
**Meeting of the High Contracting Parties to the
Convention on Prohibitions or Restrictions on
the Use of Certain Conventional Weapons Which
May Be Deemed to Be Excessively Injurious
or to Have Indiscriminate Effects**

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Summary record of the 4th meeting

Held at the Palais des Nations, Geneva, on Friday, 13 November 2009, at 3 p.m.

Chairperson: Mr. Mbaye (Senegal)

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The meeting was called to order at 4.35 p.m.

Consideration of the report of the work of the Group of Governmental Experts

(continued) (CCW/GGE/2009-I/2 and CCW/GGE/2009-II/2; CCW/MSP/2009/CRP.1; CCW/MSP/2009/WP.1)

1. **The Chairperson** introduced the proposed amendment to the mandate of the Group of Governmental Experts (CCW/MSP/2009/CRP.1, para. 40), which he had prepared taking into account the various concerns expressed by delegations during informal consultations on that issue. The third and fourth sentences of the paragraph would now read as follows:

“The work of the GGE will be supported by relevant experts as part of the national delegations.

The CGGE will meet from 12 to 16 April 2010 and from 30 August to 3 September 2010.”

2. **Mr. Strohal** (Austria), supported by **Mr. Turcotte** (Canada), proposed that the phrase “as part of the national delegations” should be deleted, so as not to exclude experts from international organizations and civil society.

3. **Mr. Itzhaki** (Israel), supported by **Mr. Datla Bala** (India) and **Mr. Khokher** (Pakistan), said that he wished to revert to the wording used previously “The work of the GGE will be supported by military and technical experts.”

4. **Mr. Turcotte** (Canada) said that he thought it appropriate, in that case, to specify “military, technical and humanitarian experts” as he was firmly opposed to wording that emphasized military and technical skills.

5. **Mr. Itzhaki** (Israel) said that the term “technical” already covered humanitarian skills.

6. **Mr. Strohal** (Austria), supported by **Mr. Turcotte** (Canada) and **Ms. Jáquez Huacuja** (Mexico), said that, if it was considered necessary to specify experts’ fields of expertise, then that should be done in full, with a reference to “by relevant experts, such as military, technical, legal and humanitarian experts”.

7. **Mr. Mathias** (United States of America) said that, although, initially, it had been considered appropriate to refer to “military and technical experts” in order to make clear to military authorities that their participation in meetings was welcome and desirable, the reference was no longer necessary. Supported by **Mr. Datla Bala** (India), **Mr. Khokher** (Pakistan), **Mr. Itzhaki** (Israel) and **Mr. Pintér** (Czech Republic), he proposed that the whole paragraph should simply be deleted.

8. **Mr. Hoffmann** (Germany), supported by **Mr. Datla Bala** (India) and **Mr. Turcotte** (Canada), proposed referring simply to “experts on issues relevant to the negotiations”.

9. **Mr. de Macedo Soares** (Brazil) said that, as the Group of Governmental Experts operated in accordance with rules of procedure, the paragraph under discussion was not relevant and should be deleted.

10. **The Chairperson**, referring to the proposal made by Germany, proposed amending the paragraph to read: “The work of the GGE will be supported by experts on issues relevant to the negotiations.” In the absence of any objection, he took it that the Meeting wished to adopt the paragraph as amended.

11. *It was so decided.*

12. **Mr. Mathias** (United States of America), supported by **Mr. Itzhaki** (Israel) and **Mr. Datla Bala** (India), asked, for organization and planning purposes, whether there were

any plans for the Chairperson of the Group of Governmental Experts to hold a week of informal consultations. The most suitable dates seemed to be from 5 to 9 July 2010.

13. **Ms. Jáquez Huacuja** (Mexico) noted that, if participants demonstrated real political will, two weeks should be sufficient to reach agreement on a draft protocol.

14. **Mr. Strohal** (Austria) said that, as the Chairperson of the Group of Governmental Experts was on the spot in Geneva, it should be possible for him to hold informal consultations as work progressed.

15. **The Chairperson** confirmed that the Chairperson of the Group of Governmental Experts had discretion to hold informal consultations and said that, for the time being, it did not seem necessary to add any clarification on that issue. He suggested proceeding to the adoption of the mandate of the Group of Governmental Experts. In the absence of any objection, he took it that the Meeting wished to adopt the mandate, as amended.

16. *It was so decided.*

The meeting was suspended at 5.10 p.m. and resumed at 5.30 p.m.

Consideration and adoption of the final document (CCW/MSP/2009/CRP.1)

17. **The Chairperson** drew attention to the draft report of the Meeting, which had been issued under the symbol CCW/MSP/2009/CRP.1, the document issued without a symbol containing the amendments to the draft report and the documents presenting the estimated costs of the 2010 meetings of the High Contracting Parties and the Group of Governmental Experts, all available in English only. He invited the participants to consider the draft report and the amendments thereto chapter by chapter before adopting it as a whole.

Chapter I (paras. 1–9)

18. *Chapter I was adopted.*

Chapter II (paras. 10–16)

19. **The Chairperson** invited the delegations to indicate to the Bureau any errors or omissions in the lists of States appearing in the paragraphs in question.

20. **Mr. Kolarov** (Secretary-General of the Meeting) said that the following States should be added to the list contained in paragraph 11: Cameroon, Colombia, Peru, the former Yugoslav Republic of Macedonia and Togo. In addition, Afghanistan should be added in paragraph 12 and the reference to Nigeria should be deleted.

21. *Paragraphs 11 and 12, as orally revised, were adopted.*

22. *Paragraphs 10 and 13 to 16 were adopted.*

Chapter III (paras. 17–27)

23. **Mr. Van Donkersgoed** (Netherlands) said that the date mentioned in paragraph 24 should be corrected to read “13 November 2009” instead of “13 November 2008”.

24. *Paragraph 24 was adopted subject to a minor drafting change.*

25. *Paragraphs 17 to 23 and 25 to 27 were adopted.*

Chapter IV (paras. 28–46)

26. *Chapter IV was adopted.*

Other matters

27. **The Chairperson** noted that no delegation wished to take the floor under the item.

Closure of the Meeting

28. **The Chairperson**, noting that the 2009 Meeting had thus completed its work, thanked all the delegations for their cooperation and support.

29. **Mr. Nash** (Cluster Munition Coalition) said that it had been a very encouraging week with regard to cluster munitions. Two countries had signed the Convention on Cluster Munitions, bringing the number of signatories to 103; the number of ratifications stood at 24.

30. Although the Cluster Munition Coalition did not expect the same results from the Convention on Certain Conventional Weapons as from the practical and action-oriented Convention on Cluster Munitions, the very fact that all States continued to place cluster munitions on the international agenda helped to build the global recognition that those weapons formed a particular category of concern because of their effects on civilians.

31. The Coalition thanked Spain for providing an update on progress at the national level and for assuming the costs associated with ratifying the Convention on Cluster Munitions, ending production and destroying stocks. The Coalition urged all States to follow Spain's lead and to start implementing the Convention without delay.

32. The Coalition shared the views of the International Committee of the Red Cross, the United Nations and many States that the draft protocol did not enable the humanitarian problems posed by cluster munitions to be urgently addressed. It shared the concerns expressed by a number of delegations that efforts to achieve a new legally binding instrument on cluster munitions within the framework of the Convention on Certain Conventional Weapons should not result in a backward step in international humanitarian law or conflicting legal standards on cluster weapons and cluster munition victims. The Coalition would continue to work with States parties to the Convention on Certain Conventional Weapons in 2010 to ensure that their efforts would further the objectives of the Convention on Cluster Munitions.

33. The Government of Indonesia would soon be hosting a conference in Bali for Governments from the Asia-Pacific region on the Convention on Cluster Munitions. The Coalition urged signatories to the Convention to deposit their instruments of ratification without delay so that the objective of securing the 30 ratifications required for entry into force of the treaty could be met before the end of 2009.

34. The Coalition, along with the United Nations, the International Committee of the Red Cross and States, was considering how to mark the deposit of the thirtieth instrument of ratification. It looked forward to a global effort to celebrate the entry into force of the Convention, which should take place in the middle of 2010.

35. The Coalition encouraged all States to accede to the Convention on Cluster Munitions as soon as possible and to take national measures, such as a ban on transfers or a moratorium on the use of such weapons, and to step up efforts to clear land contaminated by cluster munitions and to assist victims, their families and affected communities.

36. **Mr. Goose** (Human Rights Watch), supporting the statement made by Mr. Nash on behalf of the Cluster Munition Coalition, emphasized the ever more marked contrasts between the Convention on Certain Conventional Weapons, with its stalled negotiations on a new protocol on cluster munitions, and the Convention on Cluster Munitions, which was a comprehensive and ambitious instrument. He urged all States to accede to the latter treaty or, failing that, to take practical measures to combat the effects of cluster munitions.

37. **Mr. Hoffmann** (Germany), speaking on behalf of the Group of Western European and Other States, said that the working session had been particularly interesting and fruitful and that it had once again demonstrated the vitality of the Convention on Certain Conventional Weapons.

38. Following the customary exchange of courtesies, **the Chairperson** declared the Meeting closed.

The meeting rose at 5.55 p.m.