

## **Summary report of reunion of the International Conference on the Convention on Cluster Munitions from Santiago Monday 7 June 2010**

The Santiago International Conference on the Convention on Cluster Munitions opened on Monday, 7 June 2010 to the sound of Chilean drummers welcoming participants from 98 governments, including 13 non-signatory states and over 120 civil society members. During the day, 12 states, many from Africa, provided updates on their ratification and an encouraging number spoke on universalization, with a high degree of enthusiasm and engagement from the floor.

The Deputy Minister of Defence of **Chile** opened the conference, with a statement emphasizing the importance of the Convention on Cluster Munitions in the context of Latin American regional disarmament initiatives. He underlined the importance Chile places on compliance with the Convention on Cluster Munitions and affirmed Chile's commitment to the implementation of the Convention, saying that as a past producer and exporter of cluster munitions, today Chile has only a small stockpile of cluster munitions, which is on its way to being destroyed. Chile's ratification of the CCM, which was approved in Congress in May, should be deposited in the near future, he said.

Mr. Bounkeut Sangsornak, the Deputy Minister of Foreign Affairs of **Lao PDR**, reminded the Conference of the tragic history his country and the difficulties Lao people face in trying to lead their daily lives with the fear of being killed by UXO. He emphasized the Lao commitment to the Convention in hosting the first MSP and reminded participants of its importance to set the standard for States Parties to carry out their obligations under the Convention. The Santiago Conference is a crucial step to provide input into the process up to the first MSP and ensure a successful conference in Vientiane, he said.

**Norway's** Secretary of State, Ms. Mina Gerhardsen, provided background on the history of the Oslo Process and its humanitarian aims. She emphasized that there were two aspects of the Oslo Process critical to its success – ensuring that the humanitarian impact was the frame of reference and the contributions of civil society, through the CMC, without which we would not have reached our ambitious goals. Making use of these experiences of the CCM and MBT could contribute to success in other international fora, Norway added. Norway then referred to the number of civilians killed by armed violence each year and the Oslo Commitments on Armed Violence, which contain concrete commitments towards reducing armed violence.

**UNDP** Resident Representative and UN Resident Coordinator in Chile, Mr. Enrique Ganuza, set the stage for the Conference focusing on the need for universalization, reporting and the spirit of cooperation and assistance. He pledged the support of the United Nations in working jointly to achieve the aims of the Convention through its implementation and reiterated the UN Secretary General's call on all states to sign and ratify without delay.

Thomas Nash and Soraj Ghulam Habib, Ban Advocate from Afghanistan, represented the **CMC** on the opening panel. Thomas expressed the enthusiasm and excitement of the civil society at the opportunities ahead to shape the future of the Convention, sharing the plans of the CMC to mobilize around the entry into force of the Convention on 1 August and build momentum towards the First Meeting of States Parties in November.

Soraj told the story of his injury from cluster munitions and introduced the Ban Advocates group, seven members of which are present at the Conference. Soraj delivered their joint appeal for the implementation of the Convention's Article 5 obligations on victim assistance and international cooperation and assistance to ensure that affected States can meet their obligations.

Bruno Leclercq of Handicap International Belgium and Lynn Bradach of the Ban Advocates then introduced a preview of the film, "The Ban Advocates: From Victims to Champions," produced by Chris Anderson, which gave an uplifting and inspiring look at the Ban Advocates team and their growth into powerful advocates during the Oslo Process.

The session on universalization reflected engagement from States and their willingness to intensify efforts to reach out to non-signatories and provide assistance for signatories to ratify. As Friend of the President on Universalization, **Japan** chaired the session, giving an update on its own universalization efforts in sending letters, in collaboration with the CMC, from its missions.

Gustavo Laurie, spoke on behalf of **UNMAS**, on the commitment of the UN offices and entities to assist in universalization. The UN will hold an event on the CCM this October in New York and will include the CCM in its 2010 Treaty Event, he said. Lou Maresca, on behalf of the **ICRC**, referred to the ratification kit and model legislation prepared by the ICRC and announced the ICRC's plans to hold national round tables on the Convention, the first to take place in July in Thailand.

Laura Cheeseman, on behalf of **CMC**, reminded participants that the strength of the CCM lies in its numbers, and that adherence by any new country, large or small, stockpiler or not, strengthens the CCM's global norm. She encouraged all to capitalize on the two upcoming milestones, the entry into force of the Convention on 1 August and the 1<sup>st</sup> MSP, to urge as many States as possible to join now. The experience of the MBT has shown that the best chances to promote universalization are in the Convention's early years. Branislav Kapetanovic also intervened on behalf of the CMC, refuting arguments about the military utility of cluster munitions and emphasizing the particular importance that military to military dialogue can have in helping countries overcome challenges.

During the session, **Lao PDR** proposed that in conjunction with letter writing actions being undertaken by Japan, the President of the 1MSP could appoint a special envoy to visit non-signatory countries that have expressed objections to signing the Convention. **New Zealand, Australia** and **Botswana** supported this initiative.

A positive sign during the session on universalization were the repeated calls for coordinated efforts in universalization work, with interventions from a number of countries, including **France, New Zealand, Norway, Moldova, Mexico, Croatia, Australia**, and the **UK**.

The **UK** announced that its new government is committed to “a full international ban on cluster munitions” and will continue its work on universalization, which began with efforts in the margin of the Commonwealth Heads of Government Meeting (CHOGM) last year. As a follow up to the CHOGM, the UK has written to all non-signatories and promoted the Convention at the African Union Summit. The UK stated it would work with civil society and expressed its interest to hear other countries’ plans to explore possible partnerships for progress on universalization.

**Mexico** stated it would keep including the CCM in bilateral and regional meetings as it has done up until now, and announced its plans to hold a celebration in honor of the entry into force of the Convention on the 2<sup>nd</sup> of August in the Mexican Foreign Ministry, with representatives of academia and civil society invited to participate.

**Croatia** added that it had organized a second workshop on the CCM, with RACVIAC, the Regional Center for Arms Control Verification to promote the Convention in the Balkan region.

**New Zealand** provided an update on its efforts to reach out to Pacific nations, noting it was pleased to see Samoa join the Convention and hoped to see others do so in the near future. **Australia** also stated it has been conducting Asia Pacific outreach.

**Moldova** said that challenges in the interpretation of some provisions of the Convention, such as interoperability, transit, and retention, might be presenting difficulties for some non-signatories and promoting understanding of the CCM’s provisions on these issues might assist those that have not signed or ratified. Moldova stated that it overcame these dilemmas and ratified and called on others to do the same.

**Palestine** also intervened, voicing its concerns about Israel’s aggressive use of cluster munitions and violations of international law.

The following States gave updates on their ratification:

**Guinea Bissau** stated that its ratification process is complicated but after consultation with the Council of Ministers, its Government has approved the Convention and it fully expected to deposit its instrument of ratification before 1<sup>st</sup> August this year.

The Secretary of the Foreign Affairs Committee of the Congress of **Guatemala** stated that he was pleased to announce that on the 13<sup>th</sup> of May, the Committee issued its final resolution for the approval of Convention and sent it for consideration and approval by all members of Congress. Guatemala emphasized that it expected to ratify before the 1<sup>st</sup> MSP.

**Mali** announced that its ratification was on its way to being deposited, after the President signed the decree for its enactment on 20<sup>th</sup> of May. **Togo** recalled the pledge of its Minister of Foreign Affairs upon signing the Convention for its swift ratification and said that its government will consider ratification very soon, sending the matter for consideration by the National Assembly.

**Bosnia and Herzegovina** said that its ratification process was almost completed as its Parliament has already taken a decision on the Convention and it was confident that BiH would ratify before the 1MSP in Vientiane.

**Guinea** stated that it has signed but has not been able to ratify because of its “exceptional situation” at present. However, on the 27<sup>th</sup> of June 2010, Guinea will vote in a Presidential election and pledged that as soon as it reestablished its National Assembly it will continue with its ratification, which it promised will take place in the shortest time possible.

**Botswana** confirmed that its ratification process is underway and at its ‘tail end.’

**Guinea Bissau** stated that the Parliament and President have approved its ratification and published in its official journal. The ratification instrument will be sent shortly for deposit.

**Benin** said that its ratification process was well advanced and should be completed in coming weeks. While it is not an affected country, Benin reminded the Conference that its regional demining center was open to all African countries for training in demining.

**Chad** referred to its cluster munitions contamination and stated that there were 50 new victims of ERW, including cluster munitions, this year. Its ratification process was in progress and still needed legislative agreement, adding that it would follow up on the progress.

**Seychelles** intervened to proudly announce its signature and ratification of the Convention in May 2010 and pledged to contribute to universalization efforts.

The **DRC** said that it had organized a meeting with the **Republic of Congo**, with the assistance of civil society, to examine ways that both countries can ratify. The DRC stated that its ratification of the Mine Ban Treaty had made good progress through its Parliament and its file on the ratification of the CCM was prepared, ready to be sent to the Council of Ministers next week.

During the day, the **Philippines** also reiterated its commitment to the convention and stated that it hoped to complete ratification by November.

The afternoon sessions focused on the roadmap to the 1MSP, on both administrative and logistic preparations.

**Lao PDR** provided an update on its preparations for hosting the 1MSP from 9 to 12 November in Vientiane. The government outlined how they have established a national committee to oversee preparations, summarized work that has been carried out through the Lao Support Group, and presented an overview of plans for 1MSP logistics.

**UNDP** elaborated on its role in preparing for the 1MSP, including how the National Regulatory Authority for the UXO Sector in Lao PDR and its new International Treaties Support Unit will be involved. UNDP also spoke on resource mobilization, for the 1MSP and beyond, emphasizing the importance of the multi-donor international trust fund.

Alex Hiniker, **CMC's** Lao PDR Project Manager, outlined CMC's main objectives for the 1MSP: getting wide participation from states and civil society, achieving a strong set of outcomes, and raising general awareness on cluster munitions. Alex provided an update on CMC's engagement in ensuring that the necessary groundwork is laid for a successful first meeting of states parties.

Bounmy Vijak, Ban Advocate, shared his experiences as a cluster munition survivor from Lao PDR, reminding all participants that the CCM has the power to bring real change to the lives of those affected by cluster munitions, and that survivors expect states to make clear and strong commitments.

**Ireland**, as a Friend of the President, gave an overview of a number of procedural functions it has carried out since the adoption of the CCM, and how it will continue to work on these tasks leading up to the 1MSP. Of particular importance is the 6 September Preparatory Committee meeting for the 1MSP, where participants will examine a draft agenda, rules of procedure, and a programme of work. Ireland noted that this will be the first meeting where official States Parties will come together, following the CCM's entry into force on 1 August.

**Australia** announced that it has provided 650,000 USD to the multi-donor trust fund for Lao PDR, to help establish the international treaty support unit within the Lao National

Regulatory Authority. **Ireland** announced a 500,000 USD funding contribution and **France** said it was contributing 50,000 Euro.

**Lao PDR** also spoke about the main outcome documents that will result from the 1MSP. Lao PDR provided some background on the Vientiane Political Declaration and emphasized that it welcomes the input of all states in the formulation of the Declaration.

On behalf of **CMC**, Steve Goose spoke on how the 1MSP is key to establishing the CCM's long-term success, not only by laying the groundwork for implementation, but also through further establishing the culture of community and commitment that has been a hallmark of the CCM and the Oslo Process.

Mr. Saleumxay of the Lao delegation gave a comprehensive response to **France**, which was the only country to raise questions about the process towards the 1MSP, on the role of the Santiago Conference and the development of the background documents by the President and Friends of the President. Mr. Saleumxay noted that the process had been undertaken through the Lao Support Group which is open to all interested states and that all consultations had been open-ended, transparent and inclusive and would continue to be so.

**Norway**, as a Friend of the President, described the ongoing development of the Vientiane Action Plan. A first draft should be ready in time for states to consider it during the September 6<sup>th</sup> preparatory meeting for the 1MSP.

The floor was opened for discussion and **Chile, Burkina Faso, France, and Niger** made statements on the lead-up to the 1MSP.

Sister Denise Coghlan delivered a statement on behalf of **CMC** emphasizing the importance of a strong, realistic action plan. She pointed out that the effectiveness of treaty will be gauged by how well it improves the lives of those affected. Sister Denise quoted cluster munition survivor Youern Sam En in his letter to World Cup players, calling on fans of the CMC and World Cup alike to remember the survivors of cluster munitions and to kick off a strong action plan to ensure a "fair game for cluster bomb survivors, cleared fields for sports and farms, and a ban on the use and stockpiling of cluster bombs by all countries."

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