

**CONVENTION ON CLUSTER MUNITIONS  
FIFTH MEETING OF STATES PARTIES  
SAN JOSÉ, COSTA RICA, 2-5 SEPTEMBER 2014**

**Summary of the sessions on Cooperation and Assistance,  
Transparency, Compliance and National Implementation Measures**



**COOPERATION AND ASSISTANCE**

Both **Afghanistan** and **Lebanon** explained how they share their expertise on mine action with a large number of other affected states. **Australia** encouraged states to use Article 7 reports to offer and request assistance, and to also make use of the online Cooperation Portal. It announced a review of the Mine Action Strategy for the Australian Aid Program later in 2014, and called on affected states to prioritize mine action in their national development plans in order to receive support. **Austria** noted that a broad spectrum of helpful lessons could be shared via South-South and triangular cooperation, and made itself available to support such efforts. **Chile** as Co-Coordinator of the Working Group encouraged increased communication between donors and affected states, and so did **Spain**.

**Ecuador** emphasized South-South cooperation and offered to share its expertise in the delivery of victim assistance in the broader context of medical care for persons with disabilities. **France** explained that it especially supported training for states developing a national capacity, including via the CPADD in Benin. **Germany** reported a contribution of over €15 million in 2013 in support to mine action and stockpile destruction. **Italy** said it donates an average of €2 million annually to mine action in heavily affected countries. **Japan** reported a contribution of US\$52 million for clearance, victim assistance and risk education in 2013. **Lebanon** noted that with the First Review Conference approaching fast, further international support was needed to help States Parties fulfil their obligations. The **Netherlands** noted that it now only offers multi-year funding. **Norway** said that financial and intellectual resources should be used where the impact will be the biggest.

**Peru** recommended to make South-South and triangular cooperation a focus of the First Review Conference. **Sweden** reported a contribution of about €10 million to mine action in 2013 and invited states to use the online Cooperation Portal. **Switzerland** shared the view that recipients and donors should cultivate a meaningful, substantive and honest dialogue. It noted that long-term partnerships and South-South cooperation were helpful. Both **Ecuador** and **Switzerland** shared the view that an online “platform for partnerships” similar to the Mine Ban Treaty’s would be helpful. The **United Kingdom** listed its criteria for offering support and pledged £30 million for mine action on a three-year period starting in July 2014. **Zambia** called for increased support to affected states.

The **European Union** explained that states must make mine action a priority in their National Indicative Programmes if they wish to receive EU support. The **UN Inter-Agency Coordination Group on Mine Action** referred to the monitoring and evaluation components of its multi-year strategy.

Camilo Serna delivered the **CMC** statement and noted that any state that has valuable experience, technical advice or material resources can make a key contribution to the fulfillment of convention

obligations. He also reiterated that international cooperation should not be limited to a simple transfer of funds, materials or expertise -- affected States and donors should seek to work together, as partners in a task that involves both parties.

## **TRANSPARENCY**

**Belgium** as Coordinator on Transparency Measures said that “the whole philosophy of our Convention is one of transparency” and listed tools and organizations that can provide support with reporting. **Slovenia** stressed the importance of good and timely reporting under Article 7, noting that it was beneficial for the vitality of the convention. It called for an improvement of both the quality and quantity of reports. **Switzerland** called on states to improve the quality and quantity of reporting, as this could have a positive impact on the assistance that Switzerland is able to provide. The **United Kingdom** listed the low rate of transparency reporting as a top concern, on a par with the slow pace of universalization. The **CMC** provided information on the support it offers on the topic of transparency reports, and shared its hope for enhanced results in terms of timely and effective reporting.

## **COMPLIANCE**

On behalf of the **CMC**, Mary Wareham called on all States Parties to do all they can to adhere to every aspects of the Convention on Cluster Munitions, including adopting national implementation legislation, submitting transparency reports, discouraging use, and promoting universalization. She noted the impressive record of compliance with the core elements of the convention by States Parties, and urged all of them to continue to condemn each and every instance of use of the weapon.

## **NATIONAL IMPLEMENTATION MEASURES**

**Afghanistan** expressed hope to finalize its national implementation law within three months. **Austria** said that no loopholes should be allowed in national legal frameworks implementing the convention. **Burkina Faso** announced that it would make every effort to reinforce its legal and technical tools to implement the convention. **Ecuador** listed its national implementation measures, which include penal sanctions for prohibited acts. **Italy** explained that its national legislation includes provisions on cooperation and assistance through a Fund for Humanitarian Demining. **Mali** said it was in the process of taking measures in accordance with Article 9 to implement the convention. The **Netherlands** called on states to adopt disinvestment measures. **New Zealand** as Coordinator on National Implementation Measures spoke about tools available to assist states and simplify the process of drawing up national legislation. **Portugal** offered its help to states developing national implementation measures. **South Africa** explained that it would use its Mine Ban Treaty legislation as a model for its legislation on cluster munitions.

The **International Committee of the Red Cross** urged states to adopt national legislation and military doctrine to make sure the convention’s terms are upheld. It expressed concern about the exceptions

allowed in some national laws that could undermine the object and purpose of the convention, and recommended that states wishing to mention military operations with states not party in their legislation do so in a narrow manner that avoids any contravention to the convention. The **UN Inter-Agency Coordination Group on Mine Action** said national legislation must be adopted as a matter of priority and shall not be subject to reservations. Amelie Chayer spoke on behalf of the **CMC** to remind states of the key components of a national legislation. She urged Canada to amend its draft law that currently authorizes various forms of assistance with prohibited acts during military operations carried out with states not party.