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# Convention on Cluster Munitions

30 August 2010

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## Preparatory Meeting

Geneva, 6 September 2010

Item 7 of the provisional agenda

### Consideration of the substantive outcomes of the first Meeting of States Parties

## Work Programme 2011, including architecture

Submitted by the President-designate<sup>1</sup>

1. The negotiation of the Convention on Cluster Munitions (CCM) has been informed by experience establishing and implementing the Anti-Personnel Mine Ban Convention (APLC) over more than a decade. Examination of the APLC experience clearly demonstrates the value and need for an effective intersessional work programme, appropriate architecture including a coordinating mechanism for effective governance and an Implementation Support Unit (ISU) in order to facilitate the universalisation and implementation of the CCM.
2. Establishing well functioning structures (architecture) and governance processes within the APLC was not a straightforward or easy process, however. The first Meeting of States Parties of the APLC authorized the establishment of an intersessional work programme and general architecture for that Convention. The second Meeting established a Coordinating Committee to organize intersessional work and the third Meeting authorized the establishment of an ISU. All of these have undergone significant adjustment over time and continue to evolve according to the needs of States Parties. The APLC intersessional work programme is currently under review and the ISU being evaluated. These may result in further changes to each which may also affect the role, function and structure of the Coordinating Committee.
3. In order to ensure universalisation and effective implementation, it is possible that the CCM will employ similar but not necessarily identical structures and processes as have evolved in the APLC.
4. Given the experience in the early years of the APLC where it appears that very important decisions with respect to architecture and processes may have been made too early, the smaller number of States that will be full participants at the first Meeting of States Parties (first MSP) to the CCM<sup>2</sup> and the lack of urgency for hard decisions particularly on architecture, it may be prudent for the first MSP of the CCM to take only a provisional

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<sup>1</sup> Prepared by Canada as Friend of the President

<sup>2</sup> At the first MSP of the APLC, 43 States Parties participated, 18 States that had ratified but for whom the Convention had not yet entered into force and 34 other signatories participated as observers. A further 13 States who had neither signed nor ratified, also participated as observers.

decision on the intersessional work programme and CCM architecture. Additionally, as the first Article 7 reports are not due until January 2011, this would permit a full analysis of the needs of States Parties with regard to implementation before taking decisions on a structure for an intersessional work programme.

5. Such an approach would have the added benefit of allowing states to consider the results of the ongoing APLC review of the intersessional work programme as well as the evaluation of the ISU and to factor relevant information/conclusions into decisions with respect to the CCM.

### **2011 Intersessional Programme - Proposal**

6. In order to concentrate global efforts regarding cluster munitions, ensure continued momentum of the CCM, and to address the many important thematic topics as they relate to the Vientiane Action Plan (VAP), it is proposed that the first MSP in Vientiane agree to convene one informal intersessional meeting of from three to five days duration, in addition to scheduling the second MSP. The output of such an intersessional meeting would be to recommend to the second MSP *inter alia* items of clarification with regard to implementation of the Convention including recommendations with regard to its implementation architecture and future meeting programme.

7. It is suggested that the intersessional meeting would be structured to conduct thematic discussions on substantive topics including the general status and operation of the CCM, victim assistance, clearance and risk reduction education, stockpile destruction including retention, universalisation, transparency, national implementation measures and cooperation and assistance.

8. Further, it is proposed that the discussion of general status and operation would include consideration of decisions proposed to be taken at the second MSP regarding architecture and means to coordinate the work of the CCM, future intersessional work, and whether or not to establish an ISU and, if so, the nature of the ISU.

### **Proposed 2011 Meeting Schedule**

9. In order to minimize costs, it would be beneficial to coordinate the timing and location of formal and informal meetings of the CCM with those of related Conventions (APLC and the Convention on Certain Conventional Weapons (CCW)), as these conventions draw many of the same participants and demand similar skill sets. It is proposed, therefore, that the intersessional meeting be held in Geneva, Switzerland in June 2011 and that the second MSP be held in either a cluster munition affected State Party or in Geneva, Switzerland in November 2011, contiguous with respect to scheduling of the APLC, eleventh Meeting of States Parties which will be held in Cambodia, as well as with the Fourth Review Conference of the CCW.

### **Participation**

10. The work of the informal intersessional meeting should reflect the spirit and practice of inclusivity and cooperation that prevailed during the lead up to, negotiation of, and opening for signature and ratification of the CCM. It is proposed, therefore, that participants would include experts from States Parties, signatory States, other interested States, international and regional organizations and NGOs. A sponsorship programme to ensure the widest possible representation among states may be established from voluntary contributions.

### **Organization of Intersessional Work**

11. It is proposed that the intersessional meeting in 2011 be chaired by the President of the first MSP, with assistance as required, both in chairing and in reporting, from such “Friends” as the President may deem necessary. Should the intersessional meeting take place in Geneva, it would be useful to consider options with respect to venue and organizational work. The Geneva International Centre for Humanitarian Demining (GICHD) could offer practical support such as providing the necessary organization and venue, as could the United Nations Office in Geneva. Ideally, the intersessional meeting would be low-cost, limited largely to expenses associated with attendance at the meeting.

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