



**CMC Statement on the 2011 Work Programme and Treaty Architecture**  
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As the Friend of the Chair has pointed out in his paper, States Parties to the Convention on Cluster Munitions can learn valuable lessons on effective implementation and universalization from other conventions, particularly the Mine Ban Treaty. The MBT has had a largely excellent record of compliance due in large part to the formal and informal structures that have been established to support implementation, as well as to its tradition of inclusiveness, transparency and cooperation among all stakeholders. The decisions taken at the CCM's 1MSP and beyond will determine to a large extent whether the CCM will follow this same path. While leaving space for innovation, the CMC believes that States Parties should develop a work plan and architecture that features the good practices from the MBT experience, especially in three areas:

- Creating an expectation of on-time and full compliance;
- Adhering to principles of transparency, partnership, and informality; and
- Developing reliable structures to promote full implementation and universalization

What do we mean specifically?

**First** of all, the character of the CCM will be formed in its early years of implementation, and thus from the beginning States Parties should create:

- An expectation that States Parties will implement their treaty obligations as soon as possible and that extensions for stockpile destruction and clearance will not be needed except for a small number of exceptional cases;
- An expectation that all prohibitions will be respected without States Parties seeking to use different interpretations as a way of creating loopholes;
- A clear indication that States Parties will tackle any allegations of non-compliance in a proactive manner, but in a spirit of cooperation with the focus on problem-solving.

**Second** the work program of the CCM should emphasize the following principles::

- Transparency, meaning not only comprehensive annual reports, but also sharing information on progress and challenges faced during formal and informal meetings
- An openness to frank discussions, including on matters of interpretation and on allegations of non-compliance
- A culture that values and encourages the active inclusion of civil society, UN agencies, the ICRC, and other stakeholders as partners in the universalization, implementation and monitoring of the CCM
- The use of creative and innovative ways of conducting diplomacy, not relying on traditional institutions to conduct activities, and focusing on positive change
- Informality and an avoidance of over-institutionalization where unnecessary focus on procedures and structures risks detracting from the swift achievement of the substantive aims of the convention.

**Third**, the work program and convention architecture developed by SPs can help foster a sense of optimism that all convention obligations can and will be met on time, and undertaken in a spirit of transparency, inclusion, and cooperation. Meeting these objectives will require States Parties to act early to set up structures that will help promote action in the first year of the treaty's implementation. We can all surely agree that we do not want to lose out on a year's work by failing to put forth a sufficient structure to support, encourage, and follow up on states parties' work.

Canada's proposal is geared toward achieving this goal, but we feel it needs to be strengthened in a few areas in order to ensure that there is strong leadership on the part of States Parties, sufficient coordination of their

activities, and clear opportunities for all stakeholders to meet, share information, and discuss challenges. In our policy papers, the CMC proposed the establishment of thematic committees to take forward the work of the convention, but we are open to other ideas. For example, perhaps the same purpose could be served through the use of friends of the President or coordinators, with some caveats. To ensure that this system is as effective as one of committees and chairs, we believe the 1MSP would need to endorse and strengthen this concept. For example, the 1MSP could name the areas that would benefit from having friends, which in our view includes: universalization, stockpile destruction, clearance, victim assistance, international cooperation and assistance, transparency, national implementation measures, implementation structures and mechanisms, and compliance and interpretive issues. The 1MSP should also provide a clear mandate for those States Parties tasked to be friends, including identifying and addressing issues and challenges at the national or global level, organizing informal opportunities for meetings among states parties and other stakeholders, and reaching out to leaders of other conventions to explore synergies. We also agree with Canada's proposal for intersessional meetings to forward the work of the convention between MSPs.

The President could appoint one or more friends per identified issue that accept the assignment for at least one year, and the States Parties should then agree to this list to give them proper credibility. These states would need to reflect the diversity of the States Parties and rotate in future years. Whatever mechanism is agreed, the President should be tasked to hold regular meetings to coordinate the efforts of leaders on specific issues. These meetings should be open to civil society, the ICRC and the UN, as key stakeholders. Such coordination meetings should also be used to identify any significant challenges facing the convention and to suggest ways forward to other States Parties.

As Canada points out, where possible, meetings of the CCM should be organized around the same times as similar international instruments with the goal of lowering costs and improving efficiencies. In order to avoid duplication of efforts, States Parties should also be encouraged to harmonize national planning and reporting activities with those carried out in the context of related instruments like the Mine Ban Treaty, while ensuring respect for the specific requirements of the individual treaties. A sponsorship program should be established to ensure broad participation by affected states in convention meetings, both the formal Meetings of the States Parties/Review Conferences and the informal intersessional meetings.

Finally, the CMC believes the CCM would benefit greatly from the creation of an implementation support office no later than the second MSP.

The CMC is certain that by acting early to put the work of the CCM on a strong footing as we have described, States Parties will uphold the sense of urgency that has been a hallmark of the Oslo Process.

Thank you.