

Review Conference of States Parties to the Convention on Cluster Munitions

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**Consideration of requests submitted under Article 3 and
Article 4 of the Convention**

Analysis of Lebanon's request of deadline extension under Article 4 of the Convention on Cluster Munitions

Submitted by the Analysis Group of Article 4 Extension Requests –
Afghanistan, Montenegro, the Netherlands and Sweden

I. Background

1. The Lebanese Republic signed the Convention on Cluster Munitions (CCM) on 3 December 2008, ratified on 5 November 2010, and the Convention entered into force for it on 1 May 2011. In Lebanon's initial transparency report submitted on 27 October 2011, it reported to have a total of 54.97 km² of cluster munition contaminated area in three regions of the country. Lebanon clarified in the extension request document that there was continuous increase in the baseline from 2012 to 2018 due to newly discovered contaminated areas and, more significantly, the overlap of recorded areas. At the start of 2018 the baseline was stated as 63.27 km² but at the end of 2018 was recalculated and set at 54.78 km² as was reported in Lebanon's revised extension request submitted on 25 February 2020. Lebanon also reported that the cluster munition remnants clearance which begun in October 1990 was still ongoing. Under Article 4 of the Convention, Lebanon is obliged to clear and destroy, or ensure the clearance and destruction of cluster munition remnants (CMR) located in cluster munition contaminated areas under its jurisdiction or control by 1 May 2021. At the Eighth Meeting of States Parties (8MSP) to the CCM, Lebanon informed other States Parties that it was facing a variety of obstacles in meeting its clearance obligations. At the Ninth Meeting of States Parties (9MSP), Lebanon reiterated that it would be unable to fulfil its obligations under Article 4 by the deadline and informed of its intention to submit an extension request.

II. Consideration of the request

2. Lebanon submitted its first draft extension request to the CCM Implementation Support Unit (ISU) on 23 August 2019 for the ISU to make an initial assessment to ensure the request did not lack any critical components. Lebanon provided a revised draft on 11 October 2019.

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3. On 4 November 2019 the Director of the Lebanon Mine Action Center (LMAC) paid a courtesy call on the ISU to further discuss the draft extension request and to ascertain that it contained all the necessary information required under Article 4 of the CCM. Based on this exchange of views, Lebanon submitted a third draft of the request on 6 November 2019.
4. On 27 November 2019, the Analysis Group held an informal meeting with representatives of Lebanon in the margins of the 4th Review Conference of the Mine Ban Convention held in Oslo, Norway with an aim to further improve on the draft extension request.
5. On 12 December 2019, Lebanon submitted an official request for a 5-year extension of its Article 4 deadline up to 1 May 2026 to the President of the Second Review Conference (2RC). On behalf of the 2RC President, the ISU informed States Parties to the Convention on the same day that Lebanon had submitted its extension request and made it available on the CCM website.
6. The Analysis Group invited representatives of the Cluster Munition Coalition (CMC), International Committee of the Red Cross (ICRC) and the Geneva International Centre for Humanitarian Demining (GICHD) to a meeting on 14 January 2020 to join them in considering the request. In order to ensure a uniform approach to all requests, the Analysis Group used the *Methodology for requests of deadline extensions under Articles 3 and 4 of the Convention on Cluster Munitions* (CCM/MSP/2019/12) that was adopted at the 9MSP to analyse Lebanon's extension request.
7. Following that meeting, on 22 January 2020, the Analysis Group requested additional information from Lebanon to facilitate the analysis of its request. On 6 February 2020, Lebanon provided a detailed response to the questions posed by the Analysis Group.
8. On 11 February 2020, the Analysis Group held an informal meeting in Geneva with delegates from LMAC to further exchange views on the extension request. Thereafter, Lebanon submitted a revised extension request on 25 February 2020 that took into account the comments and observations made by the Analysis Group. The updated extension request was made available on the CCM website on the same day.
9. Lebanon's extension request indicates that its contamination with cluster munitions occurred over multiple phases, the first being during the Israeli occupation from 1978 to 2000. The second phase resulted from Israeli attacks between July and August 2006, where the majority of the contamination originates. The last phase came as a spillover from the Syrian crises between 2014 and 2017. The request asserts that the first impact survey was conducted in 2003 and another survey was conducted at the end of 2006 which resulted in the identification of 1,227 locations. Between 2013 and 2014, a non-technical survey (NTS) project was executed to update the information on contamination sites. Since 2017 LMAC has been increasingly relying on NTS teams that have been working continuously to report changes in status of each site, enable more effective prioritization of clearance work, and make sure that fencing and marking is in place.
10. The request informs that at the end of 2018 Lebanon had a baseline of 54.78 km² of which 21.48% or 11.78 km² remains to be cleared. The first 5 months of 2019 resulted in the cancellation of 1.87 km² leaving the remaining cluster munition contamination area as 9.91 km². The extension request further specifies that a conservative estimate of the area to be released by the end of 2020 is 1.46 km². The request further states that LMAC is planning for an even more conservative projected clearance area of 8.7 km² starting May 2021, the beginning of the extension period. With a current average yearly clearance rate of 1.527 km², the additional funds allocated by the Government of Lebanon (GoL) for the first 3 years of the extension period are expected to increase the annual clearance rate by 0.4 km² for those 3 years. Assuming that the external funding LMAC receives is maintained, Lebanon projects that all known cluster munition contaminated lands will be safely released by the end of 2025.
11. The request indicates that Lebanon anticipates receiving USD 6.61 million in external funding annually during the extension period, which is the average amount it received between 2016 and 2018. In addition, the GoL has pledged to continue funding LMAC and

provide additional funding of USD 3 million a year for the first 3 years of the extension period. LMAC plans to continue with the Lebanon Mine Action Forum, which is based on the country coalition concept, and was established in January 2018 with the support of Norway. This is in order to maintain close communication and cooperation with its donors with the goal of securing the external financing needed to execute its workplan.

12. The request highlights in particular a challenge Lebanon faces in the clearance of what they term ‘difficult terrain’ which the Analysis Group understands in the Lebanese context to mean *‘deep and very steep canyons and cliffs where survey and clearance are almost impossible to conduct using current methods and assets’*. LMAC reaffirms that where contamination exists it will be identified and removed in line with Article 4 of the Convention and are currently exploring viable solutions to overcome the issue. Two scenarios related to this challenge are outlined: one where confirmed hazard areas (CHAs) have been cleared but the standard fade-out lies within a difficult terrain and the other where CHAs are located within a difficult terrain. LMAC informs that it will make every effort to deal with these two scenarios, which may require different clearance approaches to achieve CCM compliance.

III. Conclusions

13. The Analysis Group notes with appreciation the strong commitment of the Government of Lebanon (GoL) in fully funding the operations of LMAC and for allocating public funds toward clearance of cluster munition contaminated areas. However, the Group also notes that the allocation of funds by GoL may still be subject to change. The Analysis Group notes with satisfaction the establishment of a country coalition in the form of the Lebanon Mine Action Forum by LMAC with the support of Norway which enhances its implementation of Article 4 of the CCM.

14. The Analysis Group notes with appreciation that the information provided in the request and in the subsequent response to the feedback of the Analysis Group is comprehensive, transparent and informative. The Group further notes that the workplan presented by Lebanon is workable and can be monitored. The Group also notes that the success of the plan is contingent upon the ability of LMAC to secure funding and overcome the problem of difficult terrain in a timely manner, along with other factors such as adverse weather conditions.

15. The Analysis Group notes that the Convention would benefit from Lebanon reporting annually through its Article 7 reports and at Meetings of States Parties or Review Conferences the following:

- (a) Progress made relative to the projections Lebanon made in its extension request;
- (b) Updated information on remaining contamination;
- (c) Updated detailed plan for the subsequent year, if possible, also for the following years;
- (d) Resource mobilization efforts including external financing received, and resources made available by the Government of Lebanon to support implementation efforts;
- (e) Information on Lebanon’s efforts on overcoming the challenge of difficult terrain before the end of the extension period;
- (f) Other relevant information.

16. The Analysis Group notes the importance, in addition to Lebanon reporting to the States Parties as noted above, of keeping the States Parties regularly apprised of other pertinent developments as necessary.

IV. Draft Decision on the Article 4 Extension Request submitted by Lebanon

17. The Meeting assessed the request submitted by Lebanon for an extension of its deadline for completing the clearance and destruction of cluster munition remnants in accordance with Article 4.1 of the Convention, and agrees to grant the request for an extension until 1 May 2026.

18. In granting the request, the Meeting noted that Lebanon highlighted factors which could limit the amount of land cleared on an annual basis such as diversion of funding and the problem of difficult terrain and adverse weather conditions. The Meeting acknowledged that while Lebanon had taken these challenges into consideration in its plan, not all contingencies can be predicted.

19. In granting the request, the Meeting commends Lebanon's commitment to performing non-technical survey (NTS) and technical survey (TS) as required, and recommends Lebanon to regularly report to States Parties on the outcomes and to provide an updated workplan, schedule and budget that takes into account the prevailing circumstances.

20. In this regard, the Meeting noted that the Convention would benefit from Lebanon reporting annually through Article 7 reports and at Meetings of States Parties or Review Conferences on the following:

- (a) Progress made relative to the projections Lebanon made in its extension request;
- (b) Updated information on remaining contamination;
- (c) Updated detailed plan for the subsequent year, if possible, also for the following years;
- (d) Resource mobilization efforts including external financing received, and resources made available by the Government of Lebanon to support implementation efforts;
- (e) Information on Lebanon's efforts on addressing the challenge of difficult terrain before the end of the extension period;
- (f) Other relevant information.

21. In addition to reporting as requested above, the Meeting noted the importance of Lebanon keeping the States Parties regularly apprised of other pertinent developments regarding the implementation of Article 4 during the period covered by the request and other commitments made in the request at Meetings of States Parties or Review Conferences as well as through its Article 7 reports due before 30 April every year.
