

# Review Conference of States Parties to the Convention on Cluster Munitions

23 December 2014

Original: English

---

## First Preparatory Meeting for the First Review Conference

Geneva, 5 February 2015

Item 5 of the provisional agenda

Presentation on the review of the Vientiane Action Plan

### Review of the Vientiane Action Plan VI. Clearance and destruction of cluster munitions remnants and risk reduction activities

Submitted by the President to the Fifth Meeting of States Parties

#### Key messages

1. Contamination of cluster munition remnants can be addressed effectively and relatively quickly. The entry into force of the Convention on Cluster Munitions has had an energising impact on the clearance community and States parties should continue their best efforts to maintain this momentum.
2. The Convention has promoted new thinking on clearance and risk reduction in the context of Article 4. In particular, it continues to stimulate international discourse on, and the implementation of, efficient clearance activities. The international discourse has highlighted that the efficient implementation of Article 4 relies first on good surveys to establish the real extent of the problem, and second on prioritised clearance efforts, using the most efficient funding regimes and updated technical and clearance methods.
3. The implementation of Article 4 is a success story. This success is due in part to the best practices, standards and methods suggested by States Parties and the wider clearance and risk reduction community since entry into force. It is important to increase the number of affected states that apply and operationalise the approaches and methods that have been suggested.

#### Scope

4. Sixteen States Parties have reported to have or had obligations under Article 4.

GE.14-25036 (E)



\* 1 4 2 5 0 3 6 \*

Please recycle 

## Progress

5. Among these, two had fulfilled their obligations prior to entry into force, one declared compliance at the Third Meeting of States Parties and two declared compliance at the Fifth Meeting of States Parties. There are 11 States Parties with current obligations under Article 4.

6. Actions #10–19 of the Vientiane Action Plan lay out commitments made by States in the course of complying with Article 4. Throughout the past five years, States with obligations under Article 4 reported on the location and size of cluster munitions contaminated areas, on methods applied for survey and clearance of contaminated areas, on measures taken to prevent further civilian casualties, and on the size and location of cluster munitions contaminated areas released. To support affected States in these efforts a number of documents were presented:

(a) “Application of all available methods for the efficient implementation of Article 4”<sup>1</sup> submitted to the Second Meeting of States Parties by Australia;

(b) “Implementation of Article 4: Effective steps for the clearance of cluster munition remnants”<sup>2</sup> submitted to the Fourth Meeting of States Parties by Ireland and Lao People’s Democratic Republic, which suggested that cluster contamination could be addressed effectively and relatively quickly if available resources were utilized appropriately and by adopting a systematic step by-step approach; and

(c) “Compliance with Article 4”<sup>3</sup>, submitted to the Fourth Meeting of States Parties by the President of the Third Meeting of States Parties, which intended to provide guidance on how to approach the planning and execution of survey and clearance operations, including how to identify contaminated areas and what constitutes “every effort” under Article 4.2(a).

7. Based on this work, in 2014, the Coordinators on clearance and risk reduction - the Lao People’s Democratic Republic and Switzerland - placed special emphasis on best practices of survey and implications for the implementation of Article 4, given the importance of survey methodology in the detection of cluster munitions remnants.

8. The Convention continues to be a catalyst for new thinking on clearance and risk reduction. In the context of the international discourse on the implementation of Article 4, new approaches and methods relevant for an efficient clearance and ultimately a clear compliance with Article 4 are being developed, suggested and promoted. Since the First Meeting of States Parties, a number of affected States has already operationalised such approaches and methods.

9. It is important to maintain this momentum and for affected States to continue to implement best practices in survey, detection and clearance as proposed in the relevant papers welcomed by Meetings of States Parties. It is encouraged that in the context of, and after the First Review Conference, again more states would operationalise the approaches and methods suggested, thus also further improving the transparency on achievements and remaining challenges. This would help to address existing shortfalls in, inter alia, precise estimation of contamination, the application of land release methods, the inclusion of existing standards, information management and the inclusion of context-specific local and national realities for affected communities in clearance and risk reduction programmes.

---

<sup>1</sup> CCM/MSP/2011/WP.4

<sup>2</sup> CCM/MSP/2013/5

<sup>3</sup> CCM/MSP/2013/WP.1

## Recommendations

10. For further practical, time bound and purposeful guidance in the implementation of the Convention, and further to the legal obligations under Article 4, particular efforts should be considered to:

- (a) Conduct surveys, both technical and non-technical, that:
  - Promote clarity on whether cluster munition remnants are located in areas under the state's jurisdiction or control and therefore an obligation under Article 4 exists;
  - Prepare evidence-based decisions, risk-analysis and a prioritization of clearance activities, taking into account needs, vulnerabilities as well as realities and different priorities on local and national levels;
  - Allow the release of uncontaminated land, taking into account existing best practices and principles for land release.
- (b) Develop and implement national clearance strategies and plans based on survey results, taking into account existing best practices, international and national standards and methods; national clearance plans should include transparent and consistent criteria for developing clearance priorities and for utilising the most appropriate survey and clearance methodologies and technologies and where applicable, affected communities should be included in the development and implementation of national clearance plans;
- (c) Based on functioning databases and comparable data, provide information on the size and location of all cluster munition contaminated areas under its jurisdiction or control, and provide annually precise and comprehensive information on the size and location of cluster munition contaminated areas released;
- (d) Take all feasible measures to prevent civilian casualties as soon as areas under its jurisdiction or control are known to be affected;
- (e) Develop and provide targeted/focused risk reduction education programmes that are based primarily on an assessment of need and vulnerability and an understanding of risk-taking behaviour;
- (f) Mainstream gender and age sensitiveness in the development of plans and programmes, as well as in the conduct of survey and other relevant activities;
- (g) Involve affected communities as much as possible and feasible in all activities related to clearance and destruction of cluster munitions remnants, as well as to risk reduction education;
- (h) Make a declaration of compliance to Meetings of States Parties as outlined in paragraph 1(c) of Article 4; and for all States to
- (i) Monitor and actively promote the achievement of clearance goals and the identification of cooperation and assistance needs;
- (j) When in a position to do so, provide international cooperation and assistance, including sufficient and predictable funding, to enable affected States Parties complete implementation of Article 4 as soon as possible and no later than their respective clearance deadlines, and help to ensure that extensions to these deadlines will be necessary only in extraordinary circumstances. When funding is committed or pledged, where possible, multi-year support should be considered;
- (k) Coordinate efforts in support of cluster munitions clearance in affected States Parties, with the aim of ensuring that allocation of funds is more effective at country level

(e.g. to avoid duplication of efforts and gaps) and appropriately distributed among the affected countries, bearing in mind the level of the problem and their development requirements and needs;

(l) Continue to explore methods and technologies which will allow clearance operators to work smarter with the right technology to achieve better results as we all strive to attain as quickly as possible the strategic goal of a world free of cluster munitions and its remnants.

---