
**Meeting of the States Parties to the Convention
on the Prohibition of the Use, Stockpiling,
Production and Transfer of Anti-Personnel
Mines and on Their Destruction**

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Item 10 (g) of the agenda
Transparency and the exchange of information

**Transparency measures and the exchange of information in
the context of the anti-personnel mine ban Convention**

Submitted by Belgium

Roadmap for a better reporting and exchange of information

Background

1. In accordance with Article 7 of the Convention, each State Party has to submit to the Secretary-General of the United Nations, an initial report and annual updates of the information provided, on matters covered by Article 7: national implementation measures referred to in Article 9, stockpiled anti-personnel mines and status of destruction programs of these mines, location of all mined areas under its jurisdiction or control and status of destruction programs of anti-personnel mines contained in these areas, mines retained or transferred for training purposes, status of programs for the conversion of anti-personnel mines production facilities, technical characteristics of each type of mine produced, owned or possessed, and the measures taken to provide warning to the population of all mined areas.
2. Reporting in accordance with Article 7 is an **obligation** that is relevant for all States Parties. But it is also a **tool** for achieving the full implementation of the Convention and an **opportunity** for States Parties to mobilize resources needed for achieving their obligations.
3. During the Nairobi Summit in 2004, States Parties recognized that “transparency and the open exchange of information had been essential pillars on which the Convention’s practices, procedures and tradition of partnership have been built, through both formal means and informal means.” During the Cartagena Summit in 2009, States Parties noted that since the First Review Conference, “transparency in all forms has indeed been essential for achieving the Convention’s core aims.”
4. The Cartagena Action Plan 2010-2014 gives a prominent place to the communication of detailed information on the obligations of the Convention, not only through formal means such as the Article 7 obligations, but also through informal means.
5. At the Cartagena Summit, States Parties noted that “since the Nairobi Summit, the exchange of information between States Parties has been vibrant particularly on the part of

States Parties in the process of implementing key provisions of the Convention”, “new tools have been developed to assist in the formal and informal exchange of information. However, the rate of adherence to the Convention’s reporting obligations have waned since the Nairobi Summit.”

6. In this Context, Belgium, in its capacity of coordinator of the informal Contact Group on Article 7, proposed in November 2010 a food-for-thought paper on reporting and exchange of information (APLC/MSP.10/2010/WP.12). This paper resulted from the wish to give, further to the assessment made in Cartagena and to the commitments contained in the Cartagena Action Plan, renewed attention to the ongoing fulfillment of Article 7 transparency obligations and place an emphasis on quality reporting in accordance with transparency measures.

7. The discussions and consultations with all interested States parties and organizations, to explore options to reinvigorate reporting in the context of Article 7 focusing together on issues of regularity, precision and quality of reports, resulted in present document and roadmap.

Rationale

8. After the consultations based on the discussion paper (APLC/MSP.10/2010/WP.12), Belgium wishes to propose concrete actions with clear objectives to enhance Article 7 reporting, on both the quantitative and the qualitative level.

9. Enhancing reporting can, in Belgian’s opinion, only be achieved by a comprehensive approach, acknowledging the interaction between the different components of this road map and giving an important place to the advocacy of the importance of regular and clear exchange of information, both in a formal and informal setting.

10. That is why this paper has to be considered as a whole. The proposed actions and roadmap are based on the existing obligations within the Convention and on the commitments of the States Parties contained in the Cartagena Action Plan. It has the aim to propose tools for increasing the reporting rate and enhancing the quality of the obtained information by guiding the States Parties in their reporting obligation and by promoting a better use of this information.

11. The third Review Conference of 2014 will be the natural time limit of the objectives as it gives us the opportunity to evaluate the commitments in the field of reporting contained in the Cartagena Action Plan and to propose new actions for the next Action Plan based on the feedback of this concept paper.

Reporting rate

12. The reporting rate in 2011 was the lowest since 2001 and the figures for 2012 aren’t more optimistic. Although the submission of the initial report and the subsequent annual updates are a legal obligation, an analysis of the submitted reports could help to more focus the efforts to increase the rate and to stop its decline.

13. During discussions within the informal Contact Group, to concentrate the efforts to ensure that those States Parties that still have implementation obligations submit their annual report. This without jeopardizing the overall efforts for a full implementation of the Article 7 obligations. However, one could ask the question how to decrease the burden of those States Parties that have reported a full implementation in their initial report, without ignoring the legal obligations of Article 7.

14. Furthermore, after more than 10 years of the entry into force of the Convention, the submission of all initial reports should be a clear objective.

15. Objectives

- (a) By the 2014 Third Review Conference, submission of all outstanding initial reports.
- (b) By the 2014 Third Review Conference, increase the annual reporting rate for all States Parties with implementation obligations with the ultimate objective to reach the 100%
- (c) By the 13 MSP, propose a procedure to facilitate the compliance to Article 7.2 for States Parties without implementing obligations.

16. Actions

- (a) The coordinator, in close cooperation with all interested stakeholders, will take specific actions to obtain the full implementation of the submissions of initial reports from those States Parties that are still in the obligation to do so. Assistance for this submission will be proposed and provided.
- (b) The efforts made in the past for increasing the reporting rate will be maintained and fine-tuned where necessary: reminder letters will be sent to all States Parties, bilateral contacts with States Parties encountering difficulties will be organized and assistance will be provided. A special focus will be put on States Parties that still have obligations within the Convention.
- (c) The coordinator will engage the discussion on how to decrease the threshold and the burden for those States Parties that have fully implemented all obligations of the Convention, without distracting them from their legal reporting obligation. Annex A gives a possible solution to this. It is a draft of a Note Verbale that those States Parties in a position to do so, could submit yearly without using a (simplified) reporting format. Belgium wishes to discuss this point of action during the 2013 meetings of the Standing Committees and, if there is a consensus, to propose it to the 13 MSP.

Enhancing the precision and the quality of the submitted information

17. Having a high reporting rate without precise and accurate information is of less use. States Parties should be encouraged to give the clearest picture of the progress of the implementation of the Convention's obligations. They should be aware that the information contained in the initial and annual reports are essential for the full implementation of the Convention and that it can also support resource mobilization efforts.

18. We observed that States parties take often full advantage of the informal means for sharing information and for updating the progress of implementation. We'll continue to encourage this, but at the same time it is important to show the importance of having this detailed information also in a formal way, i.e. to the extent possible in the yearly reporting.

19. Therefore, the actions to enhance the quality of the submitted reports should be focused on raising awareness amongst the States Parties on the importance of reporting and on creating practical tools to help them in accomplishing his task in an efficient way. Finally, States Parties should be shown that their submitted information is analyzed and used for the implementation process.

20. We propose this process will be based on **three pillars**:

- (a) Raising awareness on the practical use of the information submitted with practical presentations during the meetings of the Standing Committees in the respective thematic sessions.
- (b) Provide the States Parties with guidance for the substance of the submitted reports by actualizing the Reporting Guide and, for some more technical or extensive issues

(e.g Article 5 implementation, voluntary reporting on Victim Assistance,...), a specific separate guide.

(c) If appropriate, actualizing the proposed reporting form by making it reflecting the actual status of the Convention and, so, helping the States Parties to structure their information on issues that, by the years, have taken a more prominent place within the Convention.

21. These three pillars are interconnected influencing the benefit from one to another. The reporting format can only deliver accurate information when doubled by efficient guidance under the form of a detailed reporting guide. And States Parties will be encouraged to submit detailed reports if they are aware of the usefulness of the delivered information.

22. Objectives

(a) For the 2013 meetings of the Standing Committees, consult with the other Co-Chairs on the organization of a reporting presentation in their respective session and have at least one presentation delivered during these meetings.

(b) For the 13 MSP, having updated the Vertic reporting guide, published in 2001, and at the latest for the Third Review Conference having a separate reporting guide on Article 5 and Victim Assistance.

(c) At the 13 MSP, proposing an updated reporting format for recommendation for use.

23. Actions

(a) Belgium will engage consultations with the other Co-Chairs to explore the possibility or having a reporting presentation in their respective thematic sessions and on how these presentations can be the most efficient. Having observed a big difference in the quality of the information on Article 5 implementation between the annual reports, the updates given during the meetings of the Standing Committees and the detailed information provided in the Article 5 extension requests, we would suggest having a first presentation in 2013 on this issue.

(b) The actually used Vertic Reporting Guide has been of great use for many States Parties. However, with the experience of more than a decade, we have a clearer view on the information needed and should, therefore, help States Parties to give the most useful information. Updating the reporting guide will certainly contribute to this objective.

(c) Some thematic issues need a more detailed guidance and integrating them in the overall reporting guide would clearly overcharge it at the risk of making it ineffective. Specific guides on reporting on Article 5 implementation and on voluntary reporting on victim assistance could be very useful as a first step.

(d) As already stated, the implementation progress of the Convention has evolved and some thematic issues have taken a more prominent place than in the past. The creation of Standing Committees on Victim Assistance and International Cooperation and Assistance are one example. It is our conviction that giving this Standing Committees the same place in the reporting format will be benefit for their work. Therefore, we suggest that creating a separate form for these thematic issues could encourage States Parties to provide useful information on these issues (on a voluntary basis). Belgium is well aware that a reporting form is what is: a table to help States Parties to structure their information. A reporting form will always have shortcomings and is rather useless without appropriate guidance. The reporting guide will therefore be adapted in this sense. Some States Parties already give detailed data making use of the form J, but creating a separate form should

give these thematic issues a better visibility in the reporting form. Annexes B and C give an example of how these forms could look like.

Next steps

24. Belgium wishes to discuss on the proposed road map with all interested States Parties and organizations during this 12 MSP. We believe, together with all States Parties, that Article 7 reporting is of crucial importance for the full implementation of the Convention. Making this legal obligation a tool and an opportunity for all can only increase the precision and quality of the provided information and thus contribute to reach the convention's objective.

25. We wish to conduct this process in a transparent manner, consulting all interested stakeholders and reporting on the progress at the meetings of the standing Committees and the MSP. It is in no way our intention to change the legal obligations as mentioned in Article 7 but to enhance the efficiency of the exchange of information and reporting.

Annex I

Suggested language for a note verbale to bring a State Party up to date with its reporting requirements in instances when it has no updates information to provide

The Ministry of foreign Affairs of [insert State's name] presents its compliments to the Geneva Branch of the United Nations Office for Disarmament Affairs, and with reference to [insert State's name]'s obligation under Article 7, paragraph 2 of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on the Destruction to provide updated transparency information annually, the Ministry of foreign Affairs of [insert State's name] wishes to advise that it has no updated information to provide relative to what was contained in [insert State's name]'s most recent previous report.

The Ministry of foreign Affairs of [insert State's name] avails itself of this opportunity to renew to the Geneva Branch of the United Nations office for Disarmament Affairs the assurance of its highest considerations.

To whom should this be directed?

Peter Kolarov
United Nations office for Disarmament Affairs, Geneva Branch
aplc@unog.ch
Palais des Nations, 1211 Geneva 10, Switzerland

Please send a copy to:

isu@apminebanconvention.org

Annex II

Form ? Victim assistance (on a voluntary basis)

State [Party]: _____ reporting for time period from _____ to _____

1. National focal point/coordination mechanism for victim assistance (specify name and contact information of government body responsible)

2. Data collection and assessment of the needs of anti-personnel victims (please indicate gender and age of survivors as well as information on affected families and communities)

[narrative]

3. Development and implementation of national laws and policies in the field of victim Assistance

[narrative]

4. National plan and budget, including timeframes to carry out these activities

[narrative]

Note: If necessary, plans/budgets may be provided separately.

5. Efforts to closely consult with and actively involve anti-personnel mine victims and their representative organisations in victim assistance planning and implementation

[narrative]

6. Assistance services (including medical care, physical rehabilitation, psychological support, and social and economic inclusion)

<i>Type of service (medical care, physical rehabilitation, psychological support, social and economic inclusion)</i>	<i>Implementing agency</i>	<i>Description of service (progress, types of services, number of persons assisted, time period)</i>

7. Steps taken to mobilize national and international resources

[narrative]

8. Needs for international assistance and cooperation

<i>Activity</i>	<i>Description</i>	<i>Time period</i>	<i>Need</i>

9. Efforts undertaken to raise awareness of the rights of anti-personnel victims and persons with other disabilities

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Form ?

National resources and international cooperation and assistance (on a voluntary basis)

State [Party]: _____ reporting for time period from _____ to _____

1. National resources allocated

<i>Activity</i>	<i>Sector (stockpile destruction, clearance, risk education, victim assistance, advocacy)</i>	<i>Amount of national resources (list currency)</i>	<i>Type of resources (e.g. financial, material, in kind)</i>

2. International cooperation and assistance provided

<i>Destination</i>	<i>Sector (stockpile destruction, clearance, risk education, victim assistance, advocacy)</i>	<i>Amount (list currency)</i>	<i>Type of cooperation or assistance (financial, material or in kind)</i>	<i>Details (including date allocated, intermediary destinations such as trust funds, project details, timeframes)</i>

3. International cooperation and assistance needed

(a) For the implementation of article 4: Stockpile destruction

<i>Activity</i>	<i>Description</i>	<i>Time period</i>	<i>Need</i>

(b) For the implementation of article 5: Clearance and risk education

<i>Activity</i>	<i>Description</i>	<i>Time period</i>	<i>Need</i>

(c) For Victim assistance

<i>Activity</i>	<i>Description</i>	<i>Time period</i>	<i>Need</i>