

**CONVENTION ON CLUSTER MUNITIONS
THIRD MEETING OF STATES PARTIES
OSLO, NORWAY**

**THURSDAY 13 SEPTEMBER 2012
SUMMARY of the afternoon sessions**



Universalization

As Co-Coordinator of the Working Group on Universalization, **Japan** and **Portugal** outlined their work since the 2MSP. **Japan** summarized the responses to letters urging states not party to join: 26 countries were positive about joining the convention in the near future, 27 expressed concerns about joining because of production or stockpiling, and 39 cited unfavorable national security situations and/or failure of major producers and stockpilers to join.

Lebanon emphasized the importance of regional meetings and noted that non-adherence by major producing states is a major obstacle in the region. Speaking from the podium, **Umarbek Pulodov** of the CMC appealed to signatories and non-signatories to think about their common responsibility towards the future generation and join the CCM.

Nine States Parties, eight signatories, two non-signatories as well as three other delegations then took the floor. All States Parties emphasized that universalization of the convention is a priority. Many outlined their work in regional and bilateral settings, including **Belgium, France, Ghana, Ireland, Lao PDR** and the **UK**. **Norway** said the convention is setting an international norm and that "cluster munitions seem to have become a weapon that no one but the worst tyrants (...) would resort to." **Mexico** and **New Zealand** called on states to condemn any use of cluster munitions.

Signatory states **Australia, Canada** and **Chad** outlined the advanced stage of their ratification processes, indicating deposit of ratification in the very near future, whilst **Djibouti** and **Namibia** gave no indication of a timeline for ratification. **Ghana** reported that it has developed legislation in line with the prohibitions contained in the convention, including penal sanctions, and referenced the Accra Action Plan and its commitment to promote universalization among African states. **Indonesia** stated that full implementation means engaging all stakeholders on all elements, including collaboration among states, civil society and the UN, and that it would continue to promote universalization through bilateral and other channels. **Madagascar** reported ratification would not occur until after presidential elections in 2013.

Non-signatory state **Sudan** reported its intention to join the convention and said that it is not a user, stockpiler or producer of cluster munitions. It also reported on its engagement in clearance and appealed for financial assistance. **Mauritius** stated it was considering accession.

The **ICRC** suggested to keep facilitating regional dialogue and shared a series of ideas to that end. Ayman Sorour delivered the **CMC's** statement in Arabic, emphasizing that the convention stands as the sole international standard on cluster munitions and sets a strong standard of which we can be proud.

Other universalization updates or announcements made at the 3MSP (as included in other CMC summaries)

Armenia expressed hope that South Caucasus states could at some point join the convention simultaneously. **Benin** reported ratification as being underway. **Cambodia** said it is still studying the impact that joining the convention would have on its national defense. **Colombia** explained its ratification bill had reached the third of four steps within congress. **Gabon** said it would accede “soon”. **DR Congo** said its ratification bill is in the second reading in Senate. **Jamaica** expressed hope to ratify “in the very near future”. **Jordan** expressed hope that it could join the convention at some point in the “not too distant” future. **Malaysia** said it is consulting with stakeholders with a view to study accession. **Morocco** reiterated that it cannot join the convention at the moment due to its security situation. **Nigeria** reported that urgent consultations on ratification had begun and ratification was expected in the “very near future.”

Peru announced its instrument of ratification was ready to be deposited with the UN at the end of September. **South Africa** reported its ratification procedure remains ongoing and should be finalized in the “near future.” **South Sudan** reported its ratification is underway but asked for states’ understanding in delays. **Suriname** reaffirmed domestic consultations on accession are underway and expressed hope to accede soon. **Thailand** noted that it would join the convention once it was sure it could fulfill its obligations. **Uganda** announced that robust measures are being undertaken to ensure ratification as soon as possible. **Vietnam** expressed hope to accede to the convention “in due course”.

Intersessional Work Program and Preparations for the 4MSP

New working group coordinators were appointed: General Status (**Costa Rica**), Universalization (**Ghana**), Victim Assistance (**Afghanistan**), Clearance and Risk Reduction (**Lao PDR**), Stockpiling and Retention (**Spain**) and Cooperation and Assistance (**Sweden**).

Zambia’s Foreign Minister stated his pleasure in being appointed as President-Designate of the 4MSP to be held in Lusaka, and said he looked forward to the African continent being the first to achieve full universalization. Zambia called on civil society to continue to play an active role in universalization. Bob Mtonga of the **CMC** congratulated Zambia and declared Africa “open for business.”

Transparency Reporting

Belgium, as Coordinator on Transparency Measures, presented an overview of states’ compliance with reporting obligations, highlighting the need for an increased compliance rate with initial reporting (73% in 2012), and for reporting to improve both in quality and quantity. Belgium invited all stakeholders to comment on their draft reporting guide available online.

Chile stated it had submitted its report very recently and highlighted some difficulties in gathering some of the relevant data. Chile also reported that it is on the verge of implementing national legislation on victim assistance. **Lao PDR** stated that the large extent of contamination in the country will require considerable time and resources to construct a clear picture and embark on further clearance, and reported being in the process of improving its data collection. **Lebanon** said transparency reporting was a good opportunity for states to present their needs for support. **Switzerland** emphasized the importance of transparency reporting in matching needs and resources.

The **GICHD** stressed the importance of information management and disaggregating data by munitions type and called attention to its reporting guide as a useful tool for states. Mary Wareham of the **CMC** referred to Cluster Munition Monitor data to underscore the need for states to respect submission deadlines and to improve reporting standards.

National Implementation Measures

As Coordinator of the thematic area, **New Zealand** gave an overview of progress in national implementation measures, stating that this area remains a challenge for states due to resource constraints, competing legislative priorities and the length of the legislative process. New Zealand has developed model legislation for small unaffected states and stands ready to offer assistance.

Afghanistan reported that its first draft of legislation will soon be completed. **Guatemala** outlined its recently enacted national implementation legislation. **Lao PDR** stated its intention to establish a law to adequately and fully implement the standards of the convention, in accordance with Article 9, and encouraged all others to do so as well. **Lebanon** expressed hope to introduce a bill in 2012 or 2013, further to the current review of existing legislation. **Spain** outlined sanctions for prohibited activities under its penal code.

Canada outlined the process of adopting its draft law and expressed the view that its national legislation reflects the prohibitions of the convention.

The **ICRC** presented an analysis of progress on national implementation measures and outlined challenges that commonly hinder efforts in this area. The ICRC suggested states should develop a timeline for the preparation and adoption of national implementing legislation, and offered assistance to states. Both the **ICRC** and the **UN Inter-Agency Coordination Group on Mine Action**, without naming names, strongly criticized the Australian implementation law and the Canadian draft legislation as inconsistent with the convention. The ICRC especially expressed its concerns over the interoperability provisions being inserted into legislation by states, asserting that this can undermine the object and purpose of the convention.

The **CMC** highlighted that only 18 out of 75 States Parties have enacted national implementation measures. The CMC expressed its strong concern over the draft implementation legislation of Canada and the Australian law, both of which it considers to go against the convention. The CMC commented specifically on the shortcomings of the Canadian bill and its interoperability clauses, and “call[ed] on Canada in the strongest terms to revise the bill before passage.”

Mentions of the CMC or civil society

New Zealand said it was pleased to engage with civil society and government officials in the area of national implementation measures. **Switzerland** commended the “outstanding work” of civil society.