

## Coordinating Committee Meeting

Tuesday 13 April

### President's Summary

#### 1. Welcome and introductory remarks

The Chair, Ambassador Susan Eckey of Norway, President of the Second Review Conference, welcomed participants to their third meeting of the year.

#### 2. Draft programmes for the June meetings of the Standing Committees

The Chair indicated that since the last meeting of the Coordinating Committee, the Co-Chairs and Presidency had fine-tuned the programme for the 21-25 June meetings of the Standing Committees and indicated that subject to any final changes, the programme is ready for distribution.

With respect to the Standing Committee on the General Status and Operation of the Convention, the ICBL proposed that the discussions on Article 9 could be placed higher on the agenda, perhaps by moving the discussion on the ISU evaluation to later in the programme. The Chair indicated that, given the significance of the ISU evaluation, the Presidency strongly supports any discussion on it occurring early in the week. However, the Chair did ask the ISU to discuss with the Co-Chairs of the Standing Committee if they wished to make other changes to the programme to take the ICBL's suggestion into account.

With respect to the Standing Committee on Mine Clearance, Mine Risk Education and Mine Action Technologies, the ICRC raised concerns about a presentation on a study of the aging of emplaced anti-personnel mines which would be delivered by James Madison University's Centre for International Stabilization and Recovery (JMU CISR) on Wednesday 23 June. Others did not have any reservations, pointing out that any additional knowledge on the impacts of aging on anti-personnel mines could be of great value given that 39 States Parties face the reality of having aging emplaced mines under their jurisdiction or control and the obligation to ensure that areas in which these mines are located are ultimately rendered safe for normal human activity. In addition, the Co-Chairs of the Standing Committee on Mine Clearance noted with great confidence that that the JMU CISR Director is a landmine survivor who has spent years advocating for the implementation of the Convention and that work carried out under his direction would only support and certainly not undermine the Convention. The ISU Director was instructed to obtain and make the study in question available. (Note: The "Scoping Study on the Effects of Aging on Landmines Phase 1" can be found online at: <http://maic.jmu.edu/aging/aging.htm>.)

#### 3. Activities of the Contact Group and Sponsorship Programme Coordinators

##### ▪ *Universalization Contact Group (Canada)*

The Coordinator congratulated the Presidency on its initiative to appoint HRH Prince Mired of Jordan as the President's Special Envoy on Universalisation and expressed the hope that outcomes of his universalisation missions could be shared very soon. The Coordinator informed the Coordinating Committee that the Universalisation Contact Group will next meet on Thursday 24 June.

##### ▪ *Article 7 Reporting Contact Group (Belgium)*

The Coordinator reported that letters reminding all States Parties of their Article 7 reporting obligations had been sent at the end of March and that a meeting was planned with the Permanent Mission of Equatorial Guinea, the only State Party that has yet to submit its initial Article 7

transparency report. The Coordinator also indicated that the next meeting of the Article 7 Contact Group will take place on Monday 21 June.

The ICBL informed the Coordinating Committee that letters had been sent out to 40 States Parties recalling the commitments they made in the Cartagena Action Plan with regards to reporting on victim assistance, Articles 3, 5 and 9 and on mines discovered after stockpile destruction deadlines have passed. Like in previous years, letters reminding States Parties to submit their Article 7 transparency report if they have not yet done so will also be sent by UNODA after the 30 April deadline.

▪ *Sponsorship Programme (United Kingdom)*

The ISU Director provided an update on behalf of the Sponsorship Programme Coordinator indicating that the Donors group met on 9 April. The ISU Director reported that sufficient funds were available to the Sponsorship Programme to proceed with the June 2010 Standing Committee meetings in a manner similar to previous years. Following past practice, sponsorship will be offered to those States Parties with Article 4 and Article 5 obligations and to those States Parties that have indicated the responsibility for significant numbers of survivors.

**4. Opportunity for additional views or updates on the review of the Intersessional Work Programme**

The Chair sought additional views and updates from members of the Coordinating Committee on the operation of the Intersessional Work Programme (IWP). The Chair remarked that since her last update on the status of the review of the IWP she had not received many additional inputs.

On this issue, the ICRC indicated that it had developed a food for thought paper containing ideas for restructuring the format of the Standing Committee on Victim Assistance. The ICRC informed the Coordinating Committee that in the past, current and future Co-Chairs of the Standing Committee on Victim Assistance and the ISU had been consulted on this paper and that the consultations would continue as not all the Co-Chairs had the opportunity to express their views. The ICRC explained that it intended to submit its food for thought paper for discussion at the June meetings of the Standing Committees. The Chair noted that the ICRC is working towards sharing the conclusions of the consultations on its food for thought paper with the Coordinating Committee and provide a written input on this issue by 17 June.

The Chair confirmed that in advance of the June Standing Committee meetings she would present a short update paper as the basis for a discussion on the review of the Intersessional Work Programme. This paper would be very much in line with the summary of discussions held at previous Coordinating Committee meetings.

**5. International cooperation & assistance**

The Chair provided an update on the workshop that she will convene on 20 May to help prepare for an informal and focused discussion on 25 June on cooperation and assistance. The Chair indicated that a format with two plenary sessions and two parallel sessions was envisaged and that the sessions would cover both Article 5 mine clearance and victim assistance. The Chair informed that invitations would be sent out shortly and would be addressed to relevant national experts, NGOs, IOs, and all Co-Chairs and Co-Rapporteurs. The workshop would have around 45 participants and would last one day. It was confirmed that a small sponsorship programme would be available to encourage participation of national experts.

**6. European Union Joint Action(s) in support of the Convention**

The ISU Director provided an update to the Coordinating Committee on the ISU's work relating to the implementation of the existing European Union Joint Action in support of the universalisation and implementation of the AP Mine Ban Convention and with respect to interest on the part of the European Union to proceed with another Joint Action (see Annex I).

The ISU Director indicated that he viewed it as his responsibility to keep the Coordinating Committee informed and to seek the Coordinating Committee's general acceptance regarding whether the ISU should proceed with discussions that would likely result in the ISU again being the "technical implementer" of a second EU Joint Action. In response to questions, the ISU Director noted that, while it is not technically necessary for the ISU to receive the endorsement of the Coordinating Committee for this work, it made sense for the Coordinating Committee as the oversight body of the ISU's substantive work to provide some direction on such a matter. The ISU Director also indicated that in his view a new Joint Action would be good for the Convention and he hoped that the Coordinating Committee would agree with this point.

Canada indicated that it strongly supports the ISU implementing this sort of activity and asked that the Coordinating Committee continue to be kept informed. Belgium noted the importance it attaches to synergy between related Conventions.

The Chair concluded that it was her sense that the Coordinating Committee was in agreement with the ISU continuing discussions with the EU on a Joint Action with a view to the ISU again implementing such an effort. The Chair also expressed appreciation on behalf of the Coordinating Committee for the commitment by the European Union to proceed with a second Joint Action.

## **7. Updates on the Implementation Support Unit**

The Chair provided an update on her efforts to mobilise resources for the ISU since the last Coordinating Committee meeting. She indicated that she has sent letters to all previous ISU contributors to encourage them to continue funding the operations of the ISU and that she approached a number of donors bilaterally. She then invited Coordinating Committee members to provide updates.

The ISU Director circulated an update on the finances of the ISU (see Annex II). Canada announced its intention to contribute to the ISU Trust Fund with CAD\$ 100,000, as well as CAD\$ 25,000 to the ISU evaluation and CAD\$ 25,000 to the Sponsorship Programme. Switzerland indicated that it would contribute CHF 20,000 to the ISU evaluation and Australia and Slovenia reported that they will keep providing funds to the ISU like in previous years.

The Chair indicated that at this stage it was important to enquire about the plans of States Parties to finance the ISU and that if more States Parties contributed to fund its operations, the ISU should not find itself in a difficult financial situation. She concluded that the ISU financial situation would remain a high priority and would have to keep being monitored closely.

## **8. Any other business**

- The Chair informed the Coordinating Committee that she would receive the preliminary report to the Task Force on the ISU on 15 April and that it would be distributed to all States Parties by the ISU together with a cover note from the consultant.
- Turkey shared impressions on its participation in the April 2010 Vienna Seminar on Victim Assistance reporting on discussions which included victim assistance as a rights-based issue, the non-discrimination of victims, the relationship between various international instruments and the importance of a holistic approach that takes into account poverty and inequality.

The ICRC and Belgium added that the seminar highlighted the question of synergy between the Anti-Personnel Mine Ban Convention and the Cluster Munitions Convention. The ICBL indicated that a follow-up conference would be held in Zagreb in late September 2010.

**9. Next meeting**

The Chair indicated that the Coordinating Committee will take place on Thursday 17 June from 13:00 to 15:00.

## Annex I: The ISU and EU Joint Action(s)

1. A “Joint Action” is a means for the European Union to “define and implement a common foreign and security policy covering all areas of foreign and security policy” with a view to “(safeguarding) the common values, fundamental interests, independence and integrity of the Union in conformity with the principles of the United Nations Charter, (strengthening) the security of the Union in all ways, (preserving) peace and (strengthening) international security (...), (promoting) international cooperation, (and developing and consolidating) democracy and the rule of law, and respect for human rights and fundamental freedoms.” Joint Actions are intended to “address specific situations where operational action by the Union is deemed to be required”, “lay down their objectives, scope, the means to be made available to the Union, if necessary their duration, and the conditions for their implementation”, and, commit the Member States in the positions they adopt and in the conduct of their activity.”
2. Since August 2008, the ISU has been implementing the European Union “Joint Action in support of the universalization and implementation of the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, in the framework of the European Security Strategy.” The Joint Action has involved support to up to six regional seminars aimed at promoting universalization and preparing for the Second Review Conference and up to 25 short term technical assistance visits to States Parties with a view to making recommendations on the full implementation of the Convention. The ISU is the “technical implementer” of the Joint Action, which spans 21 months (until 5 May 2010) and is valued at up to €1.07 million.
3. Through the existing EU Joint Action, in 2009 the ISU supported five States Parties in convening regional workshops or conferences. These covered Africa, the Americas, Central Asia, South East Asia and South Eastern Europe. In total, 88 States took part including 12 States not parties. In keeping with the Convention’s culture of openness, transparency and collaboration, the participation of other actors was warmly welcomed. For instance, over a year before the Joint Action took effect, the views of ICBL and ICRC on the regional workshops were sought and both were provided with significant places on the programmes of regional events. At the request of the ICBL, the invitation list of one event was expanded to include States not parties which were of interest to the ICBL for universalization purposes. The outcomes of the regional events were instrumental in seeing that the Cartagena Summit would place a heavy emphasis on victim assistance and cooperation and assistance.
4. Through the existing EU Joint Action, the ISU has carried out or commissioned 16 technical advisory visits and is planning to carry out up to 6 more prior to 5 May. These have helped inter alia raise awareness of victim assistance responsibilities, assisted in the preparation of victim assistance status reports, made recommendations regarding the use of non-technical survey to release suspected hazardous areas, assisted in providing clarity regarding the actions necessary to complete implementation of Article 5, supported the preparation of requests for or declarations of completion and facilitated the submission of a long outstanding Article 7 transparency report.
5. The ISU has been informed that the European Union is very much satisfied with the implementation of the Joint Action, that there will no doubt be a follow-up Joint Action, that this new Joint Action is intended to assist in the application of the Cartagena Action Plan with a heavy emphasis on victim assistance, and, that the ISU is the preferred “technical implementer” of the Joint Action.
6. In reflecting upon the experience of implementing the existing Joint Action, the ISU would offer the following observations:
  - a. The ISU, as the States Parties’ support Unit, no doubt is the right actor to implement a Joint Action. However, there has been little interaction with the Presidency or Coordinating

Committee concerning the engagement by the ISU in this work. As it is desirable that the Coordinating Committee demonstrates greater responsibility for and oversight of the ISU, it would make sense that the Coordinating Committee be cognizant that the ISU is being engaged on a second Joint Action and for the Coordinating Committee endorse or agree to the ISU proceed with discussions that likely would culminate in the ISU being the “technical implementer” once again.

- b. The existing Joint Action is blunt and rigid in that involves two types of activities and does not permit flexibility with respect to the uniqueness of different country contexts or changing circumstances. In addition, the activities don't always match up with intended objectives. What the ISU would seek in second Joint Action would be (a) clear objectives from the EU regarding what it wishes to achieve or contribute to through a Joint Action and (b) the inclusion of a menu of a variety of types of activities from which, subject to country or regional context or changing circumstances, the ISU could use to achieve particular objectives. That is, the ISU would want flexibility built into any contract. With this flexibility in hand, the ISU would then anticipate seeking input from relevant States Parties (i.e., the Presidency, Co-Chairs and Contact Group Coordinators) regarding priorities.
  - c. A Joint Action can't be all things to all people. It is limited to activities essentially in a policy sphere consistent with the implementation of the EU's common and security policy and it cannot infringe upon what amounts to the competency of the European Commission and its role in supporting national capacity building and on the ground implementation. This is especially important as concerns victim assistance, as a Joint Action largely could only support what some have criticized as “process gains”. These gains undeniably are important, but it is unlikely that one could trace a line between the activities undertaken in the context of a Joint Action and a clear cut improvement in the well being of individuals.
  - d. A new Joint Action should acknowledge the important role of non-governmental and other non-State actors in the effort to assist States Parties in implementing the Convention while being clear that the Cartagena Action Plan is a set of commitments accepted by States and that it is Joint Action is largely intended to promote action on the part of States to live up to commitments that they make.
  - e. The existing Joint Action finances a staff position to oversee the implementation of the Joint Action and provides funds to offset the impact of the Joint Action on the GICHD's administration of the Joint Action. A new Joint Action equally would need to largely cover the costs of the implementation of the Joint Action and contribute to or cover any additional administrative burden absorbed by the GICHD (e.g., accounting, human resources, IT).
7. The EU Council Secretariat wants ideas from the ISU as soon as possible for presentation at the 19 April meeting of the EU's Working Party on Disarmament and Arms Control (CODUN). The ISU has requested that the ICBL provide it ideas that the ICBL believes would be useful and consistent with both the intent of the new Joint Action and the competency of a Joint Action. As concerns universalization, the ISU also has engaged the relevant Contact Group Coordinator. On 13 April, the ISU wishes to obtain from the Coordinating Committee its acceptance that a new Joint Action would be good for the Convention and that the ISU should proceed in discussions that would result in the ISU again being the “technical implementer” of such an effort.

## Annex II

### Update on the finances of the Implementation Support Unit

Director of the Implementation Support Unit

13 April 2010

What follows is an update on the financing of the ISU's 2010 work plan:

- The audit of the 2009 accounts of the ISU Trust Fund is almost complete. This work so far indicates that expenditures in 2009 totaled CHF 981,768 and that, on 1 January 2010, the balance in the ISU Trust Fund amounted to CHF 258,176. (Note that these figures update those provided at the last meeting of the Coordinating Committee.)
- To date in 2010, revenues total CHF 333,721. This includes the carryover from 2009, plus contributions from **Indonesia** (CHF 1,300), **Switzerland** (CHF 70,000, earmarked to the victim assistance activities in the work plan), and, **Turkey** (CHF 4,245).
- To date in 2010, expenses total CHF 302,315 (implying that the ISU is on track in terms of its 2010 expenditures, which are budgeted to total CHF 1,200,000 for 2010).
- Signed contracts are in place with **Austria** (€ 30,000) and **Belgium** (€ 50,000). In addition, **Albania** indicated that on 12 April 2010 it transferred US\$ 1,000 in support of the ISU's 2010 work plan (as well as an additional US\$ 1,000 in support of the ISU evaluation).
- Taking into account the funds expected from, **Albania**, **Austria** and **Belgium** and assuming today's €-to-CHF exchange rate, a total of CHF 750,094 is still required to fully fund the ISU's 2010 work plan.

At the last Coordinating Committee meeting, the Coordinating Committee was informed that, in addition to the work plan approved by the Coordinating Committee, the ISU is able to execute other activities, in a manner consistent with its mandate, if additional funds are made available to fully fund these efforts.

It was noted that at present these activities include: (a) a set of enhanced victim assistance activities that may be of interest to States Parties to support (e.g., parallel programmes, measures to enhance inclusion in the work of the Convention, tools to assist States Parties in applying the Cartagena Action Plan); (b) enhanced support to the Presidency (e.g., activities, which include the organization of a workshop on cooperation and assistance, the efforts of the President's Special Envoy on the Universalization of the Convention and enhanced support to the President-Designate of the 10MSP); and, (c) , the administration of the contract for the ISU evaluation.

With respect to these additional activities:

- A project proposal is being submitted today to a State Party for its consideration to fund a victim assistance parallel programme during the June meetings of the Standing Committees. This is valued at approximately CHF 25,000.
- Funds have been received (CHF 248,889) from **Norway** to fully fund the activities related to enhanced support to the Presidency.
- No funds have yet been received to cover the costs of the ISU evaluation, although several States Parties have indicated that they are likely to contribute.