



Santiago International Conference on the Convention on Cluster Munitions – Summary Report

The Santiago International Conference on the Convention on Cluster Munitions took place from 7-9 June 2010 in Santiago, Chile. Some 98 governments – including 13 non-signatory states – and more than 120 CMC campaigners attended the conference, which was characterised by a high degree of enthusiasm and engagement.

Opening statements focused on a range of topics, including: the CCM in the context of Latin American regional disarmament initiatives (by the Deputy Minister of Defence of Chile); Lao PDR's commitment to the CCM and the importance of the First Meeting of States Parties (1MSP) in setting standards (by the Deputy Minister of Foreign Affairs of Lao PDR); the key role of maintaining a humanitarian focus and engaging civil society in achieving the aims of the CCM (by Norway's Secretary of State); and the need for universalisation, reporting and a spirit of cooperation and assistance (by UNDP). The Cluster Munition Coalition (CMC) expressed excitement about the opportunities to shape the future of the CCM, and cluster munition survivors appealed to states for the implementation in particular of Article 5 on victim assistance.

The various Friends of the President led sessions on key areas relating to the CCM's universalisation and implementation, requesting specific input on the Vientiane Action Plan (being compiled by Norway), reporting formats (being compiled by Belgium) and a work programme for 2011 with ideas on treaty architecture (being compiled by Canada). Japan chaired a session on **universalisation**, which reflected engagement from states and their willingness to reach out to non-signatories and provide assistance for signatories to ratify. A number of states intervened and there were repeated calls for coordinated efforts in universalisation work. During the course of the conference, a number of states also gave updates on their ratification progress, including Afghanistan, Angola, Benin, Bosnia and Herzegovina, Botswana, Chad, Costa Rica, DR Congo, Guinea, Guinea Bissau, Kenya, Lebanon, Madagascar, Mali, Mozambique, the Philippines, Senegal and Seychelles. Most noted that they aimed to ratify before 1 August or before the 1MSP. Non-signatory states Tajikistan and Vietnam delivered statements in support of the CCM's humanitarian aims.

Norway chaired a session on **administrative and logistical preparations for the 1MSP** in November. Lao PDR and the UNDP updated plans and progress to date, including the reliance on a multi-donor international trust fund to assist in mobilising resources both for the meeting and for clearance and victim assistance work. The CMC outlined its main objectives for the 1MSP, including getting wide participation from states and civil society, achieving a strong set of outcomes, and raising general awareness on cluster munitions. Ireland outlined some procedural functions it has carried out, including the convening by the UN of a 6 September Preparatory Committee meeting to examine a draft agenda, rules of procedure and a programme of work for the 1MSP. Norway described the ongoing development of the Vientiane Action Plan, a draft of which should be ready by the 6 September preparatory meeting. Norway asked the Friends of the President to complete their consultations amongst states and submit final input to Norway by 15 August so that a consolidated draft may be produced.

Austria chaired a session on **victim assistance**, which focused on finding synergies between existing instruments such as the MBT and CRPD, and efforts to find the right balance between obligations set forth in the MBT's Cartagena and Nairobi Action Plans and specific measures for victim assistance under the CCM. A number of states intervened, generating a sense that states are ready to take forward work on the fundamental humanitarian aspect of the CCM. Lao PDR proposed initiating a comprehensive pilot project on victim assistance in Lao to serve as a best-practice model for other affected countries. The ICRC cautioned states that cutting and pasting from action plans was not always appropriate and recommended that the Vientiane Action Plan look at concrete actions with a

shorter, 1-2 year timeline with affected states presenting a situation analysis to allow a more tailored approach in each country. The CMC outlined specific steps it considers critical for the effective provision of victim assistance.

Australia chaired a session on **clearance**, emphasising the need to apply lessons learned from the MBT, to start clearance early and use existing expertise and all methods available in order not to reinvent clearance or establish unnecessary additional structures. The CMC appealed to donors for multiyear funding commitments and called on states to start clearance early to avoid having to request extensions, to build on existing structures to avoid duplication of efforts and limiting resources. Albania repeated its announcement made in December 2009 that it has completed its clearance obligations, even before the CCM enters into force.

At a session on **stockpile destruction** chaired by Germany, Norway reiterated the importance of starting early, and stressed that states should not inflate the difficulties of the technical or financial aspects of stockpile destruction, as low-cost options are available. The CMC urged states to have a plan in place for stockpile destruction within one year and to begin destruction within two years. The CMC emphasised the technical and economic feasibility of stockpile destruction, argued against the retention of stockpiles for training or other purposes, and called on donors to make funding for stockpile destruction an integral part of assistance. GICHD also emphasised the importance of not inflating the challenges of cluster munition stockpile destruction.

New Zealand chaired a brief discussion on **national implementation measures**, which included many of the key messages presented by Human Rights Watch in a lunchtime briefing on its new report, "Fulfilling the Ban: Guidelines for Effective National Legislation to Implement the Convention on Cluster Munitions," urging states to set the bar high by incorporating both the negative and positive obligations of the CCM within their national legislation. Ireland noted that the CMC's view on what to include in national legislation goes far beyond what it sees as necessary.

Canada presented a draft Friend of the President's paper on a proposed **work programme for 2011**. A number of states in addition to ICRC and CMC participated in the discussion, which was rather more tense and political than other sessions and showed some divergent views on timing and institutional structures. However, there was broad agreement that an intersessional meeting is needed in 2011, possibly back-to-back with the MBT intersessionals. There was agreement on the need for implementation structures and broad general support for the establishment of some kind of implementation support office, though states recognised that such an institution may be a contentious issue that will need to be resolved at a later date.

Belgium chaired a session on **reporting** obligations, which emphasised the importance of transparency reporting as a confidence-building measure, for resource mobilisation and to facilitate international cooperation and assistance, as well as an overall indicator of compliance with the CCM. States participating in the discussion showed wide agreement on the need to build synergies across existing reporting obligations. Belgium presented its draft Article 7 reporting format, closely mirroring the format of the MBT Article 7 report; it will hold consultations at the end of August in order to submit a final draft report at the September preparatory committee meeting.

In a session on **international assistance and cooperation**, Lebanon emphasised the need for sustained donor engagement on cluster munition problems that countries are facing, noting that if donors withdraw or scale back funding too early, then the consequences can be dire for affected communities. Lebanon also made a welcome announcement that its government has approved the CCM and should be able to ratify soon, depending on parliament. Lao PDR made a presentation on its national experience on cooperation and assistance, noting that, as in other countries, its work on victim assistance was lagging behind clearance. It is taking steps to conduct a victim and accident

survey to identify survivors, understand where accidents occur, and consider behaviours that increase risk. Norway presented key elements essential to effective international cooperation and assistance, pointing out that it was necessary to take a tailored approach for each affected state. Donors including the UK and Australia spoke about their ongoing funding commitments, and a representative of the UN Mine Action Team pledged the assistance of the UN system to help states move forward to implement the CCM. The ICRC and GICHD also spoke on ways in which they can provide technical assistance. The CMC intervened to focus on the role civil society can play assisting states to meet obligations, and reiterated three key messages: 1) that all States Parties, affected countries and donors alike, are in a position to provide assistance; 2) that we need results, and new funding, new technological assistance, and new projects will be essential to cooperation; and 3) this can be done – globally, the problem is limited in scope and can be addressed within a short time, with a few notable exceptions.

The Chilean Foreign Minister closed the conference noting that Latin America should become a cluster bomb-free zone, and mentioning his earlier invitation to Peru at the Organization of American States to ratify the CCM jointly with Chile. Following the closing statement, the Foreign Minister seemed to visibly enjoy having the opportunity to meet with survivors.

While there is considerable work required on procedural and certain institutional issues before the September Preparatory Committee meeting, the Santiago conference concluded with participants confident the CCM is in good shape and moving ahead towards the 1MSP under the strong leadership of Lao PDR.

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