

# Review Conference of States Parties to the Convention on Cluster Munitions

19 August 2020

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## Second Preparatory Meeting for the Second Review Conference

Geneva, 4 September 2020

Item 5 b) of the provisional agenda

### Exchange of views on the preparation of documents for the Second Review Conference

#### Lausanne Action Plan

## Informal draft - Lausanne Action Plan

### I. Introduction

1. The Convention on Cluster Munitions was born out of a collective determination to address the humanitarian consequences and unacceptable harm to civilians caused by cluster munitions. States Parties welcome the steady headway that has been made towards this objective since the Convention entered into force on 1 August 2010 and underline their resolve to move forward towards ending the era of cluster munitions.

2. States Parties reaffirm their determination to advance towards the full universalisation of the Convention and the promotion of its norms, as well as towards its full implementation. They will intensify efforts to complete time-bound obligations as soon as possible and ensure sustainable, integrated support for cluster munitions victims. They underline the importance of taking efforts forward in a spirit of cooperation and building on the existing partnerships between States Parties, international organisations and civil society.

3. States Parties underline that progress in implementing the Convention is essential not only to address the humanitarian consequences of these weapons, but also to contribute to forward movement in a number of other areas. This includes development, notably advancing the achievement of the Sustainable Development Goals, international peace and security, human security, humanitarian action and human rights.

4. Building on the Dubrovnik Action Plan (DAP), the Lausanne Action Plan aims to achieve significant and sustainable progress towards the universalization and implementation of the Convention for the period 2021-25. It lays out actions that States Parties will take to that end. The actions set forth in the Action Plan are not of a normative nature, but are meant to assist and provide guidance to States Parties in the implementation of the Convention. Each action is also accompanied by one or more indicators, to enable progress in their implementation to be monitored.

### II. Guiding principles and actions


5. The States Parties have identified a set of cross-cutting best practices that are key to the successful implementation of the Convention. Informing the different sections of the action plan, these best practices will both reinforce its overall coherence and its overall impact. In this context, the States Parties will take the following crosscutting actions, which will be mainstreamed throughout the action plan, as appropriate.

**Action #1:** Demonstrate high levels of national ownership in implementing the Convention's obligations, including by integrating implementation activities into national development

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plans, poverty reduction strategies, humanitarian response plans and national strategies for the inclusion of persons with disabilities, as appropriate, and by making financial and other commitments to implementation.

- The number of States Parties that report having included Convention implementation activities in humanitarian response plans, peace promotion plans, development plans and/or poverty reduction strategies and other pertinent documents;
- The number of States Parties that report having made national financial and/or other material commitments to the implementation of their outstanding obligations under the Convention.

**Action #2:** Develop realistic, evidence-based, costed and time-bound national strategies and work plans to fulfil and efficiently complete the implementation of Convention obligations as soon as possible.

- The number of affected States Parties that report having adopted a comprehensive national strategy to fulfil implementation of obligations under the Convention;
- The number of affected States Parties that report having developed annual work plans to implement their national strategy.

**Action #3:** Provide targeted assistance, where feasible, to other States Parties in developing, updating or implementing their national strategies and work plans to fulfil obligations under the Convention, if possible by entering into multi-year partnerships and providing multi-year funding.

- The number of States Parties that report providing financial or other support to affected States Parties, including as part of partnerships;
- The number of States Parties that report providing multi-year funding to affected States Parties.

**Action #4:** Ensure that the different needs, vulnerabilities and perspectives of women, girls, boys and men from all age groups are considered and inform the implementation of the Convention in order to deliver an inclusive approach, as well as strive to remove barriers to full, equal and meaningful gender-balanced participation in implementation activities at national level and in Convention meetings.

- The number of States Parties whose national work plans and strategies integrate gender and diversity considerations;
- The number of men and women in States Parties' delegations attending Convention meetings and the number and number of men and women heading delegations.

**Action #5:** Take into consideration the needs of cluster munitions victims, survivors and affected communities and ensure their full and equal participation in relevant Convention related matters, including their meaningful and active participation in Convention meetings.

- The number of affected States Parties that report having developed their national strategies and work plans in an inclusive manner, in particular by involving victims, survivors and affected communities;
- The number of States Parties including victims in their delegations taking part in the Convention meetings.

**Action #6:** Keep national standards related to the implementation of the Convention up to date, bearing in mind the International Mine Action Standards (IMAS), adapt them to new challenges and employ best practices to ensure efficient and effective implementation.

- The number of affected States Parties that report having adapted or updated their national standards to address new challenges and ensure the employment of best practices, bearing in mind the International Mine Action Standards.

**Action #7:** Establish and maintain a national information management system for the clearance of cluster munitions containing accurate and up-to-date data, whose design and

implementation will ensure that they are nationally owned, sustainable and take into account the need for data that is disaggregated and can be accessed, managed, and analysed post-completion.

- The number of affected States Parties that report having a sustainable national information management system in place.

**Action #8:** Make use of synergies and integrate responses in implementing the Convention with other instruments of international humanitarian and human rights laws and with peacebuilding and development activities, as relevant.

- The number of States Parties that report having included their activities relating to the implementation of the Convention with other instruments of international humanitarian and human rights laws and with peacebuilding and development activities, as relevant.

**Action #9:** Pay their assessed contributions in line with Article 14 of the Convention as early as possible after the issuance of invoices and swiftly settle any arrears, as well as provide for the effective resourcing of the Implementation Support Unit (ISU) in accordance with decisions taken regarding its financing, bearing in mind the importance for the Convention to rely on an effective machinery.

- The number of States Parties that pay their assessed contributions in time, in any event no later than three months before the Meeting of States Parties or Review Conference;
- The number of States Parties that contribute to the ISU budget.

### III. Universalisation of the Convention and its norms

6. The realisation of a world free of cluster munitions is contingent upon universal adherence to the Convention. While some progress has been achieved in this area since the First Review Conference, the targets set in the Dubrovnik Action Plan (DAP) have not been met and increased efforts are required to advance towards this essential objective. For its part, the use of cluster munitions in recent and ongoing armed conflicts and their severe humanitarian impact constitute a grave concern. It underlines the urgent need for further efforts to promote the norms established by the Convention.

7. With these considerations in mind, States Parties will take the following actions:

**Action #10:** As a matter of priority, actively and in a concerted and sustained manner, including at high level, promote adherence to the Convention by States not party to it, in accordance with the specific decision to accelerate universalisation taken by the Review Conference.

- An increase in the number of States Parties to the Convention;
- The number of States not party taking part in the Meeting of States Parties;
- The number of States not party submitting a voluntary Article 7 report.

**Action #11:** Continue and intensify efforts to promote the observance of the Convention's norms a) by discouraging, in every way possible the use, development, production, stockpiling and transfer of cluster munitions and by calling upon those who continue to do so to cease now, b) in conformity with Article 21, by raising concerns about any alleged use and condemning any instances of documented use by any actor, effectively calling on all States not party to accede to the Convention, c) and by working, as appropriate, with other stakeholders with a view to further stigmatise cluster munitions and promote their non-use by any actors.

- The number of alleged cases of cluster munitions' uses;
- The number of confirmed cases of cluster munitions' use;
- The number of States not party voting in favour of the resolution on the implementation of the Convention in the UN General Assembly;

- The number of States not party that report having adopted moratoria on activities prohibited by the Convention or that report having destroyed their stockpiles of cluster munitions.

## IV. Stockpile destruction

8. Significant progress has been made in the destruction of stockpiled cluster munitions since the entry into force of the Convention. However, some States Parties now have had to request an extension to their initial deadline. States Parties are resolved to ensure the expeditious and timely destruction of all stockpiled cluster munitions with minimal environmental impacts and to limit to the absolute minimum necessary the number of cluster munitions retained under Article 3.6.

9. In order to further advance the full implementation of Article 3, States Parties will take the following actions:

**Action #12:** Develop a realistic destruction plan, which specifies an estimated end date within the original deadline set by the Convention, where applicable. Details on time-bound milestones, the annual and monthly destruction rate by type and the total number of sub-munitions to be disposed of should be included. The plan should ensure that destruction methods are in compliance with international standards for the protection of public health and the environment. The destruction plan should also specify the resources required for its implementation, and the planned allocation of national resources. They will report annually on progress made and on any update to the plan through annual Article 7 reports and at Meetings of States Parties or Review Conferences.

- The number of States Parties with outstanding Article 3 obligations that have developed a destruction plan.
- The number of States Parties with outstanding Article 3 obligations reporting on progress made and challenges encountered through annual Article 7 reports and at Meetings of States Parties or the Review Conference.

**Action #13:** Upon completion of their obligations under Article 3, make an official declaration of compliance, at the latest by the next Meeting of States Parties or Review Conference, whichever comes first, using the Article 3 – Declaration of Compliance (CCM/MSP/2018/9, Annex I) where possible.

- The number of States Parties having completed their Article 3 obligations that make an official declaration of compliance.

**Action #14:** On discovering previously unknown stockpiles after making a declaration of compliance, report such findings immediately to the Presidency of the Convention, and at the next Meeting of States Parties or Review Conference and through the Article 7 report, and destroy the stockpiles as soon as possible with minimal environmental impact.

- The number of States Parties that have discovered previously unknown stockpiles having immediately reported such findings through established channels.

**Action #15:** When, despite best efforts to complete obligations under Article 3 within the original deadline, has to submit an extension request, ensure that such request is substantiated, ambitious and realistic, contain detailed, costed annual work plans for the extension period and take into account the Guidelines for the Convention on Cluster Munitions (CCM) Article 3 Extension Requests submitted at 8MSP and the Methodology for requests of deadline extensions under Articles 3 and 4 of the Convention on Cluster Munitions submitted at 9MSP.

- The number of extension requests that include detailed, costed multi-year work plans for the extension period.

**Action #16:** Exchange lessons learned from their national destruction processes in order to further build capacity in States Parties with outstanding Article 3 obligations.

- The number of States Parties that provide information on their experience of the destruction process through established channels.

**Action #17:** Where cluster munitions and/or explosive sub-munitions are retained or acquired under Article 3.6, annually review the number of cluster munitions and/or explosive sub-munitions to ensure that they do not exceed the number absolutely necessary for said purpose, destroy all cluster munitions and/or explosive sub-munitions that exceed that number.

- The number of States Parties retaining or acquiring cluster munitions and/or explosive sub-munitions under Article 3.6;
- The number of retained cluster munitions and/or explosive sub-munitions by each State Party;
- The number of retained cluster munitions and/or explosive sub-munitions destroyed by each State Party.

## V. Survey and clearance

10. Significant progress has been made in addressing cluster munition contaminated areas, especially with regard to improving efficiency through surveys. Despite successes, sustained efforts are required to ensure that clearance obligations are completed as soon as possible and, to the greatest extent possible, within the original deadline in order to permanently remove the threats that cluster munition remnants pose to human lives, livelihoods and local environments. States Parties express concern over the number of Article 4 extension requests that have been submitted, noting that some of these could have been avoided. All States Parties should apply evidence-based land release methodology bearing in mind the IMAS and explore innovative approaches and new ways of working to improve programme performance. In all cases, surveys and clearance should be appropriately planned and prioritised to take into account the environmental impact and the diverse needs and priorities of affected populations, and to prevent human suffering caused by cluster munition remnants.

11. With these considerations in mind, States Parties with obligations under Article 4 will take the following actions:

**Action #18:** Identify the precise location, scope and extent of cluster munition remnants in areas under their jurisdiction or control, and establish evidence-based, accurate baselines of contamination to the extent possible, no later than the Eleventh Meeting of States Parties in 2022 (or within two years of entry into force for new States Parties). They will mark and, where possible, fence off all hazardous areas, no later than the Eleventh Meeting of States Parties in 2022 to ensure the safety of civilians (or within two years of entry into force for new States Parties).

- The number of affected States Parties that have completed an evidence-based and inclusive baseline survey no later than the Eleventh Meeting of the States Parties in 2022 (and by each year thereafter if not all affected States Parties have done so by the Eleventh Meeting of States Parties);
- The number of affected States Parties that mark their hazardous area(s) by the Eleventh Meeting of States Parties.

**Action #19:** Develop evidence-based and costed multi-year national strategies and annual work plans that, to the extent possible, include projections of the amount of cluster munition contaminated areas to be addressed annually to achieve completion as soon as possible and to the greatest extent feasible no later than their Article 4 deadline where applicable, to be presented at the Tenth Meeting of States Parties in 2021.

- The number of affected states that have developed evidence-based national strategies and work plans and report progress in annual transparency reports.

**Action #20:** Ensure that any Article 4 extension requests are substantiated, ambitious and realistic, contain detailed, costed annual work plans for the extension period and take into

account the “Guidelines for the Convention on Cluster Munitions (CCM) Article 4 Extension Requests” submitted at 8MSP and the “Methodology for requests of deadline extensions under Articles 3 and 4 of the Convention on Cluster Munitions” submitted at 9MSP.

- The number of extension requests that include detailed, costed multi-year work plans for the extension period.

**Action #21:** Take appropriate steps to improve the effectiveness and efficiency of surveys and clearance, bearing in mind the IMAS-compliant land release processes, and by promoting the research and development of innovative survey and clearance methodologies which take into account environmental impacts and concerns.

- The number of affected States Parties that report promoting research, application and sharing of innovative methodologies;
- The number of affected states that report progress, bearing in mind the IMAS, through annual transparency reports.

**Action #22:** Ensure that national strategies and work plans provide for a sustainable national capacity to address residual risks posed by cluster munition remnants that are discovered following fulfilment of Article 4.

- The number of affected States Parties whose national strategies and work plans providing for the establishment of a sustainable national capacity to address residual contamination.

**Action #23:** Ensure that activities related to survey and clearance are prioritised based on clear humanitarian and development criteria, which take account of environmental concerns, and that national programmes consider gender and diversity in all appropriate activities related to survey and clearance of cluster munition remnants within affected communities.

- The number of affected States Parties that report on the inclusion of gender and diversity considerations in survey and clearance planning and prioritisation.

**Action #24:** Maintain functioning information management systems that record comparable data and provide information annually on the size and location of remaining cluster munition contaminated areas, disaggregated by ‘suspected hazardous areas’ and ‘confirmed hazardous areas’, and on survey and clearance efforts in accordance with the land release method employed (i.e. cancelled through non-technical survey, reduced through technical survey, and cleared through clearance).

- The number of affected States Parties providing information on the extent and nature of all remaining cluster munition contaminated areas and on progress in survey and clearance efforts in annual transparency reports.

**Action #25:** Upon completion of their Article 4 clearance obligations, submit a voluntary declaration of compliance, confirming that every effort has been made to identify and clear all cluster munition contaminated areas under their jurisdiction or control, using the Declaration of compliance with Article 4.1 (a) of the Convention on Cluster Munitions, where possible.

- The number of affected States Parties that have completed their Article 4 obligations and that submit voluntary declarations of compliance.

**Action #26:** Exchange experiences and lessons learned in order to facilitate an improved understanding of the technical aspects of addressing cluster munitions remnants, encourage discussions on challenges to completing clearance between affected States Parties, those that have recently completed clearance and international donors in an effort to promote survey and clearance best practices.

- The number of States Parties that report sharing experiences and lessons learned.

## VI. Risk education

12. States Parties recognise that risk education in the context of the Convention encompasses interventions aimed at protecting civilians at risk from cluster munitions and cluster munitions remnants. States Parties reiterate that the delivery of effective and relevant risk education interventions, which respond to the different vulnerabilities, roles and needs of women, girls, boys and men from all age groups and focus on achieving behavioural change, remains one of the primary means of preventing new accidents, thereby mitigating the risks that cluster munitions pose to lives and livelihoods in affected communities. States Parties underline the importance of reporting on risk education, particularly as increasing pressure on land and resources due to population growth, economic factors and climate change are likely to increase exposure to contamination. They also reaffirm efforts to maintain and increase focus on this important obligation of the Convention, including through enhanced attention to the interlinkages between risk education and other pillars of the Convention, as well as broader humanitarian, development, human rights, environment, protection and education programmes and the role of civil society in fulfilling these aims.

13. With these considerations in mind, States Parties will take the following actions:

**Action #27:** Where feasible and appropriate, develop national strategies and work plans drawing on best practices and standards, which integrate cluster munitions risk education into ongoing survey, clearance and victim assistance activities, and promote the integration of risk education into wider humanitarian, development, human rights, environment, protection and education efforts.

- The number of affected States Parties that report having developed national strategies and work plans that integrate risk education into ongoing survey, clearance and victim assistance activities and into humanitarian, development, human rights, environment and education areas.

**Action #28:** Take all necessary actions to ensure civilians living in or around cluster munition contaminated areas under their jurisdiction or control are made aware of the risks caused by cluster munitions and that their vulnerability thereto is reduced by implementing context-specific, tailor-made risk education activities and interventions which prioritise populations most at risk and are sensitive to gender, age, disability and other diversity factors of people in affected communities.

- The number of affected States Parties that report on tailor-made risk education activities in annual transparency reports.

**Action #29:** Collect and analyse gender and age disaggregated contamination and casualty data in order to identify and target risk education interventions towards the most at-risk groups, and provide detailed reporting on risk education, disaggregated by gender, age and disability, in annual transparency reports, collect and analyse gender and age disaggregated data to understand the impact of risk education.

- The number of affected States Parties that provide detailed, disaggregated (by gender, age and disability) reporting on risk education focused on most at risk groups in annual transparency reports.
- The number of affected States Parties that report on measures to understand and demonstrate the impact of risk education, including in terms of behavioural change, in annual transparency reports.

**Action #30:** Develop national capacities to adapt risk education initiatives to changing circumstances, including taking account of risks posed by residual contamination once Article 4 obligations have been completed, as well as potential risks caused by changing environmental conditions.

- The number of affected States Parties that have national strategies and work plans for establishing sustainable national capacity to address residual contamination which also include a risk education component.

## VII. Victim assistance

14. The victim assistance provisions of the Convention are central to its humanitarian impact. States Parties acknowledge that victim assistance is a long-term obligation. They are committed to the full, equal and effective participation of cluster munition victims and survivors in society, based on human rights and humanitarian law, including non-discrimination and inclusion, as well as the principles of sustainability, national ownership, accessibility, accountability and transparency. States Parties recognise that for victim assistance to be sustainable in the long term, it should be integrated into national policies and legal frameworks relating to the rights of persons with disabilities as well as into health, education, social, employment, poverty reduction and development plans supporting the achievement of the Sustainable Development Goals. They also recognise that improved coordination amongst relevant and wide-ranging stakeholders is key to ensuring appropriate, inclusive and effective assistance. States Parties recognize that assistance to cluster munition victims and survivors must be provided without discriminating against those who have suffered injuries or impairments from other causes.

15. States Parties with cluster munition victims and survivors in areas under their jurisdiction or control and where applicable donor States Parties will:

**Action #31:** Ensure the collection and analysis of data disaggregated by gender, age and disability, to assess the needs and priorities of cluster munition victims and survivors and insert this data into a centralised database, taking into account national data protection measures. This information will be made available to relevant stakeholders to ensure a comprehensive response to addressing the needs of cluster munition victims and survivors.

- The number of States Parties that report having collected, and analysed data disaggregated by gender, age and disability.

**Action #32:** Ensure that national policies and legal frameworks related to disability, health, education, employment, development and human rights are developed in a participatory manner, address the needs and rights of cluster munition victims and survivors and are in line with the Convention on the Rights of Persons with Disabilities, bearing in mind the IMAS.

- The number of States Parties that report addressing the needs of cluster munition victims in national policies and legal frameworks.

**Action #33:** Develop a measurable national action plan addressing the needs and human rights of cluster munition victims and survivors. Designate a national focal point, with adequate resources, to develop, implement and monitor the action plan, and ensure that victim assistance is integrated into broader policies, plans and frameworks related to disability, health, education, employment, development and human rights.

- The number of States Parties that have a measurable national action plan in place;
- The number of States Parties that have designated a national focal point responsible for coordinating victim assistance.

**Action #34:** Provide effective and efficient first aid and long-term medical care to cluster munition victims and survivors, as well as access to adequate rehabilitation and appropriate psychological and psychosocial support services as part of a public health approach, possibly through a national referral mechanism facilitating access to services for cluster munitions victims and survivors in a non-discriminatory, gender-sensitive and age-sensitive manner.

- The number of States Parties that report providing emergency and continuing medical care to cluster munition victims.
- The number of States Parties that report having in place well-functioning rehabilitation, psychological and psychosocial services.

**Action #35:** Ensure that measures are in place to facilitate the social, education and economic inclusion of cluster munition victims and survivors.

- The number of States Parties that report on efforts made to improve the socio-economic inclusion of cluster munition victims.



**Action #36:** Strengthen the inclusion and meaningful participation of cluster munition victims and survivors in the development of laws, policies and programmes relevant to them as well as encourage their participation in work under the Convention, taking into account gender, age, disability and other diversity factors.

- The number of national laws and policies addressing victim assistance that have been developed with the inclusion of cluster munition victims.
- The number of States Parties that include cluster munition victims and survivors in their delegations.

**Action #37:** Support the training, development and official recognition of multidisciplinary, skilled and qualified rehabilitation professionals.

- The number of States Parties that report having supported the training of victim assistance professionals.
- The number of States Parties that report having victims cared for by qualified personnel.

## VIII. International cooperation and assistance

16. While reaffirming that each State Party is responsible for implementing its obligations under the Convention, States Parties recognise that enhanced international cooperation and assistance can play an important role in the timely and full implementation of all aspects of the Convention. States Parties acknowledge the importance of dialogue between affected States Parties, donors and operators, and the value of the concept of country coalitions in enhancing these exchanges. They underline the importance of national ownership and capacity building to ensure the effectiveness and sustainability of cooperation and assistance and recognise that international cooperation and assistance should be responsive to gender, age, disability, and other diversity considerations as well as environmental protection. They stress the need to strengthen their partnerships at all levels and with the United Nations system, international, regional or national organisations or institutions, the International Committee of the Red Cross, National Red Cross and Red Crescent Societies and their International Federation, as well as with NGOs.

17. With a view to enhancing international cooperation and assistance in order to guarantee the timely and full implementation of the Convention, States Parties will take the following actions:

**Action #38:** Do their utmost to commit the resources needed to meet their obligations under the Convention in a timely manner and explore all possible alternative and/or innovative sources of funding.

- The number of States Parties that report having committed resources to meet the Convention obligations
- The number of States Parties that report having explored alternatives and/or innovative sources of financing.

**Action #39:** Share their experiences and best practices, establish partnerships at all levels and explore opportunities for cooperation, including international, regional, North-South, South-South, bilateral and trilateral cooperation in order to develop capacity building and national expertise. Cooperation may include making mutually supporting clearance commitments in border areas, exchanging best practices on environmental impact assessments, sharing experiences of incorporating environmental protection considerations, as well as integrating gender considerations and taking the diversity, priorities and experiences of all people in affected communities into account in programming and, in line with Article 6, exchanging equipment, material, and scientific and technological information in order to promote the implementation of the Convention.

- The number of States Parties that report sharing best practices and lessons learnt through international, regional, North-South, South-South and/or bilateral and trilateral cooperation;

- The number of States Parties that report providing or receiving financial, material, technological and/or scientific cooperation.

**Action #40:** When in a position to do so, provide assistance to other States Parties in the implementation of their obligations under the Convention and provide timely responses to requests for assistance, as well as mobilise technical, material and financial resources for this purpose.

- The number of States Parties that report providing assistance and mobilising resources for this purpose.

**Action #41:** When seeking assistance, develop coherent and comprehensive national plans aimed at developing national ownership, based on appropriate surveys, needs assessments and analysis and providing national capacity. These plans will take into account broader frameworks such as the Sustainable Development Goals and respond to the needs and experiences of affected communities and will be built on sound gender, age and disability analysis. These plans should adequately reflect the areas in which assistance is required.

- The number of States Parties that develop national plans as described above when seeking assistance;
- The number of States Parties seeking assistance that provide information on progress, challenges and requirements for international cooperation and assistance through Article 7 reports and Convention meetings.

**Action #42:** Further detail the modalities of platforms such as the country coalition concept and leverage them, share experiences made, as well as explore synergies with similar forums.

- The number of States Parties that report having taken advantage of the country coalition concept.

## IX. Transparency measures

18. Transparency and the open exchange of information are essential to achieving the Convention's aims. States Parties recall that the submission of initial and annual Article 7 reports is an obligation under the Convention and note with concern that since the first Review Conference less than two thirds of States Parties regularly comply with this obligation. States Parties recognise that transparency measures under the Convention should be regularly adapted to facilitate the exchange of information and the assessment of progress in implementation, including that of the present action plan.

19. States Parties will take the following actions:

**Action #43:** Provide initial and annual transparency reports within the deadlines set in Article 7 of the Convention.

- The number of States Parties that have submitted an initial and annual Article 7 reports by 30 April each year.

**Action #44:** When implementing obligations under Article 3 or 4, or retaining or transferring cluster munitions in line with Article 3.6 and 3.7 but having omitted to submit an Article 7 report each year detailing progress in implementing these obligations, provide information to all States Parties in the most expeditious, comprehensive and transparent manner possible. If no information on implementing the relevant obligations is provided for two consecutive years, the President will assist and engage with the States Parties concerned in close cooperation with the relevant thematic coordinators.

- The number of States Parties that are implementing obligations under Articles 3 and 4 or that retain cluster munitions under Article 3.6 that have not submitted an Article 7 report detailing progress in implementing these obligations in the last two years.

**Action #45:** Recognising the importance of Article 7 reports for confidence building and monitoring the implementation of Convention obligations as well as for international cooperation and assistance, develop adapted reporting forms under the auspices of the Presidency taking into consideration the actions laid out in this Action Plan, which will be

considered at the Tenth Meeting of States Parties. Until such adapted reporting forms are adopted, States Parties will use the reporting forms adopted at the first Meeting of States Parties, where possible.

- The number of States Parties using the adapted Article 7 reporting form after its adoption at the tenth Meeting of States Parties.

**Action #46:** If in need of assistance in the preparation or compilation of their Article 7 reports, seek support from relevant partners, including from States Parties, the ISU, UN agencies or other NGOs. Partners in a position to do so will respond to such requests for assistance, including by sharing best practices on how to gather information nationally.

- The number of States Parties seeking and receiving assistance in the preparation or compilation of Article 7 reports.

## X. National implementation measures

20. Recalling the obligation to take all appropriate legal, administrative and other measures to implement the Convention in accordance with Article 9 thereof, including imposing penal sanctions to prevent and suppress any activity prohibited, States Parties acknowledge that national implementation measures can take various forms, depending on the national legal system. Noting that not all States Parties have confirmed the adoption of such measures, States Parties intend to improve progress in this area by ensuring that national implementation measures are in place in a timely manner.

21. With these elements in mind, States Parties will take the following actions:

**Action #47:** Ensure that they have appropriate national measures in place to fully implement the Convention, in particular by reviewing or, if necessary, revising or adopting national legislation, regulations and administrative measures, including imposing penal sanctions to prevent and suppress activities prohibited under the Convention by the Eleventh Meeting of States Parties in 2022 or within two years of entry into force for new States Parties, as applicable. All States parties should consider enacting national legislation prohibiting investments in all producers of cluster munitions.

- The number of States Parties that report having adopted all national measures to implement the Convention;
- The number of States Parties that report having disseminated their obligations under the Convention to all relevant national institutions and in particular the armed forces, including introducing changes in military doctrine, policies and training.

**Action #48:** Highlight factors and challenges that may be preventing progress in the revision or adoption of national legislation in their Article 7 reports and at Convention meetings, and request assistance, through these means, in the development or revision of national implementing measures, and when in a position to do so provide assistance in this matter.

- The number of States Parties that report on challenges faced in the revision or adoption of national legislation;
- The number of States Parties that require assistance in the revision or adoption of national legislation and the number of States Parties in a position to provide assistance in this matter.

## XI. Measures to ensure compliance

22. Stressing the importance of complying with all the provisions of the Convention, State Parties are guided by the knowledge that the Convention provides a variety of collective and cooperative means to facilitate and clarify any questions relating to compliance.

23. In this regard, States Parties will take the following actions:

**Action #49:** Clarify and seek to resolve any questions relating to matters of compliance with due diligence through bilateral discussions, the use of the good offices of the President or any other means consistent with Article 8, in a cooperative manner.

- The number of States Parties found in non-compliance with the Convention by the Meeting of States Parties or the Review Conference.

**Action #50:** Where, despite all possible efforts, unable to complete stockpile destruction and/or clearance obligations within the original deadlines, ensure that they submit any extension request, within the deadlines established by the Convention and in line with the guidelines and methodology on extension requests adopted at the Eighth and Ninth Meetings of States Parties.

- The number of States Parties that have completed their stockpile destruction and/or clearance obligations within their original deadlines.
  - The number of States Parties that have submitted extension requests in a timely manner.
-