

## **Review of the Intersessional Work Programme**

**Presented by the President of the Second Review Conference on behalf of the  
Coordinating Committee**

**24 November 2010**

### **Background:**

1. At the Second Review Conference, the States Parties called upon the Coordinating Committee to review the operation of the Intersessional Work Programme, with the Chair of the Coordinating Committee consulting widely on this matter and presenting a report and, if necessary, recommendations to the Tenth Meeting of the States Parties.

### **Report:**

2. The Coordinating Committee recalled that the last time that the Intersessional Work Programme had been reviewed was in 2002 and that the ensuing recalibration resulted in the work of the Convention being focused with greater precision on the pursuit of the Convention's core aims. Moreover, since 2002, States Parties in the process of fulfilling key obligations have been given centre-stage to share their problems, plans, progress and priorities for assistance. The result has been greater clarity on and more precise knowledge of the status of the implementation of the Convention and the identification of weaknesses, gaps and opportunities.
3. The Coordinating Committee noted that with a clear focus on the pursuit of objectives that flow from the provisions of the Convention itself, successive Co-Chairs have truly ensured continuity in their efforts. Since 2002, meetings of the Standing Committees have not been stand-alone episodes but rather have served as milestones in a process ultimately leading to the realisation of the Convention's promise. Moreover, Co-Chairs have seen that their responsibilities to facilitate progress in implementation are not limited to simply chairing a single meeting but rather span the entire year of their respective terms and set the ground for a continuation of efforts by their Co-Rapporteurs.
4. The Coordinating Committee concluded that the Intersessional Work Programme has functioned well since its recalibration in 2002 but equally remarked that the implementation process has evolved in recent years:
  - a. In advance of, during and since the Second Review Conference, several delegations emphasised the ongoing importance of cooperation and assistance in ensuring that the promise of the Convention is realised.
  - b. While the States Parties have gained a lot since 2002 by seeing that meetings primarily focus on national contexts, there is a potential to deepen this focus.
  - c. The Article 5 extensions process, agreed to in 2007, has significantly added to the workload for the Presidency, Co-Chairs and Co-Rapporteurs. Moreover, there has been an increase in demands for States to fill a proliferation of tasks related to conventional weapons instruments.

- d. While there are some serious concerns regarding the destruction of stockpiled anti-personnel mines, this remains a matter of national implementation for only four States Parties.
- e. There has been increased awareness of the potential for synergy in the work of various conventional weapons instruments.

**Considerations and recommendations:**

5. The Coordinating Committee noted the ongoing importance of the principles, first agreed to in 1999, which have contributed to an effective work programme, in particular: coherence, flexibility, partnership, informality, continuity and effective preparation. The Coordinating Committee also remarked that two other principles should be recognised as being central to the ongoing success of the Intersessional Work Programme, namely transparency and inclusion.

**Recommendation #1: The States Parties should reaffirm the ongoing importance of the principles that have been central to the success of the Intersessional Work Programme to date, namely: coherence, flexibility, partnership, informality, continuity, effective preparation, transparency and inclusion.**

6. The Coordinating Committee recognised the clear expression of the States Parties and others that steps be taken to intensify consideration of international cooperation and assistance in the context of the Convention, noting the support expressed by many for the establishment of a new Standing Committee on cooperation and assistance. The Coordinating Committee also expressed satisfaction with the manner in which the 25 June 2010 Special Session on International Cooperation and Assistance had provided for a meaningful, forward looking discussion on this matter and helped chart an agenda on cooperation and assistance to be dealt with over the near term.
7. Given the successful manner in which cooperation and assistance was dealt with during the 2010 Intersessional Work Programme, the Coordinating Committee noted the value of intensifying a focus on cooperation and assistance. The Coordinating Committee in particular considered favourably a proposal made by Zambia to establish a new Standing Committee. It was noted that the purpose of such a Standing Committee would be to serve as a forum to exchange information and views, and share ideas, on (a) ensuring adequate and predictable levels of human, technical and financial support for the implementation of the Convention on the part of both States Parties implementing the Convention and from other States Parties and other sources, and, (b) the efficient and effective use of resources. It was further noted that such a Standing Committee, like other mechanisms established by the States Parties, would be supported by the ISU.

**Recommendation #2: The States Parties should establish a new “Standing Committee on Cooperation and Assistance”.**

8. The Coordinating Committee also noted that it has become increasingly challenging for States Parties to fulfil responsibilities related to being a Co-Chair / Co-Rapporteur (given the increased volume and complexity of work) and increasingly difficult to identify a geographically representative group to take on all roles (given an increase in demands for States to take on tasks related to conventional weapons). In this regard, the Coordinating Committee considered that moving to a leadership team of two States Parties for each Standing Committee, rather than four, would be an effective means to rationalise the numbers of States in leadership positions. A

structure could be devised that maintained the coherence and continuity of the leadership team. The Coordinating Committee noted that discussions should continue in 2011 on considering options regarding the effective functioning of the mechanisms established by States Parties. The Coordinating Committee, noted, however, that this consideration need not delay the establishment of a new Standing Committee on cooperation and assistance and that a creative way could be found to lead such a Standing Committee in 2011.

**Recommendation #3: A new Standing Committee on Cooperation and Assistance should be presided over in 2011 by the President of the Tenth Meeting of the States Parties with the leadership of this Standing Committee being regularised as of the Eleventh Meeting of the States Parties.**

**Recommendation #4: The States Parties should examine the possibility of rationalising the numbers of States Parties in leadership positions on Standing Committees, and, in this regard, request that the President, on behalf of the Coordinating Committee, submit to the June 2011 meeting of the Standing Committee on the General Status and Operation of the Convention, ideas regarding how many Co-Chairs / Co-Rapporteurs may be required to ensure the effective functioning of the mechanisms established by the States Parties, with a view to a decision to be taken on this matter at the Eleventh Meeting of the States Parties.**

9. The Coordinating Committee discussed a proposal made by the ICRC to significantly change how the Standing Committee on Victim Assistance and Socio-Economic Reintegration carries out its work, reducing the amount of time for plenary work with a view to moving toward smaller group discussions that more intensively focus on national contexts.
10. There was widespread appreciation for investigating ways and means to intensify a national focus, although it was noted that this likely is best done within affected countries themselves. It was also noted that it is important that the States Parties do not deviate from principles that have made the Intersessional Work Programme special and productive to date. It was highlighted in particular that the Intersessional Work Programme must remain an inclusive process with all interested actors permitted to have the opportunity to take part in discussions on the pursuit of the Convention's core aims and that the Intersessional Work Programme must remain a uniquely cooperative and collegial process with any adjustments to the work programme not diminishing this cooperative spirit.
11. Reservations notwithstanding, appreciation was expressed for the ICRC having taken the initiative to propose creative new ways for work to be carried out in the context of the Convention. In addition, it was noted that proposals to more intensively focus on national contexts were not limited in their applicability to victim assistance but rather had relevance for mine clearance, stockpile destruction and possibly other areas of implementation (e.g., Article 9). The Coordinating Committee expressed the view that space could be provided for experimentation with new ideas, perhaps focusing on States Parties that have indicated that they may volunteer for such experiments, albeit with such experiments being undertaken in a prudent manner as to not detract from the cooperative, inclusive nature of the Intersessional Work Programme.

**Recommendation #5: The Coordinating Committee in 2011 should organise the week of meetings of the Standing Committees in such a way that time is allocated for Co-Chairs, individual States Parties and others to experiment with new ways of using the Intersessional Work Programme to more intensively focus on national contexts or to otherwise creatively support progress in the application of the Cartagena Action Plan.**

**Recommendation #6: On the basis of experimentation carried out during various Intersessional Work Programmes, the States Parties should keep an open mind to how to restructure the week of meetings of the Standing Committees to ensure its ongoing effectiveness.**

12. The Coordinating Committee noted that the work of the Standing Committee on Stockpile Destruction concerned the implementation of Article 4 by only four States Parties and that the Standing Committee meeting in 2010 consumed less than two hours. Equally, though, the Coordinating Committee recognised that the small number of country cases was not indicative of the great complexity associated with remaining stockpile destruction challenges and that the amount of meeting time consumed by any particular Standing Committee was not indicative of its relative importance.
13. The Coordinating Committee also noted that the challenges associated with the destruction of stockpiled anti-personnel mines will persist for several years and that there is value in having two States Parties (i.e., the Co-Chairs) with responsibility for the subject of stockpile destruction and hence possessing the authority to pursue cooperative ways and means to overcome these challenges. In this regard, the Coordinating Committee recalled the value of the efforts of successive Co-Chairs of this Standing Committee to engage in convene workshops and engage in bilateral consultations. It was also noted that five of the States not parties most likely to accede to the Convention in coming years possess or may possess stockpiled anti-personnel mines.

**Recommendation #7: The States Parties should acknowledge the ongoing importance of a Standing Committee on Stockpile Destruction as long as profound challenges remain in the implementation of Article 4.**

14. The Coordinating Committee recalled that the same subject matter (e.g., clearance of explosive hazards, assistance to the victims of conventional weapons) is dealt with by various international instruments with often the same States being parties to two or more relevant instruments. The Coordinating noted, however, that to date little has been done to take advantage of the potential for synergy in the work of related instruments.

**Recommendation #8: The States Parties, and in particular States Parties that are party to more than one related instrument, should pursue coherence in the scheduling of meetings of relevant instruments, particularly those meetings that deal with the clearance of explosive hazards and assistance to the victims of conventional weapons.**

**Recommendation #9: The States Parties should regularly evaluate the potential for synergy in the work of various related instruments, while acknowledging the distinct legal obligations of each.**