

**Ideas on the programme and documents for the Sixth Meeting of the States Parties:
Discussion Paper**

**Austria and Croatia
10 June 2005**

Background – pre-Nairobi Meetings of the States Parties:

The programme of each of the past four Meetings of the States Parties (i.e., 2MSP, 3MSP, 4MSP and 5MSP) has been organized in such a manner that time has been consumed by three main elements:

- A general exchange of views, consuming up to 40% of the time of each meeting.
- An examination of the operation and status of the Convention, which has featured the Co-Chairs of the relevant Standing Committee introducing items discussed during meetings of the Standing Committee in the preceding year.
- Informal discussions on stockpile destruction, mine clearance and related activities and victim assistance, facilitated by the respective Co-Chairs.

The main outcome documents of these Meetings of the States Parties have been the following:

- A Final Report, adopted by the States Parties, which has served as an administrative record of the Meeting and contained the formal decisions taken by the States Parties.
- A Declaration, adopted by the States Parties.
- A President’s Action Programme, welcomed but not adopted by the States Parties, which has been an informal guidance document covering the period between Meetings of the States Parties.
- Final Reports of the Standing Committees, welcomed but not adopted by the States Parties, which have recorded the work undertaken by the Standing Committees at their two meetings.

Opportunities post-Nairobi:

The context of Meetings of the States Parties in the period following the First Review Conference is different in two major ways:

- The States Parties have adopted – not merely welcomed – *the Nairobi Action Plan*. This document serves as a comprehensive and flexible guide for pursuing the aims of the Convention for a five year period leading to a Second Review Conference in 2009. Hence, there is no longer any need for a guidance document like a President’s Action Programme.
- Standing Committees will only meet once during the intersessional period. Co-Chairs, with the support of their Co-Rapporteurs, logically would produce their informal reports of these meetings immediately afterwards. Hence there is no need to repeat this information in “Final Reports of the Standing Committees.”

Co-Chairs have accepted that their role is to advance progress in the application of the Nairobi Action Plan, with the meetings that they chair serving as one – albeit the most important – catalyst for progress. Hence, there is a need for the Meeting of the States Parties to reflect upon implementation efforts by States Parties, progress made, actions taken by Co-Chairs and others, and the most immediate challenges identified in the period between formal meetings – including the period following the meetings of the Standing Committees.

Suggestions for a new approach to the 6MSP programme and documentation:

Given the realities that exist post-Nairobi, it is suggested that the States Parties consider that both the programme and documentation of the Sixth Meeting of the States Parties (6MSP) be related to the pursuit of the aims of the Nairobi Action Plan. This could manifest itself in the documentation for the meeting as follows:

- In addition to a Final Report and Declaration, the States Parties could review for possible adoption at the 6MSP a Zagreb Progress Report on the Pursuit of the Aims of the Nairobi Action Plan.
- This Zagreb Progress Report should be organized in the same manner as the Nairobi Action Plan. It could reflect progress made between 4 December 2004 and 2 December 2005 in the context of the topics and individual actions contained in the Nairobi Action Plan. If necessary, it could comment on the need for enhanced efforts concerning various topics or actions, which could provide the 2005-2006 President and Co-Chairs with a clear sense of direction, and, provide all States Parties with an indication of areas that may deserve greater attention in the coming year. Eventually, the Zagreb Progress Report could be welcomed by the Meeting of State Parties and annexed to its report.
- The Zagreb Progress Report should be a collaborative effort. The process of preparing a draft report could be led in concert by the Convention's current President and the 6MSP President-Designate, drawing upon the Co-Chairs and Contact Group Coordinators to provide inputs in areas that concern them. In the Convention's usual spirit of transparency, inclusiveness and partnership, efforts would be made to seek the input of all interested States Parties and organizations.
- A Declaration developed by the President-Designate for consideration for adoption by the States Parties should reaffirm the Nairobi Declaration and Nairobi Action Plan and should be congruent with their high standards and with any priorities identified in a Zagreb Progress Report. This declaration should be concise – if possible, no more than one page.

The programme of the Meeting of the States Parties (draft attached) equally could reflect the importance of follow-up on the Nairobi Action Plan:

- Every effort should be made to significantly reduce the amount of time allocated to a General Exchange of Views. This could be done by encouraging States Parties and observers not to deliver general statements but rather provide updates on national implementation in the context of thematic discussions. In addition, if they wished, delegations could distribute written statements rather than deliver oral statements. As well, the cooperation of States Parties, States not parties and non-state participants would be sought to limit any oral statements to five minutes.
- A total of seven sessions could be allocated to an examination of the operation and status of the Convention:
 - Unlike in the past, however, this examination would cover the totality of matters that relate to the pursuit of the aims of the Nairobi Action Plan.
 - These sessions could be organized in such a way that different actors who would have assisted in preparing the Zagreb Progress Report could chair or lead discussions on topics that are relevant to their respective roles.
 - The basis for discussion could be the draft Zagreb Progress Report. However, the discussion could become even more focused if States Parties and organizations were encouraged to provide updates on what they have done (e.g., nationally, regionally, internationally) over the past year and what they will in the coming year to apply the Nairobi Action Plan and hence implement the Convention.
 - Relatively more time could be dedicated to matters such as the topic of clearing mined areas (particularly given that in the Nairobi Action Plan the States Parties noted that “meeting (Article 5) deadlines will be the most significant challenge to be addressed in the coming five years and will require intensive efforts by mine-affected States Parties and those in a position to assist them”) and victim assistance, as well as other priority areas of work undertaken in 2004-2005.

A programme of this sort would not only focus the work of the 6MSP on the agreed task at hand – the pursuit of the aims of the Nairobi Action Plan – but it would also be consistent with the Article 11 mandate for a Meeting of the States Parties. That is, this agenda item, which would appropriately consume most of the time during the 6MSP, would address “the operation and status of this Convention” – Article 11.1(a), “international cooperation and assistance in accordance with Article 6 – Article 11.1(c), and “the development of technologies to clear anti-personnel mines – Article 11.1(d).

In keeping with past practice, the agenda for the 6MSP could still feature items concerning “matters arising from the reports submitted under the provisions of this Convention” – Article 11.1(a), “submissions of States Parties under Article 8” – Article 11.1(e), and “decisions relating to submissions of States Parties as provided for in Article 5” – Article 11.1(f). Given the spirit of cooperation that exists within the Convention regarding transparency and compliance, it is not expected that much, if any, time would be consumed by the first two of these matters. Moreover, given that it is still four years prior to the first deadlines for mine clearance, it is not expected that time would need to be consumed with matters related to submissions as provided for in Article 5.

Next steps:

If there is general confidence with this proposed approach, the Convention’s current and incoming Presidents would proceed with all interested actors in producing an initial draft by 16 September. This could then be discussed at an informal meeting on 23 September. The draft, of course, would remain open to additional information on progress and challenges being inserted prior to or during the 6MSP.

Sixth Meeting
Zagreb, 28 November – 2 December 2005
Item X of the draft provisional agenda

DRAFT PROGRAMME OF WORK

Sunday 27 November

XX:XX – XX:XX hours – Opening ceremony

Monday 28 November

10:00 – 13.00 hours

1. Official opening of the meeting.
2. Election of the President.
3. Address by or on behalf of the Secretary-General of the United Nations, the President of the ICRC and Nobel Peace Prize laureate Jody Williams.
4. Adoption of the agenda
5. Adoption of the rules of procedure.
6. Adoption of the budget.
7. Election of the Vice-Presidents of the Meeting and of other officers.
8. Confirmation of the Secretary-General of the Meeting.
9. Organization of work.
10. General exchange of views.¹

15.00 – 18.00 hours

10. General exchange of views.

Tuesday, 29 November

10.00 – 13.00 hours

11. Review of the general status and operation of the Convention
 - (a) Universalizing the Convention
 - (b) Destroying stockpiled anti-personnel mines

15.00 – 18.00 hours

11. Review of the general status and operation of the Convention

¹ States Parties and observers may wish to refrain from making general statements but rather provide updates on implementation on thematic matters indicated in agenda item 11. In addition, if they wish, delegations can distribute written statements rather than deliver oral statements.

- (b) Destroying stockpiled anti-personnel mines
- (c) Clearing mined areas

Wednesday, 30 November

10.00 – 13.00 hours

11. Review of the general status and operation of the Convention (continued).

- (c) Clearing mined areas

15.00 – 18.00 hours

11. Review of the general status and operation of the Convention (continued).

- (c) Clearing mined areas
- (d) Assisting the victims

Thursday, 1 December

10.00 – 13.00 hours

11. Review of the general status and operation of the Convention (continued).

- (d) Assisting the victims

15.00 – 18.00 hours

11. Review of the general status and operation of the Convention (continued).

- (d) Assisting the victims
- (e) Other matters essential for achieving the Convention's aims
 - i. Cooperation and assistance

Friday, 2 December

10.00 – 13.00 hours

11. Review of the general status and operation of the Convention (continued).

- (e) Other matters essential for achieving the Convention's aims
 - ii. Transparency and the exchange of information
 - iii. Preventing and suppressing prohibited activities and facilitating compliance.
 - iv. Implementation Support

12. Consideration of matters arising from / in the context of reports submitted under Article 7.

13. Consideration of requests submitted under Article 5.

14. Consideration of requests submitted under Article 8.

15.00 – 18.00 hours

15. Date, duration and location of the next Meeting of the States Parties

16. Any other business.
17. Consideration and adoption of the final document.
18. Closure of the Sixth Meeting of the States Parties.