

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

6 October 2021

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## Second Review Conference

Geneva, 25-27 November 2020 and 20-21 September 2021

Agenda item 14

Consideration and adoption of the final document

## Final report of the Second Review Conference

### I. Introduction

1. Article 12 of the Convention on Cluster Munitions provides that “a Review Conference shall be convened by the Secretary-General of the United Nations five years after the entry into force of this Convention” and that “further Review Conferences shall be convened by the Secretary-General of the United Nations if so requested by one or more States Parties, provided that the interval between Review Conferences shall in no case be less than five years.” Article 12 also provides that “the purpose of the Review Conference shall be:

- (a) To review the operation and status of this Convention;
- (b) To consider the need for and the interval between further Meetings of States Parties referred to in paragraph 2 of Article 11 of this Convention; and
- (c) To take decisions on submissions of States Parties as provided for in Articles 3 and 4 of the Convention.”

2. Article 12 further provides that “all States Parties to this Convention shall be invited to each Review Conference” and that “States not party to the Convention, as well as the United Nations, other relevant international organisations or institutions, regional organisations, the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies and relevant non-governmental organisations may be invited to attend each Review Conference as observers in accordance with the agreed rules of procedure.”

3. At the Ninth Meeting of States Parties to the CCM, the States Parties decided that the Preparatory Meetings for the Second Review Conference would take place in Geneva on 8 June and 4 September 2020 and that the Second Review Conference would take place from 16 to 20 November 2020 at the Palais des Nations in Geneva, unless its President decided at a later stage to host the meeting in another venue, in accordance with paragraph 30 (d) of the Final Report of the Review Conference (CCM/CONF/2015/7).

4. At the same Meeting, the States Parties also designated Mr. Félix Baumann, Ambassador and Permanent Representative of Switzerland to the Conference on Disarmament, as President of the Second Review Conference. In accordance with the decision taken at the First Review Conference, his term commenced on the day following the conclusion of the Ninth Meeting of States Parties until the last day of the Second Review Conference.

5. By operative paragraph 8 of resolution 74/62, the General Assembly requested the Secretary-General to convene the Second Review Conference of States Parties to the Convention on Cluster Munitions and to continue to render the necessary assistance and to provide such services as may be necessary to fulfil the tasks entrusted to him by the

Convention and the relevant decisions of the First Review Conference. Accordingly, the Secretary-General of the United Nations convened the First and Second Preparatory Meetings and the Second Review Conference and invited all States Parties, as well as States not parties to the Convention, to participate in the Meetings.

6. Due to the impact of the COVID-19 related measures, the First Preparatory Meeting planned on 8 June 2020 could not take place. On that day, the President held an informal virtual briefing through WebEx instead. Through a silence procedure that lasted from 29 May to 4 June 2020, the States Parties agreed to postpone the date of this Meeting, which was subsequently confirmed through a further silence procedure that lasted from 9 to 16 June 2020, as 29 June 2020. The First Preparatory Meeting was therefore held on that date.

7. The Second Preparatory Meeting took place on 4 September 2020.

8. Following a silence procedure that lasted from 6 to 13 February 2020, States Parties agreed that the Second Review Conference would take place from 23 to 27 November 2020 in Lausanne, Switzerland. Following a silence procedure that lasted from 6 to 10 November 2020, States Parties agreed that the Second Review Conference would take place in two parts: from 25 to 27 November 2020 in virtual format and from 4 to 5 February 2021 in hybrid format at the Palais des Nations in Geneva, Switzerland. Due to the continued epidemiological situation caused by COVID-19 and consequent measures by Swiss federal and cantonal authorities, States Parties, through silence procedure held in January 2021, agreed that the second part of the CCM Second Review Conference would be postponed further until the health situation allowed for the holding of the meeting. Following a silence procedure that took place in June 2021, the States Parties agreed that the second part of the Second Review Conference would take place in hybrid format on 20 and 21 September 2021 at the Palais des Nations in Geneva, Switzerland.

## **II. Organization of the Second Review Conference**

9. The first part of the Second Review Conference of States Parties to the Convention on Cluster Munitions was held in Geneva from 25 to 27 November 2020. The second part of the Second Review Conference of States Parties to the Convention on Cluster Munitions was held in Geneva from 20 to 21 September 2021.

10. Ms. Sheila N. Mweemba, Director of the Implementation Support Unit (ISU) of the Convention on Cluster Munitions, participated in the work of the Conference.

11. Ms. Silvia Mercogliano, Political Affairs Officer, Conference on Disarmament Secretariat and Conference Support Branch of the United Nations Office for Disarmament Affairs served as Secretary of the Conference.

12. The following States Parties to the Convention participated in the work of the Conference: Afghanistan (Islamic Republic of); Albania, Australia, Austria, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Botswana, Bulgaria, Burkina Faso, Canada, Chad, Chile, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Czech Republic, Dominican Republic, Ecuador, El Salvador, France, Germany, Guyana, Holy See, Honduras, Hungary, Iraq, Ireland, Italy, Japan, Lao People's Democratic Republic, Lebanon, Lithuania, Luxembourg, Madagascar, Maldives, Malta, Mauritania, Mexico, Montenegro, Namibia, Netherlands, New Zealand, Nicaragua, North Macedonia, Norway, Panama, Paraguay, Peru, Philippines, Portugal, Republic of Moldova, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, State of Palestine, Sweden, Switzerland, Tunisia, United Kingdom of Great Britain and Northern Ireland, Uruguay, and Zambia.

13. The following States signatories to the Convention participated in the work of the Conference as observers: Angola, Cyprus, Indonesia, Jamaica and Nigeria.

14. Argentina, Armenia, Azerbaijan, China, Finland, Kazakhstan, Latvia, Libya, Morocco, Myanmar, Serbia, Sudan, South Sudan, Thailand, Turkey and Yemen also participated in the work of the Conference as observers.

15. The Cluster Muniton Coalition (CMC), Geneva International Centre for Humanitarian Demining (GICHD), International Committee of the Red Cross (ICRC),

International Federation of Red Cross and Red Crescent Societies (IFRC), United Nations Mine Action Service (UNMAS), the United Nations Development Programme (UNDP), the United Nations Office for Disarmament Affairs (UNODA) also participated in the work of the Conference as observers, pursuant to rule 1 (2) of the rules of procedure.

16. The European Union, Handicap International (Humanity & Inclusion), James Madison University, Mines Advisory Group (MAG), Norwegian People's Aid (NPA), and The HALO Trust also took part in the work of the Conference as observers, pursuant to rule 1 (3) of the rules of procedure.

### III. Work of the Second Review Conference

17. On 25 November 2020, the first part of the Second Review Conference was opened by Mr. Félix Baumann, Ambassador and Permanent Representative of Switzerland to the Conference on Disarmament and President of the Second Review Conference. The second part of the Review Conference took place on 20 and 21 September 2021.

18. The Conference held nine formal plenary meetings in virtual format during the first part and five hybrid meetings, which allowed for in person participation as well as participation through remote simultaneous interpretation platforms (RSI) during the second part.

19. On 25 November 2020, Ms. Izumi Nakamitsu High Representative for Disarmament Affairs, delivered a video message to the Conference. On the same day, Mr. Chue Por, a cluster munitions survivor, delivered a video message to the Conference.

20. Agenda item 7 titled "Reaffirming the determination to put an end to the suffering caused by cluster munitions" took place on 20 September 2021, during which Representatives of States Parties, Observer States and Observer Organizations addressed the Conference. This agenda item was opened with messages delivered by the United Nations Secretary-General, Mr. António Guterres, the Deputy-State Secretary of the Federal Department of Foreign Affairs of Switzerland, Mr. Johannes Matyassy, the Vice-President of the ICRC, Mr. Gilles Carbonnier, and Mr. Branislav Kapetanovic, representative of the Cluster Munition Coalition.

21. On 25 November 2020, the Conference confirmed Ms. Radha Day, Chief of Service, a.i., Conference on Disarmament Secretariat and Conference Support Branch of the United Nations Office for Disarmament Affairs, as Secretary-General of the Conference.

22. On 25 November 2020, and pursuant to the recommendation of States Parties at the First Preparatory meeting, the Netherlands, Germany, Nicaragua and Sri Lanka were elected Vice-Presidents of the Conference.

23. The provisional agenda, (CCM/CONF/2020/1) and provisional programme of work for the first part of the Conference (CCM/CONF/2020/16) were circulated by the Secretariat prior to the Conference and were subsequently adopted by the Conference on 25 November. On the same day, the Conference also confirmed the rules of procedure as contained in document CCM/MSP/2010/3, *mutatis mutandis*.

24. A list of documents submitted to the Second Review Conference is contained in annex IV to this report. These documents are available through the United Nations Official Documents System (<http://documents.un.org>).

### IV. Decisions and recommendations

25. The Conference thanked Switzerland for its efforts that led to the adoption of General Assembly resolution 75/62 entitled "Implementation of the Convention on Cluster Munitions", which was adopted without any votes against for the first time.

26. The Conference took stock of the current status of implementation of the Convention and progress made since the First Review Conference (Dubrovnik, 2015) as well as of the challenges that remain to fulfil the objectives of and obligations under the Convention, and

welcomed the “Review Document of the Dubrovnik Action Plan”, which is contained in annex III of this report. The Review Document reflects the progress achieved on the implementation of the Dubrovnik Action Plan as of 1 October 2020.

27. The Conference, expressing its firm commitment to realise the objective of the Convention to put an end for all time to the suffering and casualties caused by cluster munitions, adopted the Lausanne Declaration - Protecting Lives, Empowering Victims, Enabling Development, as amended, which is contained in annex I of this report.

28. The Conference, with the aim of supporting significant and sustainable progress towards the universalization and implementation of the Convention in the period 2021-26 adopted the Lausanne Action Plan, as amended, and is contained in annex II of this report.

29. The Conference welcomed the accession of Maldives, Niue and St. Lucia as well as the ratification of Sao Tome and Principe and reiterated the importance of universalization efforts. The Conference also expressed its appreciation for the efforts made by Chile and the Philippines as Coordinators on Universalization. The Conference considered the progress and challenges to the Convention's universalization. Underlining the importance of making further progress towards universal adherence to the Convention, the Conference expressed appreciation for the paper by the Coordinators on Universalization, Chile and the Philippines, entitled “Ways Forward on Universalisation of the Convention on Cluster Munitions” (CCM/CONF/2020/12) and endorsed the recommendations contained therein on initial actions to be undertaken by States Parties under the leadership of the Presidency.

30. The Conference welcomed the continued progress registered in stockpile destruction which saw the number of States Parties with this obligation reduced from 13 in 2015 to five in 2020. The Conference also thanked Australia and Austria, Coordinators on Stockpile Destruction and Retention, for the efforts in advancing implementation of this obligation.

31. The United Kingdom of Great Britain and Northern Ireland, having declared its compliance with Article 3 at the Fifth Meeting of States Parties, informed States Parties that previously unknown stockpiles had been discovered by a private organisation and reported to its Ministry of Defence, and that a provisional plan for destruction of these previously unknown stockpiles was underway and was expected to be completed before the Tenth Meeting of States Parties. In an update provided in its 2020 Article 7 transparency report submitted on 30 April 2021, the United Kingdom of Great Britain and Northern Ireland reported that these munitions were subsequently destroyed by demolition on 15 December 2020.

32. The Conference assessed the request submitted by Bulgaria for an extension of its deadline to complete the destruction of all its cluster munition stockpiles in accordance with Article 3.2 of the Convention, agreeing via silence procedure concluded on Friday, 26 February 2021, to grant the request for an extension until 1 October 2022.

33. In granting the request, the Conference acknowledged Bulgaria's compliance with the recommendations of the Ninth Meeting of States Parties (9MSP) by providing a detailed project management and work plan in its updated extension request to be considered at the Second Review Conference.

34. In granting the request, the Conference noted that Bulgaria had selected a contractor and provided a work plan for the destruction of Lots 1 and 2 that is workable and lends itself to be monitored. The Conference recommended that Bulgaria provide a work plan for Lot 3 of similar detail as soon as it is possible.

35. In granting the request, the Conference commended Bulgaria for securing the necessary funding to destroy all the cluster munitions held by the Bulgarian Armed Forces.

36. In granting the request, the Conference noted that Bulgaria had highlighted possible delays to transportation and destruction activities that could occur due to the COVID-19 pandemic.

37. In this regard, the Conference noted that the Convention would benefit from Bulgaria reporting annually through Article 7 reports and at Meetings of States Parties on the following:

- (a) Progress made on the destruction of its cluster munition stockpiles relative to the projections Bulgaria made in its extension request;
- (b) Updated information on the use of its retained submunitions;
- (c) Detailed work plan for the subsequent year;
- (d) Other relevant information.

38. In addition to reporting as requested above, the Conference noted the importance of Bulgaria keeping the States Parties regularly apprised of other pertinent developments regarding the implementation of Article 3 during the period covered by the request and other commitments made in the request at Meetings of States Parties as well as through its Article 7 reports due before 30 April every year.

39. The Conference assessed the request submitted by Peru for an extension of its deadline to complete the destruction of all its cluster munition stockpiles in accordance with Article 3.2 of the Convention, agreeing via silence procedure concluded on Friday, 26 February 2021, to grant the request for an extension of 37 months until 1 April 2024.

40. In granting the request, the Conference noted that Peru had highlighted the obstacles it has encountered in the implementation of its Article 3 obligations and how it has adequately mitigated these challenges.

41. In granting the request, the Conference noted that Peru had provided a practical work plan that would ensure the full and expedient implementation of its Article 3 obligations.

42. In granting the request, the Conference commended Peru for securing the necessary technical and financial assistance necessary to destroy all the cluster munitions held by the Peruvian Air Force.

43. In granting the request, the Conference noted that Peru highlighted factors which could impact the implementation of the destruction activities such as the remoteness of the air bases, the deficit of trained personnel, weather conditions, natural disasters and the COVID-19 Pandemic. The Conference encouraged Peru to continue informing States Parties on the developments in this regard.

44. In this regard, the Conference noted that the Convention would benefit from Peru reporting annually through Article 7 reports and at Meetings of States Parties on the following:

- (a) Progress made relative to the projections Peru made in its extension request;
- (b) Updated information on remaining stockpiles;
- (c) Updated detailed plan for the subsequent year, if possible, for the following years;
- (d) Resource mobilization efforts including external financing received, and resources made available by the Government of Peru to support implementation efforts;
- (e) Other relevant information.

45. The Analysis Group welcomed Peru's close and continued contact with the CCM coordinators on stockpile destruction and the ISU. In this regard, the Analysis Group strongly encouraged Peru to inform States Parties as soon as possible should there be any impediment to the implementation of its work plan and to provide such information in a timely manner.

46. The Analysis Group noted the importance, in addition to Peru reporting to the States Parties as noted above, of keeping the States Parties regularly apprised of other pertinent developments regarding the implementation of Article 3 during the period covered by the request at Meeting of States Parties.

47. The Conference expressed appreciation for the work of Afghanistan and Sweden, Coordinators on Clearance and destruction of cluster munition remnants and risk reduction education and welcomed progress in this area for the efforts to engage with States Parties with Article 5 commitments to advance implementation of this obligation.

48. The Conference also welcomed the declaration of compliance by Croatia and Montenegro with regard to their Article 4 clearance obligations ahead of their 1 August 2020 deadline and for the submission of a voluntary “declaration of compliance with Article 4 of the Convention.”

49. The Conference assessed the request submitted by Bosnia and Herzegovina for an extension of its deadline for completing the clearance and destruction of cluster munition remnants in accordance with Article 4.1 of the Convention, agreeing via silence procedure concluded on Friday, 26 February 2021, to grant the request for an extension of 18 months until 1 September 2022.

50. In granting the request, the Conference noted that Bosnia and Herzegovina had highlighted factors which could reduce the clearance rate such as that of mixed contamination by mines and cluster munitions as well as the mixed contamination by depleted uranium and cluster munitions. The Conference acknowledged that Bosnia and Herzegovina had taken these challenges into consideration in its work plan.

51. In this regard, the Conference noted that the Convention would benefit from Bosnia and Herzegovina reporting annually through Article 7 reports due before 30 April every year and at the Tenth Meeting of States Parties on the following:

- (a) Progress made by Bosnia and Herzegovina on the implementation of the work plan provided in its extension request;
- (b) Resource mobilization efforts including external financing received, and resources made available by Bosnia and Herzegovina to support implementation efforts;
- (c) Other relevant information.

52. In addition to reporting as requested above, the Conference noted the importance of Bosnia and Herzegovina keeping the States Parties regularly apprised of any other pertinent developments as necessary.

53. The Conference assessed the request submitted by Chile for an extension of its deadline for completing the clearance and destruction of cluster munition remnants in accordance with Article 4.1 of the Convention, agreeing via a silence procedure concluded on Friday, 21 May 2021, to grant the request for an extension of 12 months up to 1 June 2022 pending the provision of a detailed work plan and budget to be included in a subsequent extension request to be considered at the Tenth Meeting of States Parties.

54. In granting the 2020 request, the Conference noted that the technical survey should provide a clear baseline on the remaining cluster munition contaminated areas to be cleared.

55. In granting the 2020 request, the Conference recommended that Chile regularly reports to States Parties on the outcomes of the technical survey and provides a costed workplan, resource mobilization plan, and annual work schedule broken down by month for the next extension period.

56. In this regard, the Conference noted that the Convention would benefit from Chile reporting annually through Article 7 reports and at Meetings of States Parties on the following:

- (a) Progress made relative to the technical survey to be undertaken as indicated in its extension request;
- (b) Updated information on remaining contamination based on the findings of the technical survey;
- (c) A detailed work plan and budget for the subsequent year;
- (d) Resource mobilization efforts including international cooperation and assistance received, and resources made available by the Government of Chile to support implementation efforts;
- (e) Other relevant information.

57. In addition to reporting as requested above, the Conference noted the importance of Chile keeping the States Parties regularly apprised of other pertinent developments regarding

the implementation of Article 4 during the period covered by the request and other commitments made in the request at Meetings of States Parties as well as through its Article 7 reports due before 30 April every year.

58. The Conference assessed the request submitted by Lebanon for an extension of its deadline for completing the clearance and destruction of cluster munition remnants in accordance with Article 4.1 of the Convention, agreeing via a silence procedure concluded on Thursday, 22 April 2021, to grant the request for an extension until 1 May 2026.

59. In granting the request, the Conference noted that Lebanon highlighted factors which could limit the amount of land cleared on an annual basis such as diversion of funding and the problem of difficult terrain and adverse weather conditions. The Conference acknowledged that while Lebanon had taken these challenges into consideration in its plan, not all contingencies can be predicted.

60. In granting the request, the Conference commended Lebanon's commitment to performing non-technical survey (NTS) and technical survey (TS) as required, and recommends Lebanon to regularly report to States Parties on the outcomes and to provide an updated workplan, schedule and budget that takes into account the prevailing circumstances.

61. In this regard, the Conference noted that the Convention would benefit from Lebanon reporting annually through Article 7 reports and at Meetings of States Parties or Review Conferences on the following:

- (a) Progress made relative to the projections Lebanon made in its extension request;
- (b) Updated information on remaining contamination;
- (c) Updated detailed plan for the subsequent year, if possible, also for the following years;
- (d) Resource mobilization efforts including external financing received, and resources made available by the Government of Lebanon to support implementation efforts;
- (e) Information on Lebanon's efforts on addressing the challenge of difficult terrain before the end of the extension period;
- (f) Other relevant information.

62. In addition to reporting as requested above, the Conference noted the importance of Lebanon keeping the States Parties regularly apprised of other pertinent developments regarding the implementation of Article 4 during the period covered by the request and other commitments made in the request at Meetings of States Parties or Review Conferences as well as through its Article 7 reports due before 30 April every year.

63. The Conference assessed the request submitted by Afghanistan for an extension of its deadline for completing the clearance and destruction of cluster munition remnants in accordance with Article 4.1 of the Convention, agreeing to grant the request for a four-year extension until 1 March 2026.

64. In granting the request, the Conference noted that recent political developments and the lack of clarity on the situation in the country going forward may raise challenges regarding the implementation of Article 4 by Afghanistan.

65. In granting the request, the Conference noted the deferred disbursement of donor funds leading to a delay in clearance operations of previously known cluster munition contamination and the subsequent need to mobilize additional resources to address the newly discovered contaminated areas.

66. In this regard, the Conference noted that the Convention would benefit from Afghanistan reporting annually through Article 7 reports and at Meetings of States Parties or Review Conferences on the following:

- (a) Progress made on the implementation of the work plan provided in its extension request;

(b) Updated information on the remaining contamination after further surveys or resurveys have been conducted and an updated work plan based on the new information gathered;

(c) Updated information on its funding situation including finances received from its main donor and whether further resource mobilization would be necessary for any aspect of its cluster munition clearance operations;

(d) Other relevant information.

67. In addition to reporting as requested above, the Conference noted the importance of Afghanistan keeping the States Parties regularly apprised of any other pertinent developments as necessary.

68. Because of the prolonged duration of the Second Review Conference and the postponement of the Tenth Meeting of States Parties to 2022, Chile submitted a second request to the Conference. This step was taken to ensure that Chile would not find itself in non-compliance with the Convention, as the first extension granted via silence procedure would end on 1 June 2022 several months before the Tenth Meeting of States Parties. The Conference assessed the request submitted by Chile for an extension of its new deadline for completing the clearance and destruction of cluster munition remnants in accordance with Article 4.1 of the Convention, agreeing to grant the request for a further 12-month extension until 1 June 2023.

69. In granting the request, the Conference noted that technical surveys would provide a clear baseline of cluster munition contaminated areas that would contribute to the development of a clearance work plan and budget to be included in a subsequent extension request.

70. In granting the request, the Conference recommended that Chile regularly reports to States Parties on the implementation of its technical survey work plan and resource mobilization plan during the extension period.

71. In this regard, the Conference noted that the Convention would benefit from Chile reporting annually through Article 7 reports and at Meetings of States Parties on the following:

(a) Progress made relative to the technical survey to be undertaken as indicated in its extension request;

(b) Updated information on remaining contamination based on the findings of the technical survey;

(c) A detailed work plan and budget for the subsequent year;

(d) Resource mobilization efforts including international cooperation and assistance received, and resources made available by the Government of Chile to support implementation efforts;

(e) Other relevant information.

72. In addition to reporting as requested above, the Conference noted the importance of Chile keeping the States Parties regularly apprised of other pertinent developments regarding the implementation of Article 4 during the period covered by the request and other commitments made in the request at Meetings of States Parties as well as through its Article 7 reports due before 30 April every year.

73. The Conference also assessed the request submitted by Mauritania for an extension of its deadline for completing the clearance and destruction of cluster munition remnants in accordance with Article 4.1 of the Convention, agreeing to grant the request for a two-year extension until 1 August 2024.

74. In granting the request, the Conference commends Mauritania's commitment to performing technical survey as required and recommends Mauritania to regularly report to States Parties on the outcomes and to provide an updated workplan, schedule and budget at the 10MSP that takes into account the prevailing circumstances.



75. In this regard, the Conference noted that the Convention would benefit from Mauritania reporting annually through Article 7 reports and at Meetings of States Parties on the following:

- (a) Progress made relative to the work plan projections Mauritania made in its extension request;
- (b) Updated information on the remaining contamination after further technical survey and an updated work plan based on the new information gathered;
- (c) Resource mobilization efforts made to support implementation efforts;
- (d) Progress on the review/update of Mauritania's national mine action standards, in line with the latest International Mine Action Standards, development and implementation of a risk education/Explosive Ordnance Risk Education (EORE) activity plan for the target community and progress on the establishment of a national residual risk capacity;
- (e) Other relevant information.

76. In addition to reporting as requested above, the Conference noted the importance of Mauritania keeping the States Parties regularly apprised of other pertinent developments regarding the implementation of Article 4 during the period covered by the request and other commitments made in the request at Meetings of States Parties as well as through its Article 7 reports due before 30 April every year.

77. The Conference expressed appreciation for the efforts undertaken by Spain and Mexico as the Coordinators on Victim Assistance, in taking forward this work which had, inter alia, resulted in the establishment of a National Focal Point Database as a platform for national focal points to exchange lessons learnt and good practices in the implementation of their article 5 obligations.

78. The Conference also commended the efforts of Montenegro and the Netherlands, as the Coordinators on Cooperation and Assistance, for their work in enhancing partnerships between States Parties in need of assistance and those States and other partners in a position to provide the required assistance.

79. Acknowledging that initial and annual national reporting is a critical obligation under article 7 of the Convention in its role as a key instrument of measuring implementation, the Conference took note that in 2019 all four States Parties with initial reporting deadlines (Gambia, Namibia, Philippines and Sri Lanka) had submitted their initial transparency reports on time. Additionally, during the same period the number of overdue initial transparency reports had reduced from 13 in 2018 to 9 in 2021. The Conference thanked Iraq, in its capacity as Coordinator on Transparency Measures, for the intensive work throughout the year that had led to such positive results.

80. Recalling the importance for States Parties to comply with the provisions of Article 9 of the Convention, the Conference expressed appreciation for the continued work done by New Zealand, in its capacity as Coordinator on National Implementation Measures over several years, which has led to a continuous increase in the number of States Parties reporting extensively on legal, administrative and other measures taken to implement the Convention.

81. Ms. Sheila N. Mweemba, Director of the ISU, presented the ISU budget and workplan for the period 2021-2025 (CCM/CONF/2020/2), which was later revised to include the budget and workplan for 2026 (CCM/CONF/2020/2/Rev.1), and the ISU budget and workplan for 2021 (CCM/CONF/2020/3). The Conference approved the ISU budget and workplan for 2021 and 2022 as well as the ISU budget and workplan for the period 2021-2026.

82. Ms. Mweemba also presented the 2019 annual report of the ISU (CCM/CONF/2020/4). The Conference welcomed that the annual work plan had been implemented as approved and commended the consistent prudent use of the ISU Trust funds.

83. The Conference also agreed that the 2023 ISU budget and work plan would be submitted sixty days prior to the Tenth Meeting of States Parties and that the Director of the ISU would continue to submit reports on the work undertaken by the ISU annually.

84. The Conference also took note of the presentation of the document entitled “Elements for the decision on the Convention’s machinery” (CCM/CONF/2020/CRP.1) submitted by the President, understanding that the document does not prejudge the substantive decisions to be taken on this matter in the second part of the Conference. In considering a machinery and a meeting programme that would best meet the needs of the Convention during the period following the Second Review Conference, the Conference took the following decisions:

(i) With regard to the Implementation Support Unit,

(a) to maintain the current procedures on the financing of the ISU as adopted at the First Review Conference and completed or amended at the Seventh Meeting of States Parties, with the following adjustments:

- that States other than States Parties will be invoiced retrospectively under category 7 (a) of the financial procedures for their participation in the Meeting of States Parties or the Review Conference;
- to adjust the percentage for categories 7(a) and 7(b) contained in the procedures from the current 40% for 7(a) and 60% for 7(b) to henceforth 50% for category 7(a) and 50% for category 7(b);
- that the Presidency and the ISU continue to conduct regular outreach activities to ensure that all States Parties are aware of and understand the financial procedures of the ISU.

(b) to set the duration for the tenure of future ISU Directors to a fixed term of 4 years, renewable once for another fixed term of 4 years with the approval of the States Parties, and in this context:

- to mandate the President of the Tenth Meeting of States Parties to elaborate a calendar and a selection procedure for the recruitment of future ISU Directors, to be considered at that Meeting of States Parties;
- to extend the mandate of the current ISU Director until April 2023.

(ii) With regard to the programme of meetings,

(a) to convene annually, until the Third Review Conference, a Meeting of States Parties for up to four days;

(b) to hold the Third Review Conference in 2026;

(c) to hold informal intersessional meetings in Geneva for up to two days in 2022, where possible consecutively with informal meetings held under other relevant treaties to minimize travel costs, and:

- that the President of the Tenth Meeting of States Parties will identify dates and elaborate a programme for the 2022 intersessional meetings, in cooperation with the Coordination Committee;
- that each annual Meeting of States Parties will decide whether intersessional meetings will be held during the ensuing annual cycle;
- that intersessional meetings will be financed by voluntary contributions and interpretation services will be provided in the languages of the Convention that are official languages of a State Party.

(iii) With regard to the Coordination Committee, Working Groups and Coordinators,

(a) that the composition of the Coordination Committee shall remain unchanged, comprising the President, the President-designate, the outgoing President and all the Coordinators, with the International Committee of the Red Cross, the United Nations and the Cluster Munitions Coalition invited to participate as observers, while recalling that the Coordination Committee may call upon others to assist with its work, as appropriate;

(b) to mandate the Committee to review relevant information provided by the States Parties on the implementation of the commitments contained in the Lausanne Action

Plan, to provide a progress report thereon annually to the Meetings of States Parties/Review Conference, including joint conclusions on the status of implementation;

(c) that the Coordinators on General Status and Operation will act as focal points to provide advice on gender mainstreaming and to ensure that matters related to gender and the diverse needs and experiences of people in affected communities are taken into account in the implementation of the Lausanne Action Plan, in cooperation with the other thematic Coordinators;

(d) further to the decision taken by the Eight Meeting of States Parties, that the ad hoc Analysis group to consider extension requests submitted under Article 3 will comprise the Coordinators on Stockpile Destruction and Retention and the Coordinators on International Cooperation and Assistance and that the ad hoc Analysis group to consider requests submitted under Article 4 will comprise the Coordinators on Clearance and Risk education and the Coordinators on International cooperation and assistance, that representative(s) of the CCM Implementation Support Unit and other States Parties can serve in a support role, and that the Analysis Group will consult and seek expertise to assist during the analysis from a number of sources, including, but not limited to, the UN and its agencies, the International Committee of the Red Cross (ICRC), the Cluster Munition Coalition (CMC), the Geneva International Centre for Humanitarian Demining (GICHD), as well as other organizations and demining experts, as appropriate.

(iv) With regard to the Presidency, to mandate the President of the annual Meetings of States Parties:

(a) to follow with all the necessary diligence matters related to the United Nations assessed contributions pursuant to Article 14 of the Convention, including the implementation of the decisions taken by the Conference thereon;

(b) to take all necessary steps, in cooperation with the Coordinators on universalization, to promote the implementation of the recommendations on initial actions contained in the paper “Ways Forward on Universalisation of the Convention on Cluster Munitions” (CCM/CONF/2020/12) endorsed by the Conference;

(c) to assist and engage with States Parties implementing obligations under Article 3 or 4, or retaining or transferring cluster munitions in line with Article 3.6 and 3.7 having omitted to submit an Article 7 report for two consecutive years detailing progress in implementing these obligations, in close cooperation with the relevant Coordinators.

85. At its fourteenth plenary meeting, the Conference welcomed new Coordinators to guide the intersessional work programme, as follows:

- Working group on the general status and operation of the Convention: Namibia (until the end of the Tenth Meeting of States Parties) and France (until the end of the Eleventh Meeting of States Parties);
- Working group on universalization: The Philippines (until the end of the Tenth Meeting of States Parties) and Spain (until the end of the Eleventh Meeting of States Parties);
- Working group on victims assistance: Mexico (until the end of the Tenth Meeting of States Parties) and Chile (until the end of the Eleventh Meeting of States Parties);
- Working group on clearance and risk reduction: Afghanistan (until the end of the Tenth Meeting of States Parties) and Guyana (until the end of the Eleventh Meeting of States Parties);
- Working group on stockpile destruction and retention: Australia (until the end of the Tenth Meeting of States Parties) and Bulgaria (until the end of the Eleventh Meeting of States Parties);
- Working group on cooperation and assistance: Montenegro (until the end of the Tenth Meeting of States Parties) and Germany (until the end of the Eleventh Meeting of States Parties).

86. At the same plenary meeting, the Conference welcomed the Coordinators to lead the following thematic areas:

- Reporting: Iraq
- National implementation measures: New Zealand.

87. The Conference reaffirmed its attachment to the principle of multilingualism.

88. On 27 November 2020, Ms. Mercogliano, Secretary of the Conference, presented the financial status of the Convention. Ms. Mercogliano informed States Parties of the level of arrears and current financial status of the Convention, recalling that this information is also available on the financial dashboard on the financial website of the United Nations Office for Disarmament Affairs in Geneva.

89. Expressing deep concern about the financial situation due to the arrears in payment of the assessed contributions, the Meeting underlined the importance of ensuring full compliance with article 14 obligations and called upon all the States Parties and States not Parties participating in the meetings of the States Parties to address issues arising from outstanding dues.

90. In this context, the Conference took note of the presentation of the document entitled “Elements for the decision on measures to address the financial predictability and sustainability of United Nations assessed contributions” (CCM/CONF/2020/CRP.2) submitted by the President, in accordance with the recommendations of the Ninth Meeting of States Parties to conduct consultations on “Possible measures to address financial predictability and sustainability of the Convention on Cluster Munitions”. In considering the financial predictability and sustainability of United Nations assessed contributions, the Conference decided:

(i) to continue implementing the following measures:

- monthly reports on the status of financial contributions are issued and posted on the website of the United Nations Office at Geneva.
- an agenda item on the “Status of the assessed contributions received pursuant to Article 14 of the Convention” is included in all Convention-related meetings.
- the United Nations Office for Disarmament Affairs (UNODA) deliver presentations on the status of assessed contributions to inform States on the financial status of the Convention and support them in making informed decisions, and to encourage States to pay their dues in compliance with Article 14 as early as possible and well ahead of the three-months deadline.
- UNODA regularly updates the Convention’s Coordination Committee on the financial situation.
- UNODA sends individualised digital invoices to States.
- initial billing of the State Parties for the assessed contribution is based on the prior year participation in the CCM MSP or Review Conference, as applicable, the final billing being based on the actual participation in the respective meeting.

(ii) to request UNODA to distribute the monthly updates on the status of assessed contributions to States Parties to further build awareness and encourage timely payment;

(iii) to request the United Nations to prepare a multi-year cost-estimate that covers a two-year period for the approval by the States Parties and to issue invoices based on these estimates at least 60 days before the start of the financial period or 60 days after the States Parties have adopted the budget for the next financial period, whichever is later, to encourage early payment by those in a position to do so and improve liquidity, starting with the cost estimates of the Eleventh Meeting of States Parties;

(iv) to examine the possibility of including a 15% contingency in the cost estimates of the Meetings of the States Parties and Review Conferences in order to help ensure greater financial predictability and liquidity for the planning and holding of those meetings at the Tenth Meeting of States Parties;

(v) that States other than States Parties will be invoiced retrospectively for their participation in the Meeting of States Parties or the Review Conference. Any State other than States Parties that has indicated that it will take part in a Meeting of States Parties or Review Conference will be promptly informed of the financial implication resulting from a participation in the meeting;

(vi) to request the President of the Convention, for the purpose of financial planning, to contact States that have not paid their assessed contribution by 30 April to ask them to clarify when it will be paid;

(vii) to encourage each State whose contributions are in arrears for two or more years to enter into a payment schedule with the President of the Convention, supported by the United Nations, to permit it to clear outstanding arrears, taking into account its financial circumstances;

(viii) to request the United Nations to close the accounts for each financial period within 12 months of the conclusion of that financial period:

- at which time the part of the credit available in the cash balance of the closed account will be returned to each State that paid its assessed contribution prior to the end of the financial period and reflected in the next annual invoice, and
- the part of the credit not available in the cash balance of the closed accounts, due to outstanding assessed contributions, will be noted and returned to each State that paid its assessed contribution prior to the end of the financial period at a later date as arrears are paid, this settlement occurring every 5 years,
- bearing in mind that, in the event of a change in the UN scale of assessment rates, the credit calculation is based on the UN assessment rates used at the time of the issuing of the preliminary assessment.

(ix) that the return of credits as foreseen under (viii) applies only to States that have paid their assessed contributions before the end of the concerned financial period and, to encourage timely payment, that arrears for unpaid contributions shall remain the amount of the initial assessment invoiced to the relevant State for the year in question, unless expenditures are higher than initial cost estimates. Currently, a State in arrears receives a final invoice reflecting its share of the actual costs that is lower than the estimated costs in most cases, and which therefore effectively rewards a State Party for paying after the end of the financial year.

91. The Conference also confirmed the designation of H.E. Mr. Aidan Liddle, Ambassador and Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the Conference on Disarmament, as the President of the Tenth Meeting of the States Parties. In accordance with the decision taken at the First Review Conference, his term commenced on the day following the conclusion of the Second Review Conference until the last day of the Tenth Meeting of States Parties.

92. The Conference further decided that the Tenth Meeting of States Parties would take place from 30 August to 2 September 2022 in Geneva, unless its President decides at a later stage to host the meeting in another venue, in accordance with paragraph 30 (d) of the Final Report of the CCM First Review Conference (CCM/CONF/2015/7)

93. The Conference approved the estimated costs of the Tenth Meeting of States Parties as contained in document CCM/CONF/2020/WP.2. The Conference also decided that the Tenth Meeting of States Parties will be postponed to 2022 and take place from 30 August to 2 September 2022. The Conference also agreed that, without setting a precedent, funds for the Tenth Meeting of States parties, as approved in document CCM/CONF/2020/WP.2, can be carried over to 2022 to cover the Tenth Meeting of the States Parties.

94. The Conference also decided to designate H.E. Abdul-Karim Hashim Mostafa, Ambassador and Permanent Representative of Iraq to the United Nations Office and other international organisations in Geneva, as the President of the Eleventh Meeting of the States Parties.

95. At its fourteenth plenary meeting, on 21 September 2021, the Review Conference adopted its final report, as contained in CCM/CONF/2020/L.1/Rev.1, as orally amended, to be issued as document CCM/CONF/2021/6.

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## Annex I

### Lausanne declaration

#### Protecting Lives, Empowering Victims, Enabling Development

1. We, the representatives of the 110 States Parties to the Convention on Cluster Munitions, together with representatives of other States present as signatories, the United Nations, the International Committee of the Red Cross, the Cluster Munition Coalition and other international, regional and national organizations and institutions, gathered in Lausanne in November 2020 for its Second Review Conference, express our firm commitment to realise the objective of the Convention to put an end for all time to the suffering and casualties caused by cluster munitions.
2. We are inspired by the humanitarian achievements of the Convention since it entered into force ten years ago, in particular the enhanced protection of women, girls, boys and men from the threats and effects of cluster munitions and their remnants.
3. Nearly 1.5 million stockpiled cluster munitions containing 178 million sub-munitions have been destroyed, and 36 States parties have now completed their destruction obligations. More than 530 square kilometres of land have been cleared and released to civilian use, and 7 States parties have completed their clearance obligations. Education programmes on the risks posed by cluster munitions have been put in place. Countless lives and limbs have been saved as a result of these achievements.
4. If much remains to be done with regard to victim assistance, the pioneering, comprehensive provisions of the Convention in this domain are making a difference. Cluster munitions victims, including survivors, are receiving better care and their rights have been enhanced. The active participation of cluster munition victims in their communities and in the work of the Convention is a constant source of inspiration.
5. The achievements of the Convention are not limited to the humanitarian realm. Its implementation provides for a strengthening of effective multilateralism and the rules based international order. It contributes to forward movement in a number of other areas, including advancing the achievement of the Sustainable Development Goals, the promotion of international peace and security, human rights and international humanitarian law. Human security is also improved by the implementation of the Convention.
6. These achievements are in no small part owed to a strong partnership between States Parties to the Convention, international and regional organisations and civil society. We remain committed to fostering and reinforcing this cooperation at all appropriate levels to achieve our common goals.
7. Notwithstanding the many achievements to date, much remains to be done to fulfil the objective of the Convention. Too many people – women, girls, boys and men – are still injured or killed by cluster munition use or remnants every year, and many communities are hindered in their development by the presence of cluster munition remnants.
8. We are gravely concerned by the increase in civilian casualties and by the humanitarian impact resulting from the repeated and well-documented use of cluster munitions since the First Review Conference. This grave concern applies in particular to the use of cluster munitions in Syria, which accounts for the vast majority of global recorded casualties of these weapons, and also in Yemen, during the Nagorno-Karabakh conflict as well as to the various allegations of use since 2015. We underscore our obligation never under any circumstances to use cluster munitions and, in accordance with the object and provisions of the Convention, we condemn any use of cluster munitions by any actor, remaining steadfast in our determination to achieve a world entirely free of any use of these weapons.
9. We will redouble efforts to promote further the norms established by the Convention, engage States still relying on cluster munitions and reinforce the growing stigma now

associated with these weapons, with a view to discouraging any new use of these weapons. We will continue to address allegations, reports or documented evidence of cluster munitions use with all the necessary diligence and attention. We call upon those that continue to use cluster munitions, as well as those that develop, produce, otherwise acquire, stockpile, retain or transfer these weapons, or that assist, encourage or induce anyone to engage in such activities, to cease immediately.

10. Putting an end to the harm caused by cluster munitions will require universal adherence with the Convention. Progress in this area constitutes a pressing priority, and we urge all States that have not yet done so to join the Convention without delay. We will intensify our efforts to promote universal adherence to the Convention, bearing in mind the recommendations endorsed by the Review Conference regarding initial actions on universalisation to be undertaken by States Parties under the leadership of the Presidency.

11. Ending the harm caused by cluster munitions will also require the full and timely implementation of the Convention. If great strides have been made in this area, much remains to be done and we will take every possible step towards fulfilling this objective over the next review cycle.

12. We will make every effort to complete our time-bound obligations by the Third Review Conference. We will seek to increase the pace of both stockpile destruction and clearance, with a view to completing our obligations as soon as possible, and in any event no later than our respective deadlines set by the Convention.

13. We will take forward efforts to put in place effective and targeted risk education programmes for communities at risk, with a view to preventing new casualties. We will collect and analyse data to better understand the impact of risk education efforts, including in terms of behavioural changes.

14. While we aim for no new victims of cluster munitions, we understand that this does not mean a world without cluster munitions victims. Significant challenges remain for their needs to be met and their rights guaranteed. We will increase efforts to address the needs of victims, and will ensure their full, equal and effective participation in society. We are committed to ensuring that assistance to victims is integrated into national policies and legal frameworks relating to the rights of persons with disabilities as well as health, education, social, employment, environment plans and poverty reduction, supporting the achievement of the Sustainable Development Goals.

15. We recognise that strong national ownership, enhanced national capacity as well as international cooperation and assistance play an important role in the timely and full implementation of the Convention. We will strengthen partnerships at all possible and appropriate levels in order to pursue capacity building and reinforce national know-how with a view to reducing reliance on foreign expertise. We will explore options for new and alternative sources of funding with a view to increasing the resources available to realise the Convention's aims.

16. In implementing the Convention, we will take practical steps to take into account the different needs, vulnerabilities and perspectives of women, girls, boys and men from diverse populations and all ages. We will strive to ensure full, equal and meaningful gender-balanced participation in the work under the Convention and in Convention meetings.

17. We underline that the effective implementation of the Convention contributes to achieving the Sustainable Development Goals and the commitment to leaving no one behind. We will continue to develop synergies between the Convention and the sustainable development agenda to ensure the greatest benefits possible for communities affected by cluster munitions.

18. We commit to intensify our efforts to attain a world free of the casualties, suffering and socio-economic impacts caused by cluster munitions. We underline our resolve to fully comply with all obligations under the Convention, and to complete our time-bound obligations with all the necessary urgency. The Lausanne Action Plan 2020-2026 will be an essential roadmap towards the fulfilment of this commitment.



## Annex II

### Lausanne Action Plan

#### I. Introduction

1. The Convention on Cluster Munitions was born out of a collective determination to address the humanitarian consequences and unacceptable harm to civilians caused by cluster munitions. States Parties welcome the steady headway that has been made towards this objective since the Convention entered into force on 1 August 2010 and underline their resolve to move forward towards a world free of cluster munitions.

2. States Parties reaffirm their determination to advance towards the full universalisation of the Convention and the promotion of its norms, as well as towards its full implementation. They will intensify efforts to complete time-bound obligations as soon as possible, and in any event no later than the deadline set by the Convention, ensure sustainable, integrated support for cluster munitions victims. They underline the importance of taking efforts forward in a spirit of cooperation and building on the existing partnerships between States Parties, international organisations and civil society.

3. States Parties underline that progress in implementing the Convention is essential not only to address the humanitarian consequences of these weapons. The implementation of the CCM provides for a strengthening of effective multilateralism and the rules based international order. It contributes to forward movement in a number of other areas, including advancing the achievement of the Sustainable Development Goals, or the promotion of international peace and security, human rights and international humanitarian law. It contributes also to improving human security<sup>1</sup>.

4. Building on the Dubrovnik Action Plan (DAP), the Lausanne Action Plan aims to achieve significant and sustainable progress towards the universalization and implementation of the Convention for the period 2021-26. It lays out concrete actions that States Parties will take to that end. The actions set forth in the Action Plan are not legal requirement but are meant to assist and provide guidance to States Parties in the implementation of the Convention. Each action is also accompanied by one or more indicators, to monitor progress and identify challenges in their implementation.

#### II. Guiding principles and actions

5. The States Parties have identified a set of cross-cutting best practices that are key to the successful implementation of the Convention. Informing the different sections of the action plan, these best practices will both reinforce its overall coherence and its overall impact. In this context, the States Parties will take the following crosscutting actions, which will be mainstreamed throughout the action plan, as appropriate.

**Action #1:** Demonstrate high levels of national ownership<sup>2</sup> in implementing the Convention's obligations, including by integrating implementation activities into national development plans, poverty reduction strategies, humanitarian response plans and national strategies for the inclusion of persons with disabilities, as appropriate, by enhancing national

<sup>1</sup> Notion of human security as understood in consensus UNGA resolution 66/290.

<sup>2</sup> The States Parties have defined national ownership as entailing the following: 'maintaining interest at a high level in fulfilling Convention obligations; empowering and providing relevant State entities with the human, financial and material capacity to carry out their obligations under the Convention; articulating the measures its State entities will undertake to implement relevant aspects of Convention in the most inclusive, efficient and expedient manner possible and plans to overcome any challenges that need to be addressed; and making a regular significant national financial commitment to the State's programmes to implement the Convention'.

capacity to carry out obligations and/or making financial and other material commitments to the national implementation of the Convention.

**Action #2:** Develop evidence-based, costed and time-bound national strategies and work plans to fulfil and efficiently complete the implementation of Convention obligations as soon as possible, in any event no later than the deadline set by the Convention, and update them as necessary.

**Action #3:** Provide targeted assistance, where feasible, to other States Parties in developing, updating or implementing their national strategies and work plans to fulfil obligations under the Convention, if possible, by entering into multi-year partnerships and providing multi-year funding.

**Action #4:** Ensure that the different needs, vulnerabilities and perspectives of women, girls, boys and men from diverse populations and all ages are considered and inform the implementation of the Convention in order to deliver an inclusive approach, as well as strive to remove all barriers to full, equal and meaningful gender-balanced participation in implementation activities at the national level and in the Convention's machinery, including its meetings.

**Action #5:** Take into consideration the needs of cluster munitions victims, including survivors, and affected communities and ensure their full, equal and meaningful participation in relevant Convention related matters, including their meaningful and active participation in Convention meetings.

**Action #6:** Keep national standards related to the implementation of the Convention up to date, taking into account international standards, including the International Mine Action Standards (IMAS), adapt them to new challenges and employ best practices to ensure efficient and effective implementation.

**Action #7:** Establish and maintain a national information management system to record the clearance of cluster munitions remnants containing accurate and up-to-date data, ensuring that its design and implementation are nationally owned, sustainable and with data that is disaggregated and which can be accessed, managed, and analysed post-completion.

**Action #8:** Make use of synergies and coordinate responses in implementing the Convention with activities undertaken in relation with mine action, international humanitarian law, human rights law and environmental protection instruments that they are party to, as applicable, and with peacebuilding and sustainable development activities, as relevant.

**Action #9:** Pay their assessed contributions in line with Article 14 of the Convention as early as possible after the issuance of invoices and swiftly settle any arrears, as well as provide for the effective resourcing of the Implementation Support Unit (ISU) in accordance with decisions taken regarding its financing, bearing in mind the importance to rely on a financially sound Convention and on an effective machinery.

### III. Universalisation of the Convention and its norms

6. The realisation of a world free of cluster munitions is contingent upon universal adherence to the Convention. While progress has been achieved in this area since the First Review Conference, the targets set in the Dubrovnik Action Plan have not been met and increased efforts are required to advance towards this essential objective. For its part, the use of cluster munitions in recent and ongoing armed conflicts and their severe humanitarian impact constitute a grave concern. It underlines the urgent need for further efforts to promote the norms established by the Convention.

7. With these considerations in mind, States Parties will take the following actions:

**Action #10:** As a matter of priority, actively and in a concerted and sustained manner, including at high level, promote adherence to the Convention by States not party to it, in accordance with the initial actions to be undertaken by State Parties under the leadership of the Presidency contained in the paper by the Coordinators on Universalization entitled "Ways

Forward on Universalisation of the Convention on Cluster Munitions” (CCM/CONF/2020/12).

**Action #11:** Continue and intensify efforts to promote the observance of the Convention’s norms by:

(a) discouraging, in every way possible the use, development, production, stockpiling and transfer of cluster munitions and by calling upon those who continue to do so to cease now;

(b) In accordance with the object and provisions of the Convention, raising concerns about any alleged use and condemning any instances of documented use by any actor, effectively calling on all States not party to accede to the Convention;

(c) working, as appropriate, with other stakeholders with a view to further stigmatise cluster munitions;

(d) engaging States still relying on cluster munitions through dedicated dialogue, including at political and military level, with a view to promoting and strengthening the norm against the use of cluster munitions.

#### IV. Stockpile destruction

8. Significant progress has been made in the destruction of stockpiled cluster munitions since the entry into force of the Convention. However, some States Parties now have requested an extension to their initial deadline. States Parties are resolved to ensure the expeditious and timely destruction of all stockpiled cluster munitions with minimal environmental impacts in light of Article 3.2 and to limit to the absolute minimum necessary the number of cluster munitions retained under Article 3.6.

9. In order to further advance the full implementation of Article 3, States Parties will take the following actions:

**Action #12:** Develop a clear destruction plan, which specifies an estimated end date within the original deadline set by the Convention, where applicable. Details on time-bound milestones, the annual and monthly destruction rate by type and the total number of sub-munitions to be disposed of should be included. The plan should ensure that destruction methods are in compliance with international standards for the protection of public health and the environment. The destruction plan should also specify the resources required for its implementation, measures to minimise environmental impacts and the planned allocation of national resources. They will report annually on progress made and on any update to the plan through annual Article 7 reports and at Meetings of States Parties or Review Conferences.

**Action #13:** Upon completion of their obligations under Article 3, make an official declaration of compliance, at the latest by the next Meeting of States Parties or Review Conference, whichever comes first, using the Article 3 – Declaration of Compliance (CCM/MSP/2018/9, Annex I) where possible.

**Action #14:** On discovering previously unknown stockpiles after making a declaration of compliance, report such findings immediately to the Presidency of the Convention, and at the next Meeting of States Parties or Review Conference and through the Article 7 report, and destroy the stockpiles as soon as possible with minimal environmental impact, in line with Article 3 and with Article 7.

**Action #15:** When, despite best efforts to complete obligations under Article 3 within the original deadline, have to submit an extension request, ensure that such request is submitted on time, is substantiated, ambitious and clear, contain detailed, costed annual work plans for the extension period and take into account the Guidelines for the Convention on Cluster Munitions (CCM) Article 3 Extension Requests submitted at 8MSP and the Methodology for requests of deadline extensions under Articles 3 and 4 of the Convention on Cluster Munitions submitted at 9MSP.

**Action #16:** Exchange lessons learned from their national destruction processes in order to further build capacity in States Parties with outstanding Article 3 obligations.

**Action #17:** Where cluster munitions and/or explosive sub-munitions are retained or acquired in accordance with Article 3.6, annually review the number of cluster munitions and/or explosive sub-munitions to ensure that they do not exceed the number absolutely necessary for said purpose, destroy all cluster munitions and/or explosive sub-munitions that exceed that number.

## V. Survey and clearance

10. Significant progress has been made in addressing cluster munition contaminated areas, especially with regards to improved efficiency through survey. Despite this success, a number of extension requests have now been submitted. States Parties underline that a number of Article 4 extension requests could have been avoided if earlier action had been taken. Sustained efforts are required to ensure that clearance obligations are completed as soon as possible and, to the greatest extent possible, within the original Article 4 deadline in order to permanently remove the threats that cluster munition remnants pose to human lives, livelihoods and local environments. All States Parties should apply evidence-based land release methodology taking into account the IMAS and explore innovative approaches and new ways of working to improve programme performance. In all cases, surveys and clearance should be appropriately planned and prioritised to take into account the environmental impact and the diverse needs and priorities of affected populations, with a view to preventing human suffering being caused by cluster munition remnants.

11. With these considerations in mind, States Parties with obligations under Article 4 will take the following actions:

**Action #18:** Identify the precise location, scope and extent of cluster munition remnants in areas under their jurisdiction or control, and establish evidence-based, accurate baselines of contamination to the extent possible, and adopt practical measures to better protect civilians, no later than the Eleventh Meeting of States Parties in 2022 (or within two years of entry into force for new States Parties). States Parties will mark and, where possible, fence off all hazardous areas, no later than the Eleventh Meeting of States Parties in 2022 to ensure the safety of civilians (or within two years of entry into force for new States Parties).

**Action #19:** Develop evidence-based and costed multi-year national strategies and annual work plans that include projections of the amount of cluster munition contaminated areas to be addressed annually to achieve completion as soon as possible and to the greatest extent possible no later than their original Article 4 deadline, to be presented at the Tenth Meeting of States Parties in 2021.

**Action #20:** When, despite best efforts to complete obligations under Article 4 within the original deadline, have to submit an extension request, ensure that such request is submitted on time, that requests are substantiated, ambitious and clear, contain detailed, costed annual work plans for the extension period, that include appropriate provisions for Risk Education, and take into account the “Guidelines for the Convention on Cluster Munitions (CCM) Article 4 Extension Requests” submitted at 8MSP and the “Methodology for requests of deadline extensions under Articles 3 and 4 of the Convention on Cluster Munitions” submitted at 9MSP.

**Action #21:** Take appropriate steps to improve the effectiveness and efficiency of surveys and clearance, taking into account international standards, including the IMAS-compliant land release processes, and to promote the research and development of innovative survey and clearance methodologies which take into account environmental impacts and concerns.

**Action #22:** Ensure that national strategies and work plans provide for a sustainable national capacity to address residual risks posed by cluster munition remnants that are discovered following fulfilment of Article 4.

**Action #23:** Ensure that activities related to survey and clearance are given due priority based on clear nationally driven humanitarian and sustainable development criteria, which take account of environmental concerns, and that national programmes consider gender, as well as the diversity of populations in all appropriate activities related to survey and clearance of cluster munition remnants within affected communities.

**Action #24:** Maintain functioning information management systems that record comparable data and provide information annually on the size and location of remaining cluster munition contaminated areas, disaggregated by ‘suspected hazardous areas’ and ‘confirmed hazardous areas’, and on survey and clearance efforts in accordance with the land release method employed (i.e. cancelled through non-technical survey, reduced through technical survey, and cleared through clearance).

**Action #25:** Upon completion of their Article 4 clearance obligations, submit a voluntary declaration of compliance, confirming that every effort has been made to identify and clear all cluster munition contaminated areas under their jurisdiction or control, using the Declaration of compliance with Article 4.1 (c) of the Convention on Cluster Munitions, where possible.

**Action #26:** Exchange experiences and lessons learned in order to facilitate an improved understanding of the technical aspects of addressing cluster munitions remnants, encourage discussions on challenges to completing clearance between affected States Parties and with States Parties that used cluster munitions before the Convention entered into force, those that have recently completed clearance and international donors in an effort to promote survey and clearance best practices.

## VI. Risk education

12. States Parties recognise that risk education in the context of the Convention encompasses interventions aimed at protecting civilians at risk from cluster munitions and cluster munitions remnants. States Parties reiterate that the delivery of effective and relevant risk education interventions, which respond to the different vulnerabilities, roles and needs of women, girls, boys and men from all groups and focus on achieving behavioural change, remains one of the primary means of preventing new accidents, thereby mitigating the risks that cluster munitions pose to lives and livelihoods in affected communities. States Parties underline the importance of reporting on risk education, particularly as increasing pressure on land and resources due to population growth, economic factors and climate change are likely to increase exposure to contamination. They also reaffirm efforts to maintain and increase focus on this important obligation of the Convention, including through enhanced attention to the interlinkages between risk education and other pillars of the Convention, as well as broader humanitarian, development, human rights, environmental, protection and education programmes and the role of civil society in fulfilling these aims.

13. With these considerations in mind, States Parties will take the following actions:

**Action #27:** Where feasible and appropriate, develop national strategies and work plans drawing on best practices and standards, which integrate cluster munitions risk education into ongoing survey, clearance and victim assistance activities, and promote the integration of risk education into wider humanitarian, development, human rights, environmental, protection and education efforts.

**Action #28:** Take all necessary actions to ensure all civilians living in or around cluster munition contaminated areas under their jurisdiction or control are made aware of the risks caused by cluster munitions and that their vulnerability thereto is reduced by implementing context-specific, tailor-made risk education activities and interventions which prioritise populations most at risk and are sensitive to gender, age, disability, as well as the diversity of populations in affected communities.

**Action #29:** Collect and analyse gender and age and disability disaggregated contamination and casualty data in order to identify and target risk education interventions towards the most at-risk groups, and provide detailed reporting on risk education, disaggregated by gender, age and disability, in annual transparency reports, collect and analyse gender, age and disability disaggregated data to understand the impact of risk education.

**Action #30:** Develop national capacities to adapt risk education initiatives to changing circumstances, including taking account of risks posed by residual contamination once Article 4 obligations have been completed, as well as potential risks caused by changing climatic and environmental conditions.

## VII. Victim assistance

14. The victim assistance provisions of the Convention are central to its humanitarian impact. States Parties acknowledge that victim assistance is a long-term obligation. They are committed to the full, equal and effective participation of cluster munition victims, including survivors in society, in accordance with applicable human rights and international humanitarian law, as well as the principles of non-discrimination, inclusion, sustainability, national ownership, accessibility, accountability and transparency. States Parties recognise that for victim assistance to be sustainable in the long term, it should be integrated into national policies and legal frameworks relating to the rights of persons with disabilities as well as into health, education, social, employment, poverty reduction and development plans supporting the achievement of the Sustainable Development Goals. They also recognise that improved coordination amongst relevant and wide-ranging stakeholders is key to ensuring appropriate, inclusive and effective assistance. States Parties recognize that assistance to cluster munition victims, including survivors must be provided without discriminating against those who have suffered injuries or impairments from other causes.

15. States Parties with cluster munition victims in areas under their jurisdiction or control and where applicable donor States Parties will:

**Action #31:** Ensure the collection and analysis of data disaggregated by gender, age and disability, to assess the needs and priorities of cluster munition victims and insert this data into a centralised database, taking into account national data protection measures. This information will be made available to relevant stakeholders to ensure a comprehensive response to addressing the needs of cluster munition victims.

**Action #32:** Ensure that national policies and legal frameworks related to disability, health, education, employment, sustainable development and human rights are developed in a participatory manner, address the needs and rights of cluster munition victims and are in line with the Convention on the Rights of Persons with Disabilities and the Sustainable Development Goals, taking into account international standards, including the IMAS.

**Action #33:** Develop a measurable national action plan addressing the needs and rights of cluster munition victims. Designate a national focal point, with adequate resources, to develop, implement and monitor the action plan, and ensure that victim assistance corresponds to the needs of victims and is integrated into broader policies, plans and frameworks related to disability, health, education, employment, development, poverty reduction and human rights.

**Action #34:** Provide effective and efficient first aid and long-term medical care to cluster munition victims, as well as access to adequate rehabilitation and appropriate psychological and psychosocial support services as part of a public health approach, possibly through a national referral mechanism and a comprehensive directory of services facilitating access to services for cluster munition victims in a non-discriminatory, gender-sensitive, disability and age-sensitive manner.

**Action #35:** Ensure that measures are in place to facilitate the social, education and economic inclusion of cluster munition victims, such as access to education, capacity-building, employment referral services, microfinance institutions, business development services, rural development and social protection programmes, including in rural and remote areas.

**Action #36:** Strengthen the inclusion and meaningful participation of cluster munition victims in the development of laws, policies and programmes relevant to them as well as encourage their participation in work under the Convention, taking into account gender, age, disability as well as the diversity of populations in affected communities.

**Action #37:** Endeavour to support the training, development and official recognition of multidisciplinary, skilled and qualified rehabilitation professionals.

## VIII. International cooperation and assistance

16. While reaffirming that each State Party is responsible for implementing its obligations under the Convention, States Parties recognise that enhanced international cooperation and assistance can play an important role in the timely and full implementation of all aspects of the Convention. States Parties acknowledge the importance of dialogue between affected States Parties, donors and operators, and the value of country coalitions in enhancing these exchanges. They underline the importance of national ownership and capacity building to ensure the effectiveness and sustainability of cooperation and assistance and to reduce reliance on external expertise. They recognise that international cooperation and assistance should be responsive to gender, age, disability, and the diversity of populations, as well as environmental protection. They stress the need to strengthen their partnerships at all levels and with the United Nations system, international, regional or national organisations or institutions, the International Committee of the Red Cross, National Red Cross and Red Crescent Societies and their International Federation, as well as with the Cluster Munition Coalition and other NGOs.

17. With a view to enhancing international cooperation and assistance in order to facilitate the timely and full implementation of the Convention, States Parties will take the following actions:

**Action #38:** Do their utmost to commit the resources needed to realise the Convention's obligations in a timely manner and explore all possible alternative and/or innovative sources of funding.

**Action #39:** Share their experiences and best practices, establish partnerships at all levels and explore opportunities for cooperation, including international, regional, North-South, South-South, bilateral and trilateral cooperation in order to develop capacity building and national expertise. Cooperation may include making mutually supporting clearance commitments in border areas, exchanging best practices on environmental impact assessments, sharing experiences of incorporating environmental protection considerations, and integrating a gender perspective, as well as taking the diversity of populations, priorities and experiences in affected communities into account in programming and, in line with Article 6, exchanging equipment, material, and scientific and technological information in order to promote the implementation of the Convention.

**Action #40:** When in a position to do so, provide sustainable assistance to other States Parties in the implementation of their obligations under the Convention and provide timely responses to requests for assistance, as well as mobilise technical, material and financial resources for this purpose.

**Action #41:** When seeking assistance, develop coherent and comprehensive national plans aimed at developing national ownership, based on appropriate surveys, needs assessments and analysis and providing national capacity. These plans will take into account broader frameworks such as the Sustainable Development Goals and respond to the needs and experiences of affected communities and will be built on sound gender, age and disability analysis. These plans should adequately reflect the areas in which assistance is required.

**Action #42:** Further detail the modalities of platforms such as the country coalition mechanism to enhance targeted regular dialogue between affected States Parties, donors and operators, leverage such platforms, share experiences made, as well as explore synergies with similar forums, as appropriate.

## IX. Transparency measures

18. Transparency and the open exchange of information are essential to achieving the Convention's aims. States Parties recall that the submission of initial and annual Article 7 reports is an obligation under the Convention and note with concern that since the first Review Conference less than two thirds of States Parties regularly comply with this obligation. States Parties recognise that transparency measures under the Convention should

be regularly adapted to facilitate the exchange of information and the assessment of progress in implementation, including that of the present action plan.

19. States Parties will take the following actions:

**Action #43:** Provide initial and annual transparency reports within the deadlines set in Article 7 of the Convention.

**Action #44:** When implementing obligations under Article 3 or 4, or retaining or transferring cluster munitions in line with Article 3.6 and 3.7 but having omitted to submit an Article 7 report each year detailing progress in implementing these obligations, provide information to all States Parties in the most expeditious, comprehensive and transparent manner possible. If no information on implementing the relevant obligations is provided for two consecutive years, the President will assist and engage with the States Parties concerned in close cooperation with the relevant thematic coordinators.

**Action #45:** Recognising the importance of Article 7 reports for confidence building and monitoring the implementation of Convention obligations as well as for international cooperation and assistance, develop adapted reporting forms taking into consideration the actions laid out in this Action Plan. The adapted reporting form will be developed under the guidance of the Presidency and will be considered at the Tenth Meeting of States Parties, in conformity with the rules of procedure and existing practice. Until such adapted reporting forms are adopted, States Parties will use the reporting forms adopted at the first Meeting of States Parties, where possible.

**Action #46:** If in need of assistance in the preparation or compilation of their Article 7 reports, seek support from relevant partners, including from States Parties, the ISU, UN agencies or other NGOs. Partners in a position to do so will respond to such requests for assistance, including by sharing best practices on how to gather information nationally.

## X. National implementation measures

20. Recalling the obligation to take all appropriate legal, administrative and other measures to implement the Convention in accordance with Article 9, including imposing penal sanctions to prevent and suppress any activity prohibited, States Parties acknowledge that national implementation measures can take various forms, depending on the national legal system. Noting that not all States Parties have confirmed the adoption of such measures, States Parties intend to improve progress in this area by ensuring that national implementation measures are in place in a timely manner.

21. With these elements in mind, States Parties will take the following actions:

**Action #47:** Ensure that they have appropriate national measures in place to fully implement the Convention, in particular by reviewing or, if necessary, revising or adopting national legislation, regulations and administrative measures, including imposing penal sanctions to prevent and suppress activities prohibited under the Convention by the Eleventh Meeting of States Parties in 2022 or within two years of entry into force for new States Parties, as applicable. All States parties should consider enacting national legislation prohibiting investments in all producers of cluster munitions and their crucial components.

**Action #48:** Highlight factors and challenges that may be preventing progress in the revision or adoption of national legislation in their Article 7 reports and at Convention meetings, and request assistance, through these means, in the development or revision of national implementing measures, and when in a position to do so provide assistance in this matter.

## XI. Measures to ensure compliance

22. Stressing the importance of complying with all the provisions of the Convention, State Parties are guided by the knowledge that the Convention provides a variety of collective and cooperative means to facilitate and clarify any questions relating to compliance.

23. In this regard, States Parties will take the following actions:



**Action #49:** Clarify any questions relating to matters of compliance and seek to resolve any instance of non-compliance with due diligence through bilateral discussions, the use of the good offices of the President or any other means consistent with Article 8, in a cooperative manner and in accordance with the provisions of the Convention.

**Action #50:** Where, despite all possible efforts, unable to complete stockpile destruction and/or clearance obligations within the original deadlines, ensure that they submit any extension request, within the deadlines established by the Convention and in line with the guidelines and methodology on extension requests adopted at the Eighth and Ninth Meetings of States Parties.

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# Annex 1

## Indicators

This table of indicators has been developed to facilitate the monitoring work on the Lausanne Action Plan. Each action is accompanied by one or more indicators. The information submitted in the States Parties' annual Article 7 reports and the information exchanged during Convention meetings will serve as the main source of data to assess progress. Building on the progress report issued annually over the past two review cycles, members of the Coordination Committee, under the auspices of the Presidency, will be responsible for measuring yearly aggregated progress within their mandate both in absolute and relative terms, with the support of the Implementation Support Unit. A baseline value for all indicators will be established in the first year of implementation. Progress in subsequent years will be compared against this baseline. States Parties are encouraged to provide detailed information allowing to monitor progress and identify the challenges related to the implementation of the Lausanne Action Plan.

<i>Action items</i>	<i>Indicators</i>
<i>Best practices for implementing the Convention</i>	
1. Demonstrate high levels of national ownership in implementing the Convention's obligations, including by integrating implementation activities into national development plans, poverty reduction strategies, humanitarian response plans and national strategies for the inclusion of persons with disabilities, as appropriate, by enhancing national capacity to carry out obligations and/or making financial and other material commitments to the national implementation of the Convention .	<ul style="list-style-type: none"> <li>• The number of States Parties that report having included Convention implementation activities in humanitarian response plans, peace promotion plans, development plans and/or poverty reduction strategies and other pertinent documents;</li> <li>• The number of States Parties that report having enhanced national capacity or made national financial and/or other material commitments to the implementation of their outstanding obligations under the Convention.</li> </ul>
2. Develop evidence-based, costed and time-bound national strategies and work plans to fulfil and efficiently complete the implementation of Convention obligations as soon as possible, in any event no later than the deadline set by the Convention, and update them as necessary.	<ul style="list-style-type: none"> <li>• The number of affected States Parties that report having adopted a comprehensive national strategy to fulfil implementation of obligations under the Convention;</li> <li>• The number of affected States Parties that report having developed annual work plans to implement their national strategy.</li> </ul>
3. Provide targeted assistance, where feasible, to other States Parties in developing, updating or implementing their national strategies and work plans to fulfil obligations under the Convention, if possible by entering into multi-year partnerships and providing multi-year funding.	<ul style="list-style-type: none"> <li>• The number of donor States Parties that report providing financial or other support to affected States Parties, including as part of partnerships;</li> <li>• The number of donor States Parties that report providing multi-year funding to affected States Parties.</li> </ul>
4. Ensure that the different needs, vulnerabilities and perspectives of women, girls, boys and men from diverse populations and all ages are considered and inform the implementation of the Convention in order to deliver an inclusive approach, as well as strive to remove all barriers to full, equal and meaningful gender-balanced participation in	<ul style="list-style-type: none"> <li>• The number of States Parties whose national work plans and strategies integrate gender, as well as the diversity of populations;</li> <li>• The number women presiding over the Convention, the number of women taking part in the Coordination Committee, the number of women in</li> </ul>

<i>Action items</i>	<i>Indicators</i>
implementation activities at the national level and in the Convention's machinery, including its meetings.	States Parties' delegations attending Convention meetings, the number of delegations headed by women.
5. Take into consideration the needs of cluster munitions victims, including survivors, and affected communities and ensure their full, equal and meaningful participation in relevant Convention related matters, including their meaningful and active participation in Convention meetings.	<ul style="list-style-type: none"> <li>The number of affected States Parties that report having developed their national strategies and work plans in an inclusive manner, in particular by involving victims, including survivors, and affected communities;</li> <li>The number of States Parties including victims or their representatives in their delegations taking part in the Convention meetings.</li> </ul>
6. Keep national standards related to the implementation of the Convention up to date, taking into account international standards, including the International Mine Action Standards (IMAS), adapt them to new challenges and employ best practices to ensure efficient and effective implementation.	<ul style="list-style-type: none"> <li>The number of affected States Parties that report having adapted or updated their national standards to address new challenges and ensure the employment of best practices, taking into account the International Mine Action Standards.</li> </ul>
7. Establish and maintain a national information management system to record the clearance of cluster munitions remnants containing accurate and up-to-date data, ensuring that its design and implementation are nationally owned, sustainable and with data that is disaggregated and which can be accessed, managed, and analysed post-completion.	<ul style="list-style-type: none"> <li>The number of affected States Parties that report having a sustainable national information management system in place.</li> </ul>
8. Make use of synergies and coordinate responses in implementing the Convention with activities undertaken in relation with mine action, international humanitarian law, human rights law and environmental protection instruments that they are party to, as applicable, and with peacebuilding and sustainable development activities, as relevant.	<ul style="list-style-type: none"> <li>The number of States Parties that report having coordinated their activities relating to the implementation of the Convention with actions undertaken in relation with mine action, international humanitarian law, human rights law and environmental protection instruments that they are party to, and with peacebuilding and sustainable development activities, as relevant.</li> </ul>
9. Pay their assessed contributions in line with Article 14 of the Convention as early as possible after the issuance of invoices and swiftly settle any arrears, as well as provide for the effective resourcing of the Implementation Support Unit (ISU) in accordance with decisions taken regarding its financing, bearing in mind the importance to rely on a financially sound Convention and on an effective machinery.	<ul style="list-style-type: none"> <li>The number of States Parties that pay their assessed contributions no later than three months before the Meeting of States Parties or Review Conference;</li> <li>The number of States Parties that contribute to the ISU budget.</li> </ul>
10. As a matter of priority, actively and in a concerted and sustained manner, including at high level, promote adherence to the Convention by States not party to it, in accordance with initial actions to be undertaken by State Parties under the	<ul style="list-style-type: none"> <li>The increase in the number of States Parties to the Convention;</li> <li>The number of States not party taking part in the Meeting of States Parties;</li> <li>The number of States not party submitting a voluntary Article 7 report.</li> </ul>

<i>Action items</i>	<i>Indicators</i>
<p>leadership of the Presidency contained in the paper by the Coordinators on Universalization entitled “Ways Forward on Universalisation of the Convention on Cluster Munitions” (CCM/CONF/2020/12).</p>	
<p>11. Continue and intensify efforts to promote the observance of the Convention’s norms by</p> <p>a) discouraging, in every way possible the use, development, production, stockpiling and transfer of cluster munitions and by calling upon those who continue to do so to cease now,</p> <p>b) In accordance with the object and provisions of the Convention, raising concerns about any alleged use and condemning any instances of documented use by any actor, effectively calling on all States not party to accede to the Convention,</p> <p>c) working, as appropriate, with other stakeholders with a view to further stigmatise cluster munitions,</p> <p>d) Engaging States still relying on cluster munitions through dedicated dialogue, including at political and military level, with a view to promoting and strengthening the norm against the use of cluster munitions.</p>	<ul style="list-style-type: none"> <li>• The number of confirmed cases of cluster munitions’ use;</li> <li>• The number of States not party voting in favour of the resolution on the implementation of the Convention in the UN General Assembly;</li> <li>• The number of States not party that report having adopted moratoria on the use, development, production, stockpiling and transfer of cluster munitions or that report having destroyed their stockpiles of cluster munitions.</li> <li>• The number of dedicated meetings with States not party to the Convention still relying on cluster munitions.</li> </ul>
<p>12. Develop a clear destruction plan, which specifies an estimated end date within the original deadline set by the Convention, where applicable. Details on time-bound milestones, the annual and monthly destruction rate by type and the total number of sub-munitions to be disposed of should be included. The plan should ensure that destruction methods are in compliance with international standards for the protection of public health and the environment. The destruction plan should also specify the resources required for its implementation, measures to minimise environmental impacts and the planned allocation of national resources. They will report annually on progress made and on any update to the plan through annual Article 7 reports and at Meetings of States Parties or Review Conferences.</p>	<ul style="list-style-type: none"> <li>• The number of States Parties with outstanding Article 3 obligations that have developed a destruction plan.</li> <li>• The number of States Parties with outstanding Article 3 obligations reporting on progress made and challenges encountered through annual Article 7 reports and at Meetings of States Parties or the Review Conference.</li> </ul>
<p>13. Upon completion of their obligations under Article 3, make an official declaration of compliance, at the latest by the next Meeting of States Parties or Review Conference, whichever comes first, using the Article 3 – Declaration of Compliance (CCM/MSP/2018/9, Annex I) where possible.</p>	<ul style="list-style-type: none"> <li>• The number of States Parties having completed their Article 3 obligations that make an official declaration of compliance.</li> </ul>
<p>14. On discovering previously unknown stockpiles after making a declaration of compliance, report such findings immediately</p>	<ul style="list-style-type: none"> <li>• The number of States Parties that have discovered previously unknown stockpiles having immediately reported</li> </ul>

<i>Action items</i>	<i>Indicators</i>
<p>to the Presidency of the Convention, and at the next Meeting of States Parties or Review Conference and through the Article 7 report, and destroy the stockpiles as soon as possible with minimal environmental impact, in line with Article 3 and with Article 7.</p>	<p>such findings through established channels.</p>
<p>15. When, despite best efforts to complete obligations under Article 3 within the original deadline, have to submit an extension request, ensure that such request is submitted on time, is substantiated, ambitious and clear, contain detailed, costed annual work plans for the extension period and take into account the Guidelines for the Convention on Cluster Munitions (CCM) Article 3 Extension Requests submitted at 8MSP and the Methodology for requests of deadline extensions under Articles 3 and 4 of the Convention on Cluster Munitions submitted at 9MSP.</p>	<ul style="list-style-type: none"> <li>• The number of extension requests that include detailed, costed multi-year work plans for the extension period.</li> </ul>
<p>16. Exchange lessons learned from their national destruction processes in order to further build capacity in States Parties with outstanding Article 3 obligations.</p>	<ul style="list-style-type: none"> <li>• The number of States Parties that provide information on their experience of the destruction process through established channels.</li> </ul>
<p>17. Where cluster munitions and/or explosive sub-munitions are retained or acquired in accordance with Article 3.6, annually review the number of cluster munitions and/or explosive sub-munitions to ensure that they do not exceed the number absolutely necessary for said purpose, destroy all cluster munitions and/or explosive sub-munitions that exceed that number.</p>	<ul style="list-style-type: none"> <li>• The number of States Parties retaining or acquiring cluster munitions and/or explosive sub-munitions in accordance with Article 3.6, and the quantity of cluster munitions and explosive sub-munitions retained;</li> <li>• The number of retained cluster munitions and/or explosive sub-munitions destroyed by each State Party.</li> </ul>
<p>18. Identify the precise location, scope and extent of cluster munition remnants in areas under their jurisdiction or control, and establish evidence-based, accurate baselines of contamination to the extent possible, and adopt practical measures to better protect civilians, no later than the Eleventh Meeting of States Parties in 2022 (or within two years of entry into force for new States Parties). States Parties will mark and, where possible, fence off all hazardous areas, no later than the Eleventh Meeting of States Parties in 2022 to ensure the safety of civilians (or within two years of entry into force for new States Parties).</p>	<ul style="list-style-type: none"> <li>• The number of affected States Parties that have completed an evidence-based and inclusive baseline survey no later than the Eleventh Meeting of the States Parties in 2022 (and by each year thereafter if not all affected States Parties have done so by the Eleventh Meeting of States Parties);</li> <li>• The number of affected States Parties that mark their hazardous area(s) by the Eleventh Meeting of States Parties.</li> </ul>
<p>19. Develop evidence-based and costed multi-year national strategies and annual work plans that include projections of the amount of cluster munition contaminated areas to be addressed annually to achieve completion as soon as possible and to the greatest extent possible no later than their</p>	<ul style="list-style-type: none"> <li>• The number of affected states that have developed evidence-based national strategies and work plans;</li> <li>• The number of affected States Parties that detail progress in implementing those strategies and plans in annual transparency reports.</li> </ul>

<i>Action items</i>	<i>Indicators</i>
<p>original Article 4 deadline, to be presented at the Tenth Meeting of States Parties in 2021.</p>	
<p>20. When, despite best efforts to complete obligations under Article 4 within the original deadline, have to submit an extension request, ensure that such request is submitted on time, that requests are substantiated, ambitious and clear, contain detailed, costed annual work plans for the extension period, that include appropriate provisions for Risk Education, and take into account the “Guidelines for the Convention on Cluster Munitions (CCM) Article 4 Extension Requests” submitted at 8MSP and the “Methodology for requests of deadline extensions under Articles 3 and 4 of the Convention on Cluster Munitions” submitted at 9MSP.</p>	<ul style="list-style-type: none"> <li>• The number of extension requests that include detailed, costed multi-year work plans for the extension period.</li> </ul>
<p>21. Take appropriate steps to improve the effectiveness and efficiency of surveys and clearance, taking into account international standards, including the IMAS-compliant land release processes, and to promote the research and development of innovative survey and clearance methodologies which take into account environmental impacts and concerns.</p>	<ul style="list-style-type: none"> <li>• The number of affected States Parties that report promoting research, application and sharing of innovative methodologies;</li> <li>• The number of affected states that report progress in the effectiveness and efficiency of surveys and clearance through annual transparency reports.</li> </ul>
<p>22. Ensure that national strategies and work plans provide for a sustainable national capacity to address residual risks posed by cluster munition remnants that are discovered following fulfilment of Article 4.</p>	<ul style="list-style-type: none"> <li>• The number of affected States Parties whose national strategies and work plans make provision for the establishment of a sustainable national capacity to address residual contamination.</li> </ul>
<p>23. Ensure that activities related to survey and clearance are given due priority based on clear nationally driven humanitarian and sustainable development criteria, which take account of environmental concerns, and that national programmes consider gender, as well as the diversity of populations, in all appropriate activities related to survey and clearance of cluster munition remnants within affected communities.</p>	<ul style="list-style-type: none"> <li>• The number of affected States Parties that report on the inclusion of humanitarian and sustainable development considerations in survey and clearance planning and prioritisation, in line with the Sustainable Development Goals.</li> <li>• The number of affected States Parties that report on the inclusion of gender, as well as the diversity of populations in survey and clearance planning and prioritisation.</li> </ul>
<p>24. Maintain functioning information management systems that record comparable data and provide information annually on the size and location of remaining cluster munition contaminated areas, disaggregated by ‘suspected hazardous areas’ and ‘confirmed hazardous areas’, and on survey</p>	<ul style="list-style-type: none"> <li>• The number of affected States Parties providing disaggregated information on the extent and nature of all remaining cluster munition contaminated areas and on progress in survey and clearance efforts in annual Article 7 transparency reports.</li> </ul>

*Action items**Indicators*

and clearance efforts in accordance with the land release method employed (i.e. cancelled through non-technical survey, reduced through technical survey, and cleared through clearance).

25. Upon completion of their Article 4 clearance obligations, submit a voluntary declaration of compliance, confirming that every effort has been made to identify and clear all cluster munition contaminated areas under their jurisdiction or control, using the Declaration of compliance with Article 4.1 (a) of the Convention on Cluster Munitions, where possible.

26. Exchange experiences and lessons learned in order to facilitate an improved understanding of the technical aspects of addressing cluster munitions remnants, encourage discussions on challenges to completing clearance between affected States Parties and with States Parties that used cluster munitions before the Convention entered into force, those that have recently completed clearance and international donors in an effort to promote survey and clearance best practices.

27. Where feasible and appropriate, develop national strategies and work plans drawing on best practices and standards, which integrate cluster munitions risk education into ongoing survey, clearance and victim assistance activities, and promote the integration of risk education into wider humanitarian, development, human rights, environmental, protection and education efforts.

28. Take all necessary actions to ensure all civilians living in or around cluster munition contaminated areas under their jurisdiction or control are made aware of the risks caused by cluster munitions and that their vulnerability thereto is reduced by implementing context-specific, tailor-made risk education activities and interventions which prioritise populations most at risk and are sensitive to gender, age, disability, as well as the diversity of populations in affected communities.

29. Collect and analyse gender and age and disability disaggregated contamination and casualty data in order to identify and target risk education interventions towards the most at-risk groups, and provide detailed reporting on risk education, disaggregated by gender, age and disability, in annual transparency reports, collect and analyse

- The number of affected States Parties that have completed their Article 4 obligations and that submit voluntary declarations of compliance.

- The number of States Parties that report sharing experiences and lessons learned.

- The number of affected States Parties that report having developed national strategies and work plans that integrate risk education into ongoing survey, clearance and victim assistance activities and into humanitarian, development, human rights, environmental and education areas.

- The number of affected States Parties that report on tailor-made risk education activities in annual transparency reports.

- The number of affected States Parties that provide detailed, disaggregated (by gender, age and disability) reporting on risk education focused on most at risk groups in annual transparency reports.

- The number of affected States Parties that report on measures taken to better understand and more effectively

<i>Action items</i>	<i>Indicators</i>
gender, age and disability disaggregated data to understand the impact of risk education.	demonstrate the impact of risk education, including in terms of behavioural change, in annual transparency reports.
30. Develop national capacities to adapt risk education initiatives to changing circumstances, including taking account of risks posed by residual contamination once Article 4 obligations have been completed, as well as potential risks caused by changing climatic and environmental conditions.	<ul style="list-style-type: none"> <li>The number of affected States Parties that have national strategies and work plans that include information on establishing a sustainable national capacity that can adapt to changing circumstances, address residual contamination and which also include a risk education component.</li> </ul>
31. Ensure the collection and analysis of data disaggregated by gender, age and disability, to assess the needs and priorities of cluster munition victims and insert this data into a centralised database, taking into account national data protection measures. This information will be made available to relevant stakeholders to ensure a comprehensive response to addressing the needs of cluster munition victims.	<ul style="list-style-type: none"> <li>The number of States Parties with cluster munitions victims that report having collected, and analysed data disaggregated by gender, age and disability.</li> </ul>
32. Ensure that national policies and legal frameworks related to disability, health, education, employment, sustainable development and human rights are developed in a participatory manner, address the needs and rights of cluster munition victims and are in line with the Convention on the Rights of Persons with Disabilities and the Sustainable Development Goals, taking into account international standards, including the IMAS.	<ul style="list-style-type: none"> <li>The number of States Parties with cluster munitions victims that report addressing the needs of cluster munition victims in national policies and legal frameworks, aligned to the Sustainable Development Goals and the Convention on the Rights of Persons with Disabilities.</li> </ul>
33. Develop a measurable national action plan addressing the needs and rights of cluster munition victims. Designate a national focal point, with adequate resources, to develop, implement and monitor the action plan, and ensure that victim assistance corresponds to the needs of victims and is integrated into broader policies, plans and frameworks related to disability, health, education, employment, development, poverty reduction and human rights.	<ul style="list-style-type: none"> <li>The number of States Parties with cluster munitions victims that have a measurable national action plan in place;</li> <li>The number of States Parties with cluster munitions victims that have designated a national focal point responsible for coordinating victim assistance.</li> </ul>
34. Provide effective and efficient first aid and long-term medical care to cluster munition victims, as well as access to adequate rehabilitation and appropriate psychological and psychosocial support services as part of a public health approach, possibly through a national referral mechanism and a comprehensive directory of services facilitating access to services for cluster munition victims in a non-	<ul style="list-style-type: none"> <li>The number of States Parties that report providing emergency and continuing medical care to cluster munition victims.</li> <li>The number of States Parties that report having in place well-functioning rehabilitation, psychological and psychosocial services, which are accessible, age, disability and gender-sensitive.</li> </ul>



<i>Action items</i>	<i>Indicators</i>
discriminatory, gender-sensitive, disability and age-sensitive manner.	
35. Ensure that measures are in place to facilitate the social, education and economic inclusion of cluster munition victims, such as access to education, capacity-building, employment referral services, microfinance institutions, business development services, rural development and social protection programmes, including in rural and remote areas.	<ul style="list-style-type: none"> <li>• The number of States Parties that report on efforts made to improve the socio-economic inclusion of cluster munition victims.</li> </ul>
36. Strengthen the inclusion and meaningful participation of cluster munition victims in the development of laws, policies and programmes relevant to them as well as encourage their participation in work under the Convention, taking into account gender, age, disability as well as the diversity of populations in affected communities.	<ul style="list-style-type: none"> <li>• The number of national laws and policies addressing victim assistance that have been developed with the inclusion of cluster munition victims.</li> <li>• The number of States Parties that include cluster munition victims in their delegations.</li> </ul>
37. Endeavour to support the training, development and official recognition of multidisciplinary, skilled and qualified rehabilitation professionals.	<ul style="list-style-type: none"> <li>• The number of States Parties that report having supported the training of victim assistance professionals.</li> <li>• The number of States Parties that report having victims cared for by qualified personnel.</li> </ul>
38. Do their utmost to commit the resources needed to realise the Convention's obligations in a timely manner and explore all possible alternative and/or innovative sources of funding.	<ul style="list-style-type: none"> <li>• The number of States Parties that report having committed resources to meet the Convention obligations</li> <li>• The number of States Parties that report having used alternatives and/or innovative sources of financing.</li> </ul>
39. Share their experiences and best practices, establish partnerships at all levels and explore opportunities for cooperation, including international, regional, North-South, South-South, bilateral and trilateral cooperation in order to develop capacity building and national expertise. Cooperation may include making mutually supporting clearance commitments in border areas, exchanging best practices on environmental impact assessments, sharing experiences of incorporating environmental protection considerations, and integrating a gender perspective, as well as taking the diversity of populations, priorities and experiences in affected communities into account in programming and, in line with Article 6, exchanging equipment, material, and scientific and technological information in order to promote the implementation of the Convention.	<ul style="list-style-type: none"> <li>• The number of States Parties that report sharing best practices and lessons learnt through international, regional, North-South, South-South and/or bilateral and trilateral cooperation;</li> <li>• The number of States Parties that report providing or receiving financial, material, technological and/or scientific cooperation.</li> </ul>

<i>Action items</i>	<i>Indicators</i>
<p>40. When in a position to do so, provide sustainable assistance to other States Parties in the implementation of their obligations under the Convention and provide timely responses to requests for assistance, as well as mobilise technical, material and financial resources for this purpose.</p>	<ul style="list-style-type: none"> <li>The number of States Parties that report providing or receiving assistance and mobilising resources to support other States Parties in the implementation of their obligations under the Convention.</li> </ul>
<p>41. When seeking assistance, develop coherent and comprehensive national plans aimed at developing national ownership, based on appropriate surveys, needs assessments and analysis and providing national capacity. These plans will take into account broader frameworks such as the Sustainable Development Goals and respond to the needs and experiences of affected communities and will be built on sound gender, age and disability analysis. These plans should adequately reflect the areas in which assistance is required.</p>	<ul style="list-style-type: none"> <li>The number of States Parties that develop coherent and comprehensive national plans that are aimed at developing national ownership, providing national capacity, and that take into account broader frameworks such as the Sustainable Development Goals when seeking assistance;</li> <li>The number of States Parties seeking assistance that provide information on progress, challenges and requirements for international cooperation and assistance through Article 7 reports and Convention meetings.</li> </ul>
<p>42. Further detail the modalities of platforms such as the country coalition mechanism to enhance targeted regular dialogue between affected States Parties, donors and operators, leverage such platforms, share experiences made, as well as explore synergies with similar forums, as appropriate.</p>	<ul style="list-style-type: none"> <li>The number of States Parties that report taking (and haven taken) advantage of the country coalition concept.</li> </ul>
<p>43. Provide initial and annual transparency reports within the deadlines set in Article 7 of the Convention.</p>	<ul style="list-style-type: none"> <li>The number of States Parties that have submitted an initial and annual Article 7 reports by 30 April each year.</li> </ul>
<p>44. When implementing obligations under Article 3 or 4, or retaining or transferring cluster munitions in line with Article 3.6 and 3.7 but having omitted to submit an Article 7 report each year detailing progress in implementing these obligations, provide information to all States Parties in the most expeditious, comprehensive and transparent manner possible. If no information on implementing the relevant obligations is provided for two consecutive years, the President will assist and engage with the States Parties concerned in close cooperation with the relevant thematic coordinators.</p>	<ul style="list-style-type: none"> <li>The number of States Parties that are implementing obligations under Articles 3 and 4 or that retain cluster munitions under Article 3.6 that have submitted an Article 7 report detailing progress in implementing these obligations in the last two years.</li> </ul>

<i>Action items</i>	<i>Indicators</i>
<p>45. Recognising the importance of Article 7 reports for confidence building and monitoring the implementation of Convention obligations as well as for international cooperation and assistance, develop adapted reporting forms taking into consideration the actions laid out in this Action Plan. The adapted reporting form will be developed under the guidance of the Presidency and will be considered at the Tenth Meeting of States Parties, in conformity with the rules of procedure and existing practice. Until such adapted reporting forms are adopted, States Parties will use the reporting forms adopted at the first Meeting of States Parties, where possible.</p>	<ul style="list-style-type: none"> <li>• The number of States Parties using the adapted Article 7 reporting form after its adoption at the tenth Meeting of States Parties.</li> </ul>
<p>46. If in need of assistance in the preparation or compilation of their Article 7 reports, seek support from relevant partners, including from States Parties, the ISU, UN agencies or other NGOs. Partners in a position to do so will respond to such requests for assistance, including by sharing best practices on how to gather information nationally.</p>	<ul style="list-style-type: none"> <li>• The number of States Parties seeking and receiving assistance in the preparation or compilation of Article 7 reports.</li> </ul>
<p>47. Ensure that they have appropriate national measures in place to fully implement the Convention, in particular by reviewing or, if necessary, revising or adopting national legislation, regulations and administrative measures, including imposing penal sanctions to prevent and suppress activities prohibited under the Convention by the Eleventh Meeting of States Parties in 2022 or within two years of entry into force for new States Parties, as applicable. All States parties should consider enacting national legislation prohibiting investments in all producers of cluster munitions and their crucial components.</p>	<ul style="list-style-type: none"> <li>• The number of States Parties that report having adopted all national measures to implement the Convention;</li> <li>• The number of States Parties that report having disseminated their obligations under the Convention to all relevant national institutions and in particular the armed forces, including introducing changes in military doctrine, policies and training.</li> </ul>
<p>48. Highlight factors and challenges that may be preventing progress in the revision or adoption of national legislation in their Article 7 reports and at Convention meetings, and request assistance, through these means, in the development or revision of national implementing measures, and when in a position to do so provide assistance in this matter.</p>	<ul style="list-style-type: none"> <li>• The number of States Parties that report on challenges faced in the revision or adoption of national legislation;</li> <li>• The number of States Parties that request assistance in the revision or adoption of national legislation and the number of States Parties in a position to provide assistance in this matter.</li> </ul>

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<i>Action items</i>	<i>Indicators</i>
<p>49. Clarify any questions relating to matters of compliance and seek to resolve any instance of non-compliance with due diligence through bilateral discussions, the use of the good offices of the President or any other means consistent with Article 8, in a cooperative manner and in accordance with the provisions of the Convention.</p>	<ul style="list-style-type: none"><li>• The number of States Parties found in non-compliance with the Convention by the Meeting of States Parties or the Review Conference.</li></ul>
<p>50. Where, despite all possible efforts, unable to complete stockpile destruction and/or clearance obligations within the original deadlines, ensure that they submit any extension request, within the deadlines established by the Convention and in line with the guidelines and methodology on extension requests adopted at the Eighth and Ninth Meetings of States Parties.</p>	<ul style="list-style-type: none"><li>• The number of States Parties that have submitted extension requests in a timely manner.</li></ul>

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## Annex III

### Review Document of the Dubrovnik Action Plan

#### I. Introduction and objective

1. The Convention on Cluster Munitions (CCM) was born of a collective awareness of the humanitarian consequences of cluster munitions and a determination to put an end for all time to the suffering and casualties caused by these weapons. To meet this objective, the Convention relies on a set of core provisions both of a disarmament and a humanitarian nature: the prohibition of the use, production, transfer and stockpiling of cluster munitions, the clearance of contaminated land, the provision of risk reduction education and of assistance to victims, their families and communities. Since entry into force, on 1 August 2010, the Convention has made substantial progress in meeting its objective and as such represents one of the most important developments in international humanitarian law in recent times. States parties have, from the outset, shown determination to implement the Convention rapidly and thoroughly. They have worked together in a spirit of cooperation, consultation and collaboration to take forward the implementation of the Convention.

2. Since the First Review Conference of the Convention held in Dubrovnik in 2015, progress has been made in meeting the purpose and objective of the Convention and in implementing its provisions. While regular progress continues to be made, several challenges remain in the full implementation of the Convention. This review is intended to record the progress made by the States Parties in fulfilling their obligations since the First Review Conference until 1 October 2020. Progress is measured in general terms as well as against the actions and objectives set forth in the Dubrovnik Action Plan (DAP) and decisions or recommendations adopted by the States Parties since then. It is intended to provide an analysis of the current state of affairs, highlight challenges that remain to fulfil the objectives of and obligations under the Convention as well as serve as a basis to the elaboration of the action plan to be adopted at the Second Review Conference (2RC) in Lausanne.

#### II. Universalization

##### A. Status of the situation and progress since Dubrovnik

3. To date, 123 States have committed themselves to the goals of the Convention. 110 of them have become full States Parties through ratification or accession, while 13 are Signatory States that are still to ratify the Convention.

4. During the review period, a total of 14 States have joined the CCM. From 2015 to 2017, the Convention saw at least two ratifications or accessions each year. This number increased to three in 2018 but went back to two in 2019 and returned to three in 2020 with one ratification and two accessions so far. Mauritius ratified and Somalia acceded to the Convention in 2015. Palau ratified while Cuba acceded in 2016. In 2017, Madagascar and Benin ratified the Convention, followed by Namibia and Gambia in 2018. Sri Lanka also acceded in 2018. In 2019, the Philippines ratified, and the Maldives acceded to the Convention. In 2020, Sao Tome and Principe ratified the Convention while Niue and St. Lucia acceded to the CCM bringing the number of State Parties to its current level of 110.

5. Regarding the thirteen States that have signed but not yet ratified the CCM, nine are in Africa (Angola, the Central African Republic, the Democratic Republic of Congo, Djibouti, Kenya, Liberia, Nigeria, Uganda, and the United Republic of Tanzania), two in the Americas (Haiti and Jamaica), one in Asia (Indonesia) and one in Europe (Cyprus).

6. A number of States that are reportedly affected by cluster munition contamination are not parties to the CCM. The *Cluster Munition Monitor* indicates that this concerns two States that have signed, but not yet ratified the CCM, Angola and the Democratic Republic of the Congo. It further indicates that it also concerns a number of States neither parties nor signatories, notably, Azerbaijan, Cambodia, Iran (Islamic Republic of), Libya, Serbia, South Sudan, Sudan, Syrian Arab Republic, Tajikistan, Ukraine, Vietnam, Yemen and potentially Georgia.

## **B. Evaluation against the actions and objectives set forth in the Dubrovnik Action Plan**

7. Action 1.1 titled “*Increase adherence with the convention*” sets the objective of 130 States parties to the CCM by the Second Review Conference. Although the number of States parties has increased from 96 at the end of the First Review Conference to 108 to date, there is still a large deficit regarding the objective set forth by the DAP.

8. CCM universalisation has been promoted in a number of forums. CCM Presidencies have in particular leveraged the United Nations General Assembly where a resolution titled “Implementation of the Convention on Cluster Munitions” has been introduced annually since 2014. Support for the resolution has progressed, even if modestly, during the cycle under review (from 139 yes, 2 no and 40 abstentions in 2015 to 144 yes, 1 no and 38 abstentions in 2019). It is also noticeable that some 30 States that are neither party nor signatory to the CCM vote in favour of the resolution. In 2019, the following States not parties to the CCM voted in favour of the resolution: Algeria, Azerbaijan, Bahamas, Bangladesh, Barbados, Bhutan, Brunei Darussalam, Eritrea, Ethiopia, Gabon, Jordan, Kazakhstan, Kiribati, Kyrgyzstan, Libya, Malaysia, Marshall Islands, Micronesia, Mongolia, Papua New Guinea, Saint Lucia, Singapore, Solomon Islands, South Sudan, Sudan, Surinam, Thailand, Timor Leste, Tuvalu, Vanuatu, and Yemen.

9. All the States that did not support the resolution in 2019 were non-signatories, with the exception of Cyprus. Diverse explanations were provided by these States for not supporting the resolution. They included the fact that the CCM was not negotiated within a United Nations framework, the fact that the CCM definition of cluster munitions is too restrictive, that cluster munitions are a legitimate weapon when used in accordance with International Humanitarian Law or are required for defence needs and because of enduring security challenges. The absence of support for the resolution does not imply that a State does not share the overall humanitarian objectives of the Convention as its position can be motivated by other considerations. Several States have expressly indicated that while they cannot vote for the resolution, they support its humanitarian objectives. For its part, Cyprus explains its vote of abstention by the fact that security situation it faces holds up the ratification process.

10. In order to increase adherence to the CCM, a number of other steps were taken by the successive Presidencies and Coordinators on universalisation. This included formal letters addressed to, or bilateral meetings with, these States to encourage them to consider joining the CCM and/or better understand the challenges that they may be facing in taking this step. A number of events in the form of seminars have also been held to promote adherence to the CCM in particular regions by the Presidency, the coordinators for universalisation or other States Parties. This includes in particular events in Africa, Europe, South East Asia, the Pacific, the Americas and the Caribbean. The CCM Implementation Support Unit (ISU) played a central and invaluable role in the majority of these activities. The United Nations Secretary-General, in his capacity as depositary of the CCM, has also played an active role in universalization efforts in the period under review, notably writing to the Heads of State and Government of the States not party to the Convention to encourage them to become parties to it.

11. Likewise, participation in the annual Meeting of States Parties of the Convention by States not parties or signatories to the Convention has been encouraged, with a view to promoting dialogue with those States as well as adherence both to the CCM and its

norm. On average, around 18 States not parties have taken part in the annual Meeting of States Parties. The following States have participated in at least one Meeting of States Parties: Argentina, Azerbaijan, Bahrain, Bangladesh, Bhutan, China, Finland, Greece, Kazakhstan, Libya, Maldives, Mongolia, Morocco, Myanmar, Oman, Pakistan, Qatar, Republic of Korea, Saudi Arabia, Serbia, Singapore, Sri Lanka, South Sudan, Sudan, Thailand, Turkey, Vanuatu, Vietnam, Yemen, Zimbabwe.

12. Many of the steps reported under Action 1.1 also contributed to implementing Action 1.2 titled “*promote the universalization of the Convention*”. Several of the activities undertaken were carried out in close cooperation with relevant partners, including in particular the International Committee of the Red Cross (ICRC) and civil society organisations. Their resources and expertise were leveraged in the organisation of the regional outreach events referenced above. These organisations also organised regional events to promote CCM universalisation. They also offered and provided assistance to States interested in joining the Convention, for instance in the field of national legislation.

13. Particular attention has been paid to States still producing and/or stockpiling cluster munitions, as they represent a challenge both in terms of the CCM universalisation and the promotion of its norm. A dialogue has been sought with a number of these States. In particular, the Presidency of the Seventh Meeting of States Parties initiated a structured discussion with a group of such States, which included a military-to-military dialogue. The norm established by the CCM was discussed in the context of this dialogue, as well as how the armed forces of CCM States Parties addressed the fact that they could no longer rely on cluster munitions on an operational level. The value of such approaches has been welcomed by numerous stakeholders.

14. Action 1.3 of the DAP, titled *Reinforce the norms being established by the Convention*, addresses two different dimensions: compliance with the CCM by its States Parties and promotion of its norms with States that have not yet committed to it.

15. No case of non-compliance by a State Party has arisen under the Convention during the period under review. Also, no case of use of cluster munitions on the territory of a CCM State Party has been reported.

16. Several new uses of cluster munitions have been reported or alleged during the period under review on the territory of States not parties to the Convention, including the possible use of cluster munitions by non-State actors. These developments have given rise to expressions of concern and/or condemnation by many States Parties to the Convention, in particular the risks posed to civilians during and after attacks. This applies in particular to the enduring use of cluster munitions in the Syrian Arab Republic.

17. In the framework of the final report of the annual Meeting of the States Parties (MSP), States Parties to the CCM have also collectively and repeatedly expressed their strong concern and their condemnation about the use of cluster munitions. Several CCM presidencies issued communications in reaction to reports of cluster munitions uses, including via the CCM website.

18. States not party to the CCM that have reportedly produced cluster munitions in the past include Brazil, China, Democratic People’s Republic of Korea, Egypt, Greece, India, Iran (Islamic Republic of), Israel, Pakistan, Poland, Republic of Korea, Romania, Russian Federation, Singapore, Turkey and United States. If several of those States do not actively produce cluster munitions today, none of them has officially renounced such an activity in the past 5 years. The number of States not parties to the CCM stockpiling cluster munitions has reportedly remained largely unchanged over the past five years, standing at around 50. Regarding transfers of cluster munitions, it is difficult to assess whether they have diminished over the period under review owing to the lack of available information in this domain.

19. Several States not parties to the CCM place some forms of restriction on the use of cluster munitions. For instance, the *Cluster Munitions Monitor* indicates that Estonia, Finland, Poland and Romania have committed not to use cluster munitions outside of their own territory, and that Thailand indicated that it has removed cluster munitions

from its operational stocks. However, a policy adopted by the US that called for completely phasing out the possible use of cluster munitions that failed to operate as intended more than 1 percent of the time by the end of 2018 was revised before that deadline. The revised policy indicates that such weapons will be retained in active stocks until these capabilities are replaced with enhanced and more reliable munitions. Assessing trends regarding moratoria adopted by States not parties on production, stockpile, transfer or use of cluster munitions is challenging as information thereon is not systematically collected by the Convention (via its ISU) or civil society.

### **C. Challenges highlighted since the First Review Conference**

20. Although progress has been made in universalising the Convention since the First Review Conference, it must be noted that the CCM underperforms when compared to other instruments in the field of conventional disarmament. Efforts in this area will need to be sustained and strengthened where possible taking into account that universalization is a collective obligation under the Convention.

21. Efforts should notably be sustained towards the 13 States listed above that have signed but are yet to ratify the CCM. Particular attention should also be paid to those States not parties that have expressed a clear positive inclination towards by voting in favour of the annual resolution introduced at the United Nations General Assembly. In view of the objectives of the Convention, efforts should also be furthered in particular towards those States identified above that are affected by cluster munitions contamination or that retain cluster munitions in their military stockpiles.

22. A number of challenges or obstacles have regularly been highlighted in taking forward universalisation efforts, including the aspects below.

23. Lack of awareness of the Convention by key decision-makers has been underlined on a regular basis. This seems to concern in particular national parliamentarians, key stakeholders in any ratification process. They seem to have little information about the Convention, its humanitarian dimension or what it contains in terms of obligation.

24. Competing national priorities seem to also affect progress on universalisation. States that have been approached regularly underline that they support the CCM in principle and even adhere to its norms, but that they have more pressing matters to attend to and/or instruments to adhere to (such as health, climate change, Sustainable Development Goals). This concerns in particular States with limited capacities or affected by political instability. In a number of cases, universalisation efforts have been hampered by the challenge in identifying a ministry or department a national level to take the lead on CCM matters. This concerns States that have expressed interest in principle in joining the Convention, but the absence of an office tasked with the issue means that it is passed along instead of taken forward. It has also been noted that identifying a national champion in the upper echelon of a national government increases the likelihood of the ratifying process going forward.

25. Security issues and considerations remain a key challenge in universalising the CCM, and this at different levels. Regional security considerations may lead a State to refrain from joining the Convention unless neighbouring countries take the same steps. In such a case, universalisation efforts probably have to be undertaken at regional rather than national level only. Also, a number of States apparently continue to consider that cluster munitions have a significant military utility and/or are in a security situation that means that they are not in a position to relinquish such weapons. Promoting a dialogue with these States is nonetheless important, in particular to promote the norms of the Convention. A military-to-military dialogue with these States, as organised by a presidency during the cycle under review, has also been underlined as particularly useful, including to discuss how the armed forces of States that have become party to the CCM have been able to relinquish such weapons.

26. Regarding the promotion of the norms established by the Convention, a challenge was evidenced by the difficulty for States Parties to agree on consensus language in the Final Document of MSP regarding the expression of concern and/or of condemnation of cluster munitions uses. Evaluating the promotion of the norms is also affected by a lack of clarity



concerning policies adopted by States not party regarding cluster munitions, such as limitations/moratoria on use, development, production, acquisition, stockpiling, retention and transfer. A more systematic collection of information in this area could be useful.

27. Although not a challenge or obstacle to universalisation, the structure established by the CCM plays an important function in taking forward efforts in this domain. CCM Presidencies have played a leading role in promoting the universalisation of the Convention as have the two coordinators for universalisation. Due to changes in office holders, priorities and/or differences in terms of capacities, consistency and continuity in efforts may sometimes have been impacted. Also, other instruments have relied on a more structured machinery to promote universalization, including a universalization contact group or a (or a set of) flag bearer(s) in the form of a special envoy with a positive impact. The CCM has not explored or leveraged this option at this stage. Finally, some of these instruments have been able to rely on informal regular meetings to take universalization efforts forward.

### III. Stockpile Destruction

#### A. Status of the situation and progress since Dubrovnik

28. The implementation of Article 3 is a resounding success story. Thirty-six (36) of 41 States Parties that reported to have stockpiles of cluster munitions when the Convention entered into force for them have completed their destruction obligations. Over 95 per cent of the weapons detained by States Parties have already been destroyed, which represents a total of nearly 1.5 million cluster munitions containing 178 million submunitions. Today, there are 100 States Parties which do not hold stockpiles of cluster munitions because they have completed their destruction programmes or because they never held stockpiles of cluster munitions. At the close of the First Review Conference, 13 States Parties still had an obligation to destroy their existing cluster munitions stockpile. Since the First Review Conference, the following was observed:

(a) Nine States Parties (Botswana, Croatia, Cuba, France, Germany, Italy, Slovenia, Spain and Switzerland) have declared compliance with their Article 3 obligations, with all of them having done so within the Convention stipulated timeframe. Five of these States completed their obligations at least three years ahead of deadline;

(b) One State Party (Cuba) that joined the Convention since 2015 reported having cluster munitions, and the destruction of its stockpiles is already completed;

(c) Three States Parties (Sao Tome and Principe, Niue and St. Lucia) recently joined the Convention and have not yet shared their initial report; however, none of them is believed to hold stockpiles of cluster munitions;

(d) There are now four States Parties (Bulgaria, Peru, Slovakia and South Africa) that reported still having cluster munition stockpiles and that therefore have an outstanding obligation to destroy stockpiled cluster munitions. Guinea-Bissau is still verifying the existence of cluster munitions in its stock and is yet to confirm whether it indeed has any cluster munitions stockpiled in its arsenals.

29. Although strides have been made in the destruction of stockpiles, a number of uncertainties remain owing to the fact that 10 States Parties including three new States Parties (Sao Tome and Principe whose report is not yet due and Niue and St. Lucia for whom the Convention has not yet entered into force) have not submitted their initial report as stipulated in CCM Article 7. It is unclear whether any of these States may have cluster munitions stockpiles. One State Party (Guinea Bissau) reported that it has ammunition that is not identified and requested assistance in identifying whether this includes any cluster munitions.

30. Developments have also taken place with regard to extension requests. The Eighth Meeting of States Parties in 2018 adopted Guidelines for CCM Article 3 extension requests. An annex (CCM/MSP/2018/9, Annex III) contains guidance on how to submit an extension request i.e. content, structure and timelines of the requests. At the Ninth MSP

in 2019, one State Party (Bulgaria) submitted a one-year interim extension request for its 2019 deadline under Article 3, which was approved by States Parties. A new request for 24 months including a work plan has now been submitted and will be analyzed at the Second Review Conference. A second State Party (Peru) has submitted an extension request of 37 months of its 2021 deadline that will be considered at the Second Review Conference. Regarding the other three States with outstanding obligations under CCM Article 3, two (Slovakia and South Africa) have reported to be on track to comply by the Convention's stipulated deadlines of 2024 and 2023 respectively. Another State Party (Guinea-Bissau) might ask for an extension if cluster munitions are identified in its storage. No State Party declared to have discovered previously unknown stockpiles of cluster munitions, after the initial deadline had expired.

31. Based on information available, 13 States Parties retain cluster munitions for training and research purposes (as permitted under the Convention), which represents an increase since 2015, when eleven States Parties retained cluster munitions under this provision of the Convention. This slight increase is due to retention by a new State Party and one State Party opting to retain some cluster munitions for training after initially declaring it would not do so. However, most States Parties retaining cluster munitions for training have reduced the number of their holdings since making their initial declarations.

## **B. Evaluation against the actions and objectives set forth in the Dubrovnik Action Plan**

32. In order to ensure that stockpiles are destroyed as soon as possible and within the original deadline, States Parties with outstanding obligations are encouraged to develop without delay a detailed work plan for the destruction of stocks (DAP Action 2.1). It can be noted that the majority of States Parties having stockpiles to destroy have acted upon this provision. However, some of these States Parties have not been diligent in providing updates through Article 7 reports on the status of their destruction programs. The necessity to develop a detailed work plan is also included in the Guidelines on an Article 3 extension request that was adopted at the Eighth Meeting of States Parties.

33. The DAP also encourages States Parties to increase promising practices exchanges of good and cost-effective stockpile destruction practices (Action 2.2). This was done by some but not all States Parties, and exchanges in this area can certainly be improved upon. States Parties should systematically highlight any milestones in annual transparency reports and at meetings of the Convention. An improvement in the exchange of information including on the impact of destruction on public safety, health and the environment is also paramount.

34. In Action 2.3, the DAP recalls that States Parties that retain or acquire cluster munitions or explosive submunitions under Article 3.6 should ensure that the amount does not exceed the number absolutely necessary for said purposes and shall report regularly on any changes thereon. During the review period, the number of States Parties reporting on the retention of cluster munitions have gradually increased while the ISU, together with the thematic coordinators, have regularly checked that reports were provided on the past and planned use of retained munitions.

35. Regarding Action 2.4, States Parties that completed their stockpile destruction have as a rule reported on their achievement at the following Meeting of States Parties. The provision of this information was also facilitated by the adoption of the template titled "Article Declaration of Compliance in 2018" at the Eighth Meeting of States Parties.

## **C. Challenges highlighted since the First Review Conference**

36. Important progress has been made in the destruction of cluster munition stockpiles since 2015. However, some challenges remain. During the period under review, a State was for the first time not in a position to complete its obligation to destroy its stockpile

within the initial deadline set forth in Article 3 and had to submit an extension request at the Ninth Meeting of States Parties. This country has now submitted a new extension request to be analyzed at the Second Review Conference, with all the requested documents. Another State has also submitted an extension request to be reviewed at the Second Review Conference. As this is still a recent process, it is important to make sure that the requests are comprehensive and of good quality when submitted, in order to preserve the integrity of the treaty. Monitoring the implementation of such requests will be important to ensure that the completion of destruction will be as rapid as possible. More generally, one of the consequences of the reporting fatigue observed under the Convention has been that collecting information on the implementation of obligations under Article 3 has become a challenge.

37. In carrying out Article 3 obligations, the two following challenges were notably identified:

- (a) A lack of necessary expertise to carry out destructions that minimize the environmental impact in accordance with CCM Article 3.2;
- (b) Necessity to develop complex national processes to take forward Article 3 implementation, including technological challenge.

## **IV. Clearance and Risk Reduction Education**

### **A. Status of the situation and progress since Dubrovnik**

38. At the end of the First Review Conference, eleven States Parties still had clearance obligations under Article 4. During the period under review, three States Parties declared completion (Croatia, Montenegro and Mozambique). One new State Party (Somalia) reported to have obligations under Article 4 while another (Mauritania) that had declared completion in 2013 reported in 2020 to have discovered previously unknown contaminated areas under its jurisdiction or control. Consequently, 10 States Parties (Afghanistan, Bosnia and Herzegovina, Chad, Chile, Germany, Iraq, Lao People's Democratic Republic, Lebanon, Mauritania and Somalia) currently have outstanding clearance obligations under Article 4.

39. Since the First Review Conference, a number of States Parties have asked for extensions of their deadline. At the Ninth MSP held in September 2019, two States Parties (Germany and Lao People's Democratic Republic) with clearance deadlines in 2020 were granted five-year extensions until 1 August 2025, the first extensions under the Convention. Three other States Parties (Bosnia and Herzegovina, Chile and Lebanon) indicated that they would not meet their initial 2021 deadlines and submitted extension requests in 2020, requesting an additional 18 months, 12 months and five years respectively. These requests will be considered at the Second Review Conference in November.

40. In all, by the end of the Second Review Conference, it is expected that ten States Parties will continue to have outstanding clearance obligations.

41. Since the First Review Conference, five States Parties (Afghanistan, Croatia, Iraq, Lao People's Democratic Republic and Lebanon) with outstanding Article 4 obligations have provided particularly detailed information on risk reduction education efforts, including disaggregated data. Others have provided limited information. Risk education continues to play a vital role in protecting civilians, particularly when delivered in areas with very high casualty rates or where clearance operations may not be possible because of ongoing hostilities.

### **B. Evaluation against the actions and objectives set forth in the Dubrovnik Action Plan**

42. The DAP includes eight actions related to clearance and risk reduction.

43. Action 3.1 of the DAP requires that affected States Parties assess the extent of the problem. In evaluating implementation as outlined in the DAP, it is recognized that land should be released through cancellation where no evidence of contamination is found, taking into account existing standards, best practices and principles for land release. The DAP promotes an evidence-based approach and underlines that an affected State Party should "make every effort to promote clarity on the location, scope and extent of cluster munitions remnants in areas under its jurisdiction or control drawing on survey approaches as appropriate and needed".

44. Since the First Review Conference, a majority of affected State Parties have carried out surveys to a varying extent thus providing clearer information on the scope and extent of the reported contaminated areas. States that have reported carrying out evidence-based surveys include: Afghanistan, Chile, Croatia, Germany, Iraq, Lebanon Lao People's Democratic Republic, and Montenegro. More work is certainly needed to ensure that states are afforded an accurate understanding of the true extent of contamination globally. Obtaining greater clarity on the extent of remaining cluster munition remnants contamination enables national authorities to more accurately estimate the time required to meet their obligations under Article 4; to make informed decisions based on evidence, including on prioritization of survey and clearance operations; and to improve risk analysis. It is imperative that States Parties with obligations under this key treaty provision make every effort to comply with it as soon as possible and, in cases where they are unable to meet the mandated deadline, they must request the shortest extension period possible. Extension requests should be based on a clear plan to achieve completion and must include clear milestones and timelines.

45. Action 3.2 of the DAP sets the protection of people from harm from cluster munition remnants at the core of the Convention. In their Article 7 reports, of the 12 States Parties affected by cluster munition remnants, five (Bosnia and Herzegovina, Chad, Mauritania, Montenegro and Somalia) provided only very limited information regarding risk reduction education efforts. Chile and Germany provided limited information due to the fact that their contamination is limited to a fenced off military shooting range. Only five States Parties (Afghanistan, Croatia, Iraq, Lao People's Democratic Republic and Lebanon) provided detailed disaggregated data on this aspect.

46. Action 3.3 of the DAP highlights the importance of developing a resourced work plan to address the contamination by cluster munition remnants. This is recognized as essential for effectively planning survey and clearance operations in order to meet deadlines, and for attracting international/donor support. During the review period a number of affected States parties have developed comprehensive national strategies to address contamination at the national level, and most have developed operational work plans (of varying levels of detail and quality). Several affected states report providing national resources towards their implementation (ranging from limited national contributions to entirely nationally funded programmes). In most cases, international financial support for the expedient implementation of the work plans is requested. This could however be strengthened through inclusion in Article 7 reports of progress against the work plan, milestones, deadlines and allocated requested resources.

47. Action 3.4 of the DAP encourages affected States Parties to be inclusive when developing their response. Unfortunately, States Parties contaminated with cluster munition remnants have not systematically provided information regarding the inclusion of affected communities or other stakeholders in the development of a national response to address cluster munition remnant contamination and in risk reduction education programmes. At Meetings of States Parties during the review period, mine action operators have shared details on their programmes' efforts towards including affected communities and diverse populations. Research conducted by Mine Action Review in 2019 also suggests that national authorities and their implementing partners in nearly two-thirds of affected States Parties, reported consulting all groups, including women, girls, men, and boys, during survey and community liaison activities.

48. Action 3.5 relates to the management of information for analysis, decision-making and reporting. It recognizes the importance of information management as a key aspect of land release planning and prioritization, including in determining where it is

possible for land previously recorded as contaminated to be released through cancellation. The quality of the reporting varies, but it is positive to note that reasonably detailed information regarding the contaminated areas is provided. However, not all affected States Parties have provided sufficiently detailed information on cluster munition remnant contamination, and further progress from them in this area would be welcome and beneficial.

49. Action 3.6 requires States Parties that have used or abandoned cluster munitions prior to entry into force of the CCM to endeavor to provide support (including technical, financial, material and human resources) to, assist and cooperate with affected States Parties to ensure the clearance of cluster munitions used or abandoned on the territory of another State Party. This aspect was not comprehensively assessed in the context of the work of the Convention during the period under review. Whilst the inability to track progress directly might be addressed in future through Article 7 reporting, it is noted that there has been anecdotal evidence of cooperation between States Parties and States not Parties. This is positive and indicates broad support for the norm that this action seeks to establish.

50. Action 3.7 encourages States Parties to apply practice development to their efforts to address cluster munition remnant contamination. The Convention has continued to encourage the use of efficient technologies in the survey and clearance of cluster munition remnants in the context of Article 4. Specifically, it continues to promote the implementation of efficient evidence-based survey and clearance activities in line with internationally recognized best practice, which are captured in International Mine Action Standards (IMAS). This promotion is based on the global understanding that efficient implementation of Article 4 relies primarily on high quality survey to identify and define confirmed cluster munition remnant contamination, based on direct evidence, and on subsequent targeted and prioritized clearance of contamination. For example, Cluster Munition Remnants Survey (CMRS), is one such example of an evidence-based technique that is highly reliant on both non-technical and technical survey, and that has been particularly adopted to a cluster munition remnant context by national authorities and their implementing partners in Southeast Asia. In all cases survey and clearance operations should be underpinned by effective information management and supported through efficient funding cycles.

51. Action 3.8 demands the promotion and expansion of cooperation. Since it is difficult to differentiate between financial contributions allocated specifically to the clearance of cluster munition remnants and those allocated to clearance of mines and other explosive remnants of war, no detailed figures can be provided. However, since 2015 international financial contributions for clearance activities increased significantly. The Landmine Monitor recorded that international support for clearance and risk education amounted to US\$ 218.6 million in 2015, US\$ 343.2 million in 2016, US\$ 395.9 million in 2017 and US\$ 396.9million in 2018. The distribution of this increased funding has not been shared equally among affected states. Significant focus has been placed on a relatively small number of states, including some States not party.

52. Additionally, innovative approaches, such as the Country Coalitions were developed which contribute to a more focused and better coordinated engagement between affected States, donor States and operators (see section on International Cooperation & Assistance).

53. Regarding the results that were expected from these measures, the following can be highlighted:

- Increased amounts of suspected land were released for subsistence, cultural, social and commercial purposes. This has been achieved thanks to the more widespread application of evidence-based survey (both non-technical and technical survey), in line with IMAS. This has enabled several affected States Parties to safely release areas found not to be contaminated. The exact degree to which released land has been used for subsistence, cultural, social and commercial purposes, cannot be readily assessed at this time as impact assessments in mine action are still too rare.

- The better targeting of scarce clearance resources is difficult to assess due to the different contextual factors that influence clearance planning and tasking at a national level. It is clear that progress in this regard varies between affected States Parties and has largely depended on the degree to which evidence-based survey is used to confirm cluster munition remnant contamination, before clearance is conducted. Research by Mine Action Review indicates a steady increase in the amount of cluster munition remnant contaminated area cleared globally each year since the First Review Conference, although clearance by States Parties has remained broadly constant. In 2015, 70km<sup>2</sup> was cleared globally (of which more than 52.2km<sup>2</sup> was in States Parties); reaching 88km<sup>2</sup> (more than 39.5km<sup>2</sup> in States Parties) in 2016; 95.4 km<sup>2</sup> (more than 43.9km<sup>2</sup> in States Parties) in 2017; and 128.3km<sup>2</sup> (more than 50.5km<sup>2</sup> in States Parties) in 2018. In this same period, the number of submunitions cleared globally rose from more than 120,899 in 2015 (of which more than 106,863 in States Parties); to 137,544 (more than 113,085 in States Parties) in 2016; and 153,007 (more than 125,550 in States Parties) in 2017; before falling slightly to 135,779 (more than 100,455 in States Parties) in 2018.
- The impact of clearance progress on larger freedom and safer movement cannot be readily assessed at this time. This is an observation that may inform future planning at the convention level.
- Finally, the expected increased exchange of information of good and cost-effective clearance practices including on safety, environmental impact and efficiency can be observed through the establishment of Country Coalitions as well as other steps such as regional workshops. An example would be the 'Balkans workshop on cluster munition survey and clearance and implementation of Article 4 of the CCM' was convened by Norway and Netherlands in November 2017 and is a good example of how CCM State Party coordinators can leverage their mandate to help drive progress.

### C. Challenges highlighted since the First Review Conference

54. During the period under review, as more States made progress in implementing CCM Article 4, several challenges have been encountered. A number of affected States Parties have indicated that efforts are hampered by a lack of resources or funding to fully implement their Article 4 obligations, including the collection of disaggregated data on sex and age. This in return often impeded funding commitments from interested donors.

55. Increasingly, donors have been more responsive to clearance in humanitarian emergencies, leaving mine action programmes in non-emergency settings with decreased international support. This negatively impacts the development and implementation of cost- efficient survey and clearance processes for these affected areas as well as risk reduction education efforts. The establishment of a Country Coalition in such circumstances has proven to be a useful tool to address this development. Such a collective of forums afford affected states the opportunity to present and discuss country-specific needs and challenges in Article 4 implementation and to better engage donors to help secure the required funds.

56. Another challenge faced by some States Parties (including Afghanistan, Bosnia and Herzegovina, Chad, Croatia, Iraq, Lebanon, and Mauritania) with obligations under Article 4 is the discovery of previously unknown contaminated areas. In certain circumstances operators have needed to conduct clearance in urban areas, incurring additional technical challenges in already complex operating environments.

57. A potential challenge for those States reaching completion is that clearance becomes increasingly difficult when contamination becomes increasingly difficult when is located on difficult terrain. Additionally, in some instances, cluster munition remnants are located in remote and insecure areas which impacts on planning and tasking.

58. Another challenge to Article 4 implementation has been that of competing national priorities of affected States Parties. With multiple competing requests for scarce resources, it is increasingly important that Conventions' narrative is strengthened at all levels, the socio-economic benefits of survey and clearance efforts are clear and should be effectively communicated to ensure that mine action receives appropriate attention and funding at the national and international levels.

59. Timely planning to ensure that survey and clearance activities are initiated early within the allocated initial ten-year Article 4 timeframe is also a key element. Article 4 requires each affected State Party to complete clearance, 'as soon as possible, but not later than ten years from the treaty's entry into force for it. Several affected States Parties have met difficulties to initiate survey and clearance, leaving little margin for encountering unforeseen obstacles and potentially jeopardising their ability to fulfil their Article 4 obligations within the ten-year deadline. There is a clear risk that an undesirable precedent will be established if States Parties do not apply all reasonable efforts during their initial Article 4 clearance deadline, but then request the maximum five-year extension period allowed by the Convention when the original deadline has been missed. This observation will likely inform planning at the Convention level and it is important that this risk is managed and mitigated through the Convention's established machinery.

60. In a small number of affected States Parties, ongoing difficult security situations impeded implementation of Article 4 obligations, this was notably the case where operational advancement was largely dependent on improving the national and the regional security situation.

61. Evaluating the implementation of the DAP has been challenging due to the fact that not all States Parties have provided annual transparency reports in accordance with Article 7 and that the quality of information contained in the reports that were submitted differed widely.

62. Finally, some of the elements contained in the DAP were not allocated appropriate indicators and as such are not readily measurable, which is a lesson to be drawn from that will inform the development of the Lausanne Action Plan.

## **V. Victim Assistance**

### **A. Status of the situation and progress since Dubrovnik**

63. The Convention is a landmark humanitarian disarmament agreement, which is still the only international treaty to contain precise obligations on assistance by States Parties to victims of a given weapon in areas under the State Party's jurisdiction or control. As well as being a legal obligation, assistance to survivors, families of those killed and injured and affected communities, is recognized as a key component in the mitigation of the harm caused by cluster munitions. The Convention sets a new standard advancing International Humanitarian Law in the context of rights-based approaches, ultimately improving and facilitating victim assistance and fostering the victims' right to inclusion in their societies on an equal basis.

64. After the First Review Conference, a significant increase in the number of new cluster munition casualties worldwide was registered in 2016, mainly as a result of armed conflicts occurring in States not Parties. Since 2016, a positive trend has been registered with casualties steadily decreasing. Civilians are the great majority of victims, with children accounting for a considerable proportion of victims throughout the review period and for the majority of victims in 2018. One important challenge in this area is the need for accurate and nationwide surveillance systems for the better identification of cluster munition victims.

65. At the First Review Conference, the States Parties renewed their commitment to the full, equal and effective participation of victims in their societies. They recognized the importance of long-term and sustainable assistance to victims as well as the need to integrate victim assistance into broader frameworks relating to the rights of persons with

disabilities, and to health, education, employment, and poverty reduction to ensure the realisation of their rights.

66. At the First Review Conference, 13 States Parties had reported to have obligations under Article 5. Since 2015, Colombia was removed from the list after declaring that there are no cluster munitions victims on its territory. Additionally, Sierra Leone has been removed until further information regarding this obligation is provided. After the accession of Somalia to the Convention and the submission of its initial report, the number of States Parties with obligations stands currently at 11 — Afghanistan, Albania, Bosnia and Herzegovina, Chad, Croatia, Guinea-Bissau, Iraq, Lao People's Democratic Republic, Lebanon, Montenegro and Somalia. In its 2019 Article 7 report, Mozambique clarified that after verification it did not have any victims of cluster munitions

67. Notably, all 11 States Parties with obligations under Article 5 have reported to varying degrees on efforts made throughout the past five years to meet the requirements set by the Convention, as well as to implement actions contained in the Dubrovnik Action Plan (DAP) related to victim assistance. Regarding their reporting obligations, in 2018 all but two States Parties submitted their annual reports providing appropriate information concerning victim assistance, although some of them did so partially. Furthermore, since 2015 six of them (Afghanistan, Bosnia & Herzegovina, Chad, Iraq, Lao People's Democratic Republic and Lebanon) have reported on new cluster munition victims.

68. Key progress can be noted on the compliance with obligations under Article 5.2 (g), Action 4.1 (a) under the DAP. Since the First Review Conference, the 11 States Parties with victims in areas under their jurisdiction or control have designated a national focal point implementing fully the corresponding action set in the DAP. The appointment of these positions contributes therefore to the enhancement of the coordination, development, implementation, enforcement and monitoring of policies and plans relevant to the needs and rights of cluster munition victims. Additionally, the number of States Parties that have elaborated national disability action plans or victim assistance national action plans or that have designated a national authority to lead the work in this domain has increased from eight in 2015 to eleven (Article 5.2), Action 4.1 (c) under the DAP. This allowed them to strengthen their national capacity in this sector. Overall, progress in victim assistance has benefitted from increased coordination and exchange of information between victim assistance related bodies of the CCM, Protocol V of the Convention on Certain Conventional Weapons (CCW) and the Anti-Personnel Mine Ban Convention (APMBC).

## **B. Evaluation against the actions and objectives set forth in the Dubrovnik Action Plan**

69. Although none of the States Parties with obligations under Article 5 have fully implemented all the actions dedicated to victim assistance within the DAP, notable progress has been achieved by many of them. Collecting reliable data is key to assess the needs of victims and therefore to develop relevant victim assistance policies. Since 2015, six States Parties (Afghanistan, Albania, Croatia, Iraq, Lao People's Democratic Republic and Lebanon) have reported on data collection, showing a need for further improvement in this area. Eight of the States Parties (Afghanistan, Albania, Bosnia and Herzegovina, Chad, Croatia, Iraq, Lao People's Democratic Republic and Lebanon) with obligations in this domain reported having developed dedicated action plans, making an effort to integrate victim assistance into the broader disability sector, in accordance with Action 4.1 (c) of the DAP. With only the exception of Lebanon (has signed but not ratified), all these States Parties are also Party to the Convention on the Rights of Persons with Disabilities, underlining the possibility to coordinate actions relevant for victim assistance in so far as survivors are concerned between the CCM and this Convention, in accordance with Action 4.1 (c).

70. During the review period, eight States Parties (Afghanistan, Albania, Bosnia and Herzegovina, Croatia, Iraq, Lao People's Democratic Republic, Lebanon and Montenegro) have explicitly reported on the mobilization of resources leading to an



improvement of the assistance provided to victims (Action 4.1 (d)). In addition, all States Parties with victim assistance coordination structures in place have successfully involved survivors or their representative organizations in victim assistance or disability coordination mechanisms (Action 4.2 (a)). With regards to Action 4.3 related to the need to share information, all the States Parties with obligations under Article 5 have submitted their initial transparency reports, and most of them have consistently submitted their annual reports over the review period.

71. Additionally, despite significant efforts, States Parties having obligations under Article 5 continue to face significant challenges while compiling, processing and providing data. Five States Parties (Albania, Croatia, Iraq, Lao People's Democratic Republic and Lebanon) have indicated collecting disaggregated figures on sex and age on the assistance provided to cluster munition victims in accordance with Action 4.1 (a). Needs with regard to Article 5 implementation remain considerable, as demonstrated by the fact that ten States Parties between 2016 and 2020 (Afghanistan, Albania, Bosnia and Herzegovina, Chad, Guinea-Bissau, Iraq, Lao People's Democratic Republic, Lebanon, Montenegro, and Somalia) have requested international assistance and cooperation regarding victim assistance through their Article 7 reports (Action 4.4).

### **C. Challenges highlighted since the First Review Conference**

72. Most States Parties with cluster munition victims have encountered difficulties in ensuring adequate survey and reporting on victim assistance. Additional challenges include the improvement of mechanisms for clearer data disaggregated by sex and age collection. As a consequence, impacted States Parties still face significant challenges to efficiently identify the intersecting needs of survivors and the capacity gaps of their national support mechanisms and legal frameworks. This situation results in inaccurate, low-quality reports, resulting in data that is no longer fit-for-purpose. In this sense, there is still room for improvement on the implementation of gender and age sensitive actions, policies and budgets. Strengthening national ownership and capacity by developing national victim assistance frameworks could also be improved.

73. The need to improve collaboration and cooperation at the international level between States Parties and the coordination at the national level between relevant government agencies has been observed. This also concerns the need for an increased and sustained approach with civil society organisations as well as other relevant stakeholders working directly with victims. Promoting increased exchange of information and good practices between States Parties and service providers working with victims could accelerate the implementation of the victim assistance commitments of the Convention and improve the collection of data disaggregated by sex and age.

74. Continued engagement among States Parties will be important to ensure involvement of victims and their representative organisations in policy development and practical implementation of victim assistance measures. States Parties have also underlined the value of establishing sustainable services in the areas of medical care, rehabilitation, psycho-social support, education, labour and social protection, and of ensuring accessible resources and territories to guarantee equal opportunities for cluster munition victims.

75. Finally, although funding for victim assistance has increased during the last years, insufficient financial resources remains a significant challenge. In fact, the amount of international assistance dedicated to victim assistance falls far short of recipients' needs and represents a very small percentage of total mine action funding.

## VI. International Cooperation and Assistance

### A. Status of the situation and progress since Dubrovnik

76. At the First Review Conference, States Parties reaffirmed the importance of international cooperation and assistance. They adopted a comprehensive set of actions in the DAP to significantly improve cooperation between those seeking assistance and those in a position to assist. During the period under review, significant progress in the field of international cooperation and assistance has been made. Two developments are of particular note, a) the high number of requests for assistance from States Parties with insufficient national capacities and of responses by those in a position to assist and b) the establishment of successful partnerships to implement obligations under the Convention.

77. Since the First Review Conference, States Parties with limited national capacity to fulfil obligations under the Convention have formulated an increasing number of requests for assistance. These States Parties have communicated their challenges and requested assistance at Meetings of States Parties and through Article 7 transparency reports, through bilateral and regional channels, or in communication with relevant expert organizations and other stakeholders in a position to respond to their requests. An increased number of States Parties has also indicated providing assistance within the framework of the CCM.

78. The intensification of cooperation and assistance in the framework of the Convention is highlighted by information provided by States Parties using their annual reports a) to request assistance, b) to indicate that they have provided assistance or c) to indicate that they have received assistance:

- In 2015, nine States Parties requested assistance, four States Parties reported to have provided assistance and four States Parties reported to have received assistance
- In 2016, eleven States Parties requested assistance while sixteen States Parties reported to have provided assistance and ten States Parties reported to have received assistance
- In 2017, twelve States Parties requested assistance, twenty-one States Parties provided assistance and twelve States Parties received assistance
- In 2018, nine States Parties requested assistance; twenty-two States Parties provided assistance and twelve States Parties received assistance
- In 2019, as reported by 28 September 2020, 15 State Parties and one State not Party (South Sudan) had requested assistance; 21 State Parties had provided assistance and ten State Parties had received assistance.

79. The need to avoid duplication and improve coordination between donor States, other donors and recipient States in the provision of international assistance has been constantly highlighted during the period under review. The development of strengthened partnerships for cooperation and assistance is one way to meet this challenge. Progressing in this domain has been a central element in the work under the Convention. It stems from a growing realisation of the role of international partnerships in ensuring that all States Parties make significant progress in implementing the CCM. Partnerships have a key role to play in view of the financial requirements to fulfil many of the obligations and meet deadlines, as well as constraints in funding capacity, expertise or institutional framework of many affected States Parties.

80. International partnerships have taken various forms and involved various actors: south-south and triangular cooperation, cooperation among and between States, the United Nations, the ICRC, National Red Cross and Red Crescent Societies, and their International Federation, several international and regional organizations, the Cluster Munition Coalition (CMC) and other civil society organizations, survivors and their representatives organizations.

81. It must also be noted that, during the period under review, positive experiences made within the framework of the Anti-Personal Mine Ban Convention with regards to cooperation and assistance, when applicable, have been drawn upon to take forward cooperation and assistance under the CCM.

## **B. Evaluation against the actions and objectives set forth in the Dubrovnik Action Plan**

82. In its Action 5.1, the DAP encourages all actors to strengthen partnerships at all level. The concept of “Country Coalitions” that was introduced by the Presidency of the 7MSP in 2017 has proved particularly worthwhile to further encourage and enhance partnerships and dialogue between States Parties requesting assistance and donor countries as well as other stakeholders. Such an approach enables national authorities and their implementing partners to collectively and constructively discuss country-specific progress and challenges to Article 4 implementation and to improve coordination. Since its introduction, three Country Coalitions structures have been established concerning Lebanon, Montenegro and Botswana (with the Botswana coalition already concluded in 2018 when this country completed its Article 3 obligations). Efforts to promote the Country Coalition concept have been ongoing, including through the holding of dedicated informal meetings between affected States Parties interested by this approach with donors and other stakeholders in 2018 and 2019.

83. Action 5.2 of the DAP encourages States Parties to communicate challenges and seek assistance. Since 2015, there has been a gradual increase in the number of States Parties that have used Article 7 reports to formulate their requests for assistance. This development concerns States Parties providing assistance as well. It can also be noted that coordinators for international cooperation and assistance have undertaken numerous efforts to organise a series of separate and joint meetings with donors and recipient States to ensure that requests and offers of assistance are communicated in a clear way.

84. DAP Action 5.3 underlines the importance of evidence-based needs for better results. Coordinators have played an important role in taking this action forward by organising meetings with donors and recipient States. However, the provision of appropriate information when seeking assistance has proved a serious challenge and obstacle to the formulation of positive responses in many cases. This applies to a number of aspects of Action 5.3, which indicates inter alia that States parties seeking assistance should ensure that requests are based on appropriate surveys, needs assessments, that they focus on capacity building based on appropriate identification of needs and are embedded in broader national policy and legal frameworks.

85. DAP Action 5.4 underlines the importance for States Parties seeking cooperation and assistance to take ownership. While clear national ownership does not guarantee that resources will be provided in response to a request, it makes it significantly more likely that cooperation between those with needs and those in a position to provide assistance will be positive. Many States Parties have continued demonstrating a high level of national ownership through the development of national strategies and plans, reporting on progress made and remaining challenges as well as through the provision of significant national financial contributions to the implementation of their commitments under the Convention. In other cases, States Parties have demonstrated high levels of national ownership by facilitating the development of inclusive national strategies and work plans for completion and, where possible, providing increased national resources to meeting their commitments under the Convention. National ownership will remain an important aspect going forward and building on progress made so far will be important.

86. Action 5.5 of the DAP encourages constructive responses to requests for assistance by those in a position to provide support. As indicated above, a growing number of States Parties are reporting that they are providing assistance in the context of the CCM. In terms of improving the impact of the assistance provided, the positive development represented by the introduction of the Country Coalitions approach must be underlined. This structure allows for a closer and more systematic interaction between

the recipient States, donors, international organizations and operators on the ground, and positively contributing to the monitoring and evaluation of results-based programming.

87. The DAP, in Action 5.6, encourages States to make use of existing tools, cost efficiency and effectiveness. As noted above, there has been a gradual increase in the number of States Parties that have utilized national Article 7 reports to formulate their requests for assistance. Similarly, there has been an upwards trend in the number of States Parties reporting having provided assistance under the Convention. In line with the Dubrovnik Action Plan, increased attention has also been given to the explorations of synergies with other relevant international humanitarian and human rights law instruments. So, for example, in the context of victim assistance, synergies with the APMBC, Protocol V of the CCW, and Convention on the Rights of Persons with Disabilities have been explored to enhance cost efficiency and effectiveness. It is also noteworthy that the number of States Parties with obligations under Articles 3 to 5 which indicated in their Article 7 reports to have received assistance to fulfil them has increased from four in 2015 to 12 in 2018.

### **C. Challenges highlighted since the First Review Conference**

88. Despite the progress made, challenges remain in the area of international cooperation and assistance. There is scope to further enhance the role of partnerships and promote their added value for States Parties, international organizations and operators active in the field. There is also scope to increase the awareness among the various interested actors of the different opportunities for collaboration available to them.

89. In this context, there is a need to further improve the communication by affected States Parties of the challenges that they face in implementing provisions of the Convention and their needs for assistance. The Article 7 transparency reporting is not yet fully leveraged to this effect. Reports are often submitted late or not effectively used by States Parties to request for assistance. States Parties requiring assistance should be encouraged to proactively approach the Coordinators for international cooperation and assistance, as well as other thematic coordinators and relevant stakeholders with their requests.

90. Notwithstanding the progress made since the adoption of the DAP, there remains clear scope to increase national ownership by States Parties in fulfilling their Convention obligations. The following have been highlighted as key challenges to responding positively to requests for assistance: lack of political commitment, absence of appropriate national ownership as well as absence of national legislation related to the implementation of the Convention. Four affected States Parties (Afghanistan, Bosnia and Herzegovina, Croatia and Lebanon) have developed activities in line with national strategies during the review period. This allows them to align policies, facilitates resource mobilization and shows national ownership.

91. Despite all the existing tools and cost efficiency measures, activities can in some cases overlap, resulting in an inefficient resource allocation. This is often due to a lack of national ownership and/or insufficient national planning and human or technical capacity of the recipient State. Careful resource planning and the establishment of coordination frameworks are possible solutions to be envisaged. In this sense, the further development of the Country Coalitions concept could prove useful.

92. Lastly, it is necessary to underline that some States Parties with cluster munition victims will require support in the long-term. In this area, it must be realised that obligations under the Convention are of a different nature than those related to stockpile destruction or clearance, which are time bound.

## VII. Transparency and exchange of information measures

### A. Status of the situation and progress since Dubrovnik

93. Under Article 7 the submission of an initial transparency report followed by annual reports is a legal obligation. It is also an important transparency and confidence building measure among States Parties to the Convention and an important tool to monitor progress in implementation. Most States Parties have engaged in fulfilling their obligation to provide initial and annual reports.

94. At present, 100 of 107 States Parties that should have already submitted their initial transparency report have done so, representing a submission rate of 93 per cent. At the end of the First Review Conference, 19 initial reports were overdue. By the 6MSP, the number had risen to 22. Since then, the number of overdue initial Article 7 Reports has decreased to seven in 2020, a reduction of approximately 60 per cent. Between 2015 and 2020, 32 States Parties have submitted their initial reports. Of these 32 reports, 23 were submitted late while nine were submitted on time. As at 28 September 2020, seven (7) States Parties (Cabo Verde, Comoros, Congo, Guinea, Madagascar, Rwanda and Togo) have yet to comply with this important obligation. Only three new States Parties have initial reports not yet due.

95. The record is less satisfactory as far as the annual reporting is concerned. During the period under review, 75 per cent of States Parties submitted their annual Article 7 reports on average with 51 per cent of them submitting their reports by the Convention stipulated deadline of 30 April. Only two signatory States (Democratic Republic of Congo and Palau) have submitted a voluntary Article 7 report during this period. One State not Party, South Sudan, also submitted a voluntary report during the same period.

96. In initial or annual reports, an average of ten States Parties per year have requested specific assistance to comply with outstanding obligations under the Convention. Furthermore, about 22 States Parties per year reported on providing assistance to affected States to implement the Convention. It is also noteworthy that the reporting rate has increased among countries contaminated by cluster munition remnants and implementing obligations under Articles 3 to 5 of the Convention.

### B. Evaluation against the actions and objectives set forth in the Dubrovnik Action Plan

97. Action 6.1 of the DAP requires to report in time, initially and annually. As indicated, the rate of submission of initial reports improved significantly from 75 per cent at the end of 2015 to 93 per cent as of 28 September 2020 largely due to the constant engagement of thematic coordinators through various activities including through bilateral meetings with States Parties especially those with obligations to provide updates. However, these initial reports were rarely submitted within the foreseen deadlines. On the other hand, an overall decrease in the submission rate of annual reports from 82 per cent in 2015 to 68 per cent in 2019 was observed. This is mainly a result from the increase in the number of States Parties and the fact that many of them were often late in submitting their initial report. Additionally, despite being a legal obligation, States Parties with no obligations under Articles 3 to 5 to implement are less inclined to submit annual reports after the initial report as they perceive that there is no new information to report on. Besides the regular transmission of individual reminders to States Parties that Article 7 reports were either due or overdue, the development of an explanatory brochure on why, what and how to prepare Article 7 report also played a positive role in raising awareness on the importance of national reporting.

98. Action 6.2 of the DAP encourages the CCM community to make practical use of reporting. States Parties used formal and informal fora to provide updates on the implementation of the provisions of the Convention. Furthermore, the quality of reports improved, and a larger number of States Parties provided more detailed and

disaggregated information regarding progress in implementing the Convention's provisions. Country Coalitions also allowed for the sharing of information, including that contained in transparency reports, which laid the basis for cooperation among affected and donor States as well as operators.

99. Through the implementation of these actions, the DAP sets to achieve various results:

- With regard to the increased submission rate, the results are ambivalent. A higher submission rate of initial reports is unfortunately balanced by a reduced rate of annual reports. However, the high rate of submission among States Parties implementing core obligations is a positive sign.
- The quality of reports has seen an improvement, which can notably be traced back to the continuous engagement by the coordinators and the ISU with States Parties. However, the quality continues to diverge markedly, and greater efforts should be invested in ensuring that more accurate information is provided.
- With regard to the increased exchange of information of good and cost-effective reporting practices, the continuous engagement by the coordinators and the ISU shows that improvements are possible but also that continuous efforts are required.
- Finally, it is difficult to assess whether the reporting guide has been increasingly used in preparing reports.

### **C. Challenges highlighted since the First Review Conference**

100. States Parties have highlighted several challenges related to the drafting of reports, from the high rotation or shortage of staff responsible for preparing the reports to having too many reports to submit by the same deadline. This greatly affects the quality and number of reports submitted.

101. Other challenges include misconceptions regarding the perceived complexity of the reporting template which, once explained, resulted in an increase in the submission of initial transparency reports. In addition, many States Parties may not be aware that the information provided in these reports play a significant role in the provision of international cooperation and assistance. The Country Coalition model clearly shows how transparency reports are used to increase international cooperation and assistance. Moreover, some States Parties do not see the necessity to submit annual reports when they do not have any new information to report or are not subject to other obligations.

102. Greater outreach efforts are required for States Parties to appreciate that Article 7 is a legal obligation. States Parties also need to be made aware of the existence of a short form of the report, which can be completed and submitted in a few minutes for those States Parties with no new information to provide.

103. All States Parties, and those with outstanding obligations under Articles 3, 4, 5, 6 and 9 in particular, should continue to provide in a timely manner, high quality and updated information annually, as stipulated by the Convention.

104. In terms of measuring the implementation of the DAP, the fact that some of the elements contained in this document lack proper indicators and are not readily measurable should be taken into consideration when elaborating the action plan to be adopted at the Second Review Conference. Through the implementation of these actions, the DAP sets to achieve various results:

- With regard to the increased submission rate, the results are ambivalent. A higher submission rate of initial reports is unfortunately balanced by a reduced rate of annual reports. However, the high rate of submission among States Parties implementing core obligations is a positive sign.

- The quality of reports has seen an improvement, which can notably be traced back to the continuous engagement by the coordinators and the ISU with States Parties. However, the quality continues to diverge markedly, and greater efforts should be invested in ensuring that more accurate information is provided.
- With regard to the increased exchange of information of good and cost-effective reporting practices, the continuous engagement by the coordinators and the ISU shows that improvements are possible but also that continuous efforts are required.
- Finally, it is difficult to assess whether the reporting guide has been increasingly used in preparing reports.

## VIII. National Implementation Measures

### A. Status of the situation and progress since Dubrovnik

105. Article 9 is a key legal obligation which obligates States Parties to take all appropriate legal, administrative and other measures to implement the Convention, thus ensuring that it lives up to its humanitarian objectives. Since the First Review Conference, States Parties have continued to express support for the importance of Article 9 and for the different tools available that have been developed in collaboration with expert organizations to assist States Parties as well as States considering adherence to the Convention to fulfil this obligation.

106. At the end of the First Review Conference, 41 States Parties reported to have undertaken the appropriate legal measures while 44 had taken administrative and other (non-legal) measures to implement the CCM. Out of 96 States Parties to the Convention, 9 (Belgium, Ireland, Italy, Liechtenstein, Luxembourg, Netherlands, New Zealand, Samoa, and Switzerland) had enacted national law prohibiting investments in cluster munitions; 24 (Australia, Austria, Belgium, Canada, Cook Islands, Czech Republic, Ecuador, France, Germany, Hungary, Ireland, Italy, Japan, Liechtenstein, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Samoa, Spain, Sweden, Switzerland, and United Kingdom) had specific law to implement the CCM; 17 had existing law deemed sufficient to implement the CCM (Albania, Andorra, Bosnia and Herzegovina, Côte d'Ivoire, Denmark, Guinea-Bissau, Holy See, Lithuania, Malta, Mauritania, Montenegro, Moldova, Nicaragua, San Marino, Slovenia, Trinidad and Tobago, and Uruguay) and 21 reported to have legislation under consideration or in the process of being adopted (Afghanistan, Antigua and Barbuda, Botswana, Bulgaria, Burkina Faso, Burundi, Cameroon, Croatia, Eswatini, Ghana, Grenada, Guatemala, Lao People's Democratic Republic, Lebanon, Lesotho, Malawi, Mozambique, Saint Vincent and the Grenadines, Seychelles, Sierra Leone, and Zambia).

107. By the Second Review Conference, an increased number of States Parties have taken steps to implement Article 9 with 61 States Parties reporting to have undertaken the appropriate legal measures while 53 States Parties report to have undertaken the appropriate administrative and other (non-legal) measures to implement the CCM. Out of 108 States Parties for whom the Convention has entered into force, 12 had enacted national law prohibiting investments in cluster munitions (See above, plus Afghanistan, Saint Kitts and Nevis, and Spain); 31 had specific law to implement CCM (See above, plus Afghanistan, Bulgaria, Cameroon, Guatemala, Iceland, Mauritius, and Saint Kitts and Nevis); 30 had existing law deemed sufficient to implement the CCM (Albania; Andorra; Bolivia; Bosnia and Herzegovina; Chile; Colombia; Côte d'Ivoire; Croatia; Cuba; Denmark; Dominican Republic; Guyana, Holy See; Iraq; Lithuania; Malta; Montenegro; Moldova; Mozambique; Nicaragua; Palau; State of Palestine; Panama; Paraguay; San Marino; Slovakia; Slovenia; South Africa; Trinidad and Tobago; and Uruguay) and 23 reported to have legislation under consideration or in the process of being adopted (See above, plus Belize, Guinea-Bissau, Nauru, Namibia, Somalia, Sri Lanka and Tunisia

(Afghanistan, Bulgaria, Cameroon, Croatia, Guatemala, Mozambique have reported completing this process).

108. Although progress has been made, a significant number of States Parties have not yet shared detailed information on their national implementation of the Convention. In addition, several States Parties that have reported national legislation to be under consideration or development have been doing so for several years, and there is no clarity when these processes will be completed.

## **B. Evaluation against the actions and objectives set forth in the Dubrovnik Action Plan**

109. The First Review Conference of States Parties to the CCM included three actions in the Dubrovnik Action Plan relating to national implementation measures: enact national legislation to implement the CCM; highlight challenges and request assistance; and raise awareness of national implementation measures.

110. The First Review Conference also agreed two measures against which progress towards the fulfilment of these actions will be assessed at the Second Review Conference. These measures are: (i) that all States Parties will be in compliance with Article 9 and have reported on national implementation in formal meetings of the Convention and through Article 7 transparency reports; and (ii) that all relevant national actors, including armed forces, will be informed of obligations under the Convention and of national implementation measures including as a result of their reflection, where necessary, in military doctrine, policies and training.

111. With respect to Action 7.1 “enact national legislation to implement the CCM”, based on reporting by States Parties, 31 States Parties have enacted specific legislation to implement the CCM, with 22 additional States Parties having legislation under consideration or in the process of being adopted. 30 States Parties have confirmed that their existing legislation is sufficient to implement the CCM. A total of 53 States Parties have reported on administrative and other (non-legal) measures in place to implement the CCM domestically. Work to obtain information from all States Parties on their national implementation measures is ongoing.

112. With respect to Action 7.2 “highlight challenges and request assistance”, a number of States Parties have highlighted a range of factors and challenges that may be preventing progress in the revision/adoption of national legislation in their transparency reports and at meetings of the Convention. To support States in the process of developing legislation, various tools have been developed, including model legislation for Common Law States, and model legislation for small States not possessing cluster munitions and not contaminated by them. These are available in all six United Nations languages. Tailored assistance is also available from a number of States Parties, the ISU and other actors.

113. With respect to Action 7.3 “raise awareness of national implementation measures”, States Parties have been reminded of this requirement at a range of workshops and in progress reports.

## **C. Challenges highlighted since the First Review Conference**

114. A number of challenges have been highlighted in ensuring that all States Parties swiftly review, develop and adopt any legislation deemed necessary for the effective implementation of the CCM.

115. Preventing greater progress in national implementation is the lack of the requisite resources to complete legislative reviews, including any necessary amendment and/or drafting of new legislation. In some States, resource constraints mean that priority has not always been accorded to implementation of the Convention. Thus, the process of revising or adopting new legislation has advanced very slowly. Efforts must therefore be continued to further increase States Parties’ awareness of the range of resources available



to assist with the development and adoption of legislation, and that they can request further tailored assistance for Article 9 implementation from a range of actors.

116. Additionally, some States Parties with heavy cluster munitions contamination have understandably prioritised the establishment of standards and regulations around clearance activities. While this is not problematic in and of itself, States Parties need to have domestic systems that enables implementation of all provisions of the Convention. In some instances, States Parties whose legal system provides for treaties to be self-executing could usefully provide details in their reporting of the basis and procedures for prosecution in their jurisdictions.

## **IX. Implementation Support**

117. The implementation of the CCM is supported by a machinery that includes several distinct areas: the Implementation Support Unit (ISU), the Meeting of States Parties, intersessional meetings, the Coordination Committee, the Sponsorship Programme and the participation of other actors.

### **A. Implementation Support Unit**

#### **1. Status of the situation**

118. At the First Review Conference, the States Parties adopted a multi-year work plan and budget for the Implementation Support Unit. They also adopted financial procedures for the ISU, with a number of States Parties making declaration and/or reservations and/or position in this regard. The First Review Conference also decided that these financial procedures would be reviewed at the Seventh Meeting of States Parties. It further decided to explore possible synergies between the ISU CCM and other similar units at the Seventh Meeting of States Parties.

#### **2. Challenges highlighted since the First Review Conference**

119. The Financial Procedures on the Financing of the ISU were reviewed at the Seventh Meeting of States Parties. The Meeting noted that not all States Parties interpreted or read the financial procedures in the same manner. It identified a number of specific measures completing or amending the financial procedures with a view to improving their effectiveness: the Presidency and ISU should conduct regular outreach to explain the financial procedures, invoices should be sent out rapidly after the adoption of the ISU budget and the ISU should send individualised notes and invoices to States Parties. It was also decided that the capital reserve should only serve to cover cash flow shortfalls and be maintained at CHF 400,000 through voluntary contributions. Finally, the Meeting decided that the financial procedures, including the allocation between the different contribution categories and their nature as well as the impact of the financial procedures on universalization efforts and participation by non-States Parties in Meetings of States Parties, would be reviewed at the Second Review Conference of the Convention with a view to ensuring their sustainability. Overall, if budget of the ISU has been covered fully each year by contributions under the financial procedures adopted at the First Review Conference, the number of States providing contributions remains limited and continues to be the subject of some confusion. Also, the management of the financial procedures are time-consuming for the ISU.

120. The Meeting noted that significant synergies had already been achieved regarding administrative support required for the functioning of the ISU, and that the potential for further measures in this domain seems to be largely exhausted, and that the formal merger of the CCM ISU with other support units is a complex and multifaceted issue. The Meeting underlined the value of holding meetings directly after or before meetings of other Conventions and related issues and encouraged the ISU to further develop informal cooperation on issues of substance with other implementation support units where such cooperation contributes to reinforcing its capacity to support States Parties. Finally, the Seventh Meeting of States Parties decided to review the implementation of synergies

between the ISU and other implementation support units no later than at the Second Review Conference.

121. The Seventh Meeting of States Parties also reviewed the agreement between the States Parties to the CCM and the Geneva International Centre for Humanitarian Demining on the Hosting of the Implementation Support Unit. The Meeting welcomed that the agreement was effectively implemented to the satisfaction of all parties since its signature and had contributed to the effective functioning of the ISU. It decided that the agreement would be assessed again at the Second Review Conference, including the periodicity of this exercise.

## **B. Meetings of the States Parties**

### **1. Status of the situation**

122. Article 11 of the Convention stipulates that “the States Parties shall meet regularly in order to consider and, where necessary, take decisions in respect of any matter with regard to the application or implementation of the Convention (...)”. At the First Review Conference, States Parties agreed that one Meeting of the States Parties would take place annually until the Second Review Conference and that the duration and location of these will remain within the purview of the President with a default location in Geneva. Additionally, a change in the presidential period was decided, whereby it would henceforth start on the last day of a Meeting of States Parties and run until the last day of the following Meeting of States Parties.

123. The CCM has held an MSP annually since the First Review Conference. The Presidency of the Sixth MSP decided that the meeting would last three days (effectively reducing the duration of the Meeting compared to those held prior to the First Review Conference), an approach retained by ensuing MSPs.

124. Since the First Review Conference, the States Parties have continued to make use of the MSPs as mechanisms to advance implementation of the Convention. At each Meeting, the States Parties monitored the progress made in the implementation of the Convention, through different aspects: universalisation, stockpile destruction and retention, clearance and risk reduction education, victim assistance, international cooperation and assistance, transparency measures and national implementation measures. These reports measured annual progress made by States Parties in the pursuit of the Convention’s core aims between MSPs, highlighting relevant actions of the DAP, and highlighting priority areas of work for States Parties. In addition, programmes for the MSPs provided an opportunity for States Parties implementing key provisions of the Convention to provide updates in fulfilling their obligations. In this review cycle, decisions were taken for the first time in the context of the MSPs to extend the duration of the implementation of obligations, in line with the Convention.

### **2. Challenges highlighted since the First Review Conference**

125. The CCM MSP was affected by financial difficulties since the First Review Conference. The Ninth MSP was affected more significantly, and only informal consultations without interpretation were held on its second day. At the same meeting, official documents were only gradually translated, as funds were made available.

126. Also, since the First Review Conference, the MSPs received several presentations from the United Nations Office at Geneva (UNOG) Financial Services in view of the financial challenges faced by the Convention. At the Ninth MSP, States Parties expressed deep concern about the financial situation due to arrears in the payment of the assessed contributions, and the Meeting underlined the importance of ensuring full compliance with Article 14 obligations and called upon all the States Parties and States not Parties participating in the meetings of the States Parties to address issues arising from outstanding dues. During the same meeting, the President submitted a document entitled “Expressing deep concern about the financial situation due to the arrears in payment of the assessed contributions”, in accordance with the recommendations of the Eighth MSP.

The Meeting further requested the President of the Second Review Conference to conduct consultations on “Possible measures to address financial predictability and sustainability of the Convention on Cluster Munitions”, with a view to presenting a proposal for a Decision at the Second Review Conference.

127. All MSPs since the First Review Conference were held in Geneva whereas they took place in various locations during the previous cycle. The decision made at the First Review Conference that any costs exceeding those for a meeting held in Geneva would have to be covered by the host may have had an impact on this development.

## **C. Intersessional Meetings**

### **1. Status of the situation**

128. The First Review Conference decided that “until the following Review Conference in 2020, one Meeting of States Parties would take place annually, with no Intersessional Meetings foreseen”. This represented a departure from the practice over the previous five- year cycle, when intersessional meetings were held yearly for a duration of two and a half days. These intersessional meetings were hosted by the Geneva International Centre for Humanitarian Demining (GICHD) with financial support from Switzerland, ensuring that they were held at no cost to States Parties.

### **2. Challenges highlighted since the First Review Conference**

129. With the discontinuation of Intersessional Meetings, exchanges within the Convention are limited to one annual event of a formal nature (MSP). The CCM does not have a platform that it can leverage to discuss or explore informally implementation challenges or other issues, and assess progress made. The submission of extension requests under Article 3 and Article 4 (which started in 2019 and is likely to continue in the immediate future) are not the object of an informal and interactive dialogue between the submitting State Party and other CCM stakeholders. CCM stakeholders sought to make up in part for this deficit by organizing informal events on the margins of platforms provided by processes or instruments with a thematic proximity with the Convention.

## **D. Coordination Committee and Sponsorship Programme**

### **1. Status of the situation**

130. Since the First Review Conference, the Coordination Committee met regularly under each of the successive Presidencies to facilitate intersessional work and the implementation of the Convention. As per decisions taken, the Coordination Committee was composed of the President, assisted by the Director of the Implementation Support Unit, the President-designate, the Past-President and the various thematic coordinators, and an invitation extended to the CMC, the ICRC and the United Nations represented by the United Office for Disarmament Affairs to take part in its activities. In keeping with past practice, the Coordination Committee also called upon others to assist with its work, including the Geneva International Centre for Humanitarian Demining and other mine action operators.

131. During the period under review, the Coordination Committee served not only as a means to exchange information among key stakeholders and support the implementation of the convention, but also as a vehicle to consider new initiatives such as the country-coalition approach or issues linked to the functioning of the CCM such as financial challenges. Since the First Review Conference, new tasks have been taken up by the Coordination Committee, such as the analysis of extension requests under Articles 3 and 4 of the convention. To this end, two *ad hoc* Analysis Groups have been formed — one for Article 3 and another for Article 4 extension requests — to analyse the extension requests.

132. Since the First Review Conference, the Sponsorship Programme has continued to permit broad representation at meetings of the Convention with a view to promote both

the universalisation and the implementation of the CCM. During this period, the Sponsorship Programme was managed by the ISU with the administrative support of the GICHD. The States Parties have continued to recognise the importance of the Sponsorship Programme to ensure broad participation from representatives of States Parties that may not be in a position to participate without sponsorship support.

## **2. Challenges highlighted since the First Review Conference**

133. The workload of the Coordinators on general status & operation has been very uneven as they have no permanently assigned tasks. It must be noted that this enabled them to provide essential support to the Presidency in fulfilling specific and discrete mandates. On another note, for the effectiveness of its work, the Coordination Committee had to invite stakeholders to take part in its activities on a number of occasions, raising the question of its composition.

134. During each year from 2016–2019, contributions to the Sponsorship Programme amounted on average to annually only CHF 52,800. These contributions enabled the participation of an average of 17 delegates representing an average of 16 States to each MSP.

135. Funding has been provided by an annual average of four donors during the period under review. If their support to the programme has been steady, the number of States Parties contributing to it remains very limited. Moreover, the Sponsorship Programme is managed by the ISU, amongst many other tasks. Contrary to what is done under other Conventions, no Coordinator oversees the programme. The absence of such a Coordinator raises a number of questions regarding visibility/outreach, guidance and workload for the ISU.

## **E. Participation of other actors**

### **1. Status of the situation**

136. During the period under review, the CCM continued to benefit from sustained participation and contribution by the CMC, ICRC, national Red Cross and Red Crescent Societies and their International Federation, the United Nations, the GICHD, international and regional organisations, cluster munition survivors and other civil society organisations, including operators. States Parties benefited greatly from the sense of partnership that exists among a wide range of actors that have committed to working together to ensure the full and effective implementation of the Convention and encouraged a broad participation in the context of its activities.

### **2. Challenges highlighted since the First Review Conference**

137. During the period under review, new types of partnerships have been developed under the Convention. The concept of Country Coalition has sought to provide more focused and tailored-made support to States Parties implementing obligations under the Convention, notably with respect to Articles 3 and 4. In the context of Country Coalitions, an affected State Party undertakes a structured and sustained exchange with (potential) donors and operators, with a view of better defining the possible way forward in terms of CCM implementation. Additionally, a military-to-military dialogue was organised between representatives of CCM States Parties and States not party to this instrument. The norm established by the CCM was discussed in the context of this dialogue, as well as how the armed forces of CCM States Parties addressed the fact that they could no longer rely on cluster munitions on an operational level. The value of such approaches has been welcomed by numerous stakeholders.

## Annex IV

### List of documents submitted to the Second Review Conference of the States Parties of the Convention on Cluster Munitions

<i>Symbol</i>	<i>Title</i>
CCM/CONF/2020/1	Provisional Agenda for the Second Review Conference
CCM/CONF/2020/2	Convention on Cluster Munitions Implementation Support Unit 2021-2025 Work Plan and Budget
CCM/CONF/2020/2/Rev.1	Convention on Cluster Munitions Implementation Support Unit 2021-2026 Work Plan and Budget
CCM/CONF/2020/3	Convention on Cluster Munitions Implementation Support Unit 2021 Work Plan and Budget
CCM/CONF/2020/4	Implementation Support Unit 2019 Annual Report
CCM/CONF/2020/5	Analysis of Bulgaria's request of deadline extension under Article 3 of the Convention on Cluster Munitions
CCM/CONF/2020/6	Analysis of Peru's request of deadline extension under Article 3 of the Convention on Cluster Munitions
CCM/CONF/2020/7	Analysis of Lebanon's request of deadline extension under Article 4 of the Convention on Cluster Munitions
CCM/CONF/2020/8	Analysis of Chile's request of deadline extension under Article 4 of the Convention on Cluster Munitions
CCM/CONF/2020/9	Estimated costs of the Tenth Meeting of States Parties of the Convention on Cluster Munitions
CCM/CONF/2020/10	Reflections and options regarding the Convention's machinery
CCM/CONF/2020/11	Elements on possible measures to address the financial predictability and sustainability of United Nations assessed contributions
CCM/CONF/2020/12	Ways Forward on Universalization of the Convention on Cluster Munitions
CCM/CONF/2020/13	Review Document of the Dubrovnik Action Plan
CCM/CONF/2020/14	Informal draft — Lausanne Action Plan
CCM/CONF/2020/15	Analysis of Bosnia and Herzegovina's request of deadline extension under Article 4 of the Convention on Cluster Munitions
CCM/CONF/2020/16	Provisional programme of work for 25-27 November 2020

<i>Symbol</i>	<i>Title</i>
CCM/CONF/2021/4	Provisional programme of work
CCM/CONF/2021/1	Analysis of Chile's Deadline Extension Request under Article 4 of the Convention on Cluster Munitions
CCM/CONF/2021/2	Analysis of Mauritania's Deadline Extension Request under Article 4 of the Convention on Cluster Munitions
CCM/CONF/2021/3	Analysis of Afghanistan's Deadline Extension Request under Article 4 of the Convention on Cluster Munitions
CCM/CONF/2021/4	Provisional Annotated Programme of Work for 20-21 September 2021
CCM/CONF/2021/5	Gender and diversity in the Convention of Cluster Munitions: enhancing impact through synergies with other international Conventions and policies
CCM/CONF/2020/WP.1	Lausanne Declaration
CCM/CONF/2020/WP.2	Estimated costs of the Tenth Meeting of States Parties of the Convention on Cluster Munitions
CCM/CONF/2020/WP.3	Estimated costs of the Tenth Meeting of States Parties of the Convention on Cluster Munitions
CCM/CONF/2020/CRP.1	Elements for the decision on the Convention's machinery
CCM/CONF/2020/CRP.2	Elements for the decision on measures to address the financial predictability and sustainability of United Nations assessed contributions
CCM/CONF/2020/CRP.3	Draft Decision on the Article 3 Extension Request submitted by Bulgaria
CCM/CONF/2020/CRP.4	Draft Decision on the Article 3 Extension Request submitted by Peru
CCM/CONF/2020/CRP.5	Draft Decision on the Article 4 Extension Request submitted by Bosnia and Herzegovina
CCM/CONF/2020/CRP.6	Draft Decision on the Article 4 Extension Request submitted by Chile
CCM/CONF/2020/CRP.7	Draft Decision on the Article 4 Extension Request submitted by Lebanon
CCM/CONF/2020/CRP.8	Draft Interim report of the Second Review Conference
CCM/CONF/2020/CRP.8/Rev.1	Revised Draft Interim report of the Second Review Conference
CCM/CONF/2020/L.1	Interim report of the Second Review Conference
CCM/CONF/2020/L.1/Rev.1	Draft final report of the Second Review Conference
CCM/CONF/2021/6	Final report of the Second Review Conference

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<i>Symbol</i>	<i>Title</i>
CCM/CONF/2020/MISC.1	Provisional list of participants
CCM/CONF/2021/MISC.2	Provisional List of participants
CCM/CONF/2020/INF.1	List of participants
CCM/CONF/2021/INF.1	List of participants
CCM/CONF/2021/MISC.1	Interpretative statement of the delegation of the Holy See to the second Review Conference of the Convention on Cluster Munitions

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