to undertake a nationwide CMRS of populated areas, which is gradually allowing it to produce a more precise and evidence-based assessment of the actual extent of cluster munition remnant contamination.

36. In granting the request, the Meeting noted that the Convention would benefit from Lao PDR reporting annually through Article 7 reports and Meeting of States Parties or Review Conferences on the following:

- (a) Progress made on the implementation of Lao PDR's work plan during the extension period;
- (b) Updated information on remaining confirmed contamination and outstanding areas to be subject to survey;
- (c) Updated, detailed annual plans for the implementation of its extension request based on new information gathered from survey activities;
- (d) Resource mobilization efforts and external financing received, and resources made available by the Government of Lao PDR to support implementation efforts. In particular, the updated information on the efforts undertaken by the UXO Sector Working Group (UXO SWG), mechanism, which is a similar concept as "Country coalition", would be of interest;
- (e) Other relevant information.

37. In addition to reporting as requested above, the Meeting noted the importance of Lao PDR keeping the States Parties regularly apprised of any other pertinent developments regarding the implementation of its Article 4.1 obligations during the period covered by the request, as necessary.