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Geneva, 11 December 2002

SUMMARY RECORD OF THE 1st MEETING

Held at the Palais des Nations, Geneva,  
on Wednesday, 11 December 2002, at 10 a.m.

Temporary President: Mr. FAESSLER (Switzerland)

President: Mr. FAESSLER (Switzerland)

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The meeting was called to order at 10.20 a.m.

OPENING OF THE FOURTH ANNUAL CONFERENCE OF THE STATES PARTIES TO AMENDED PROTOCOL II 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

(Item 1 of the provisional agenda)

1. The TEMPORARY PRESIDENT, acting in his capacity as President of the Third Annual Conference, declared open the Fourth Annual Conference of the States Parties to Amended Protocol II 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. Highlighting the importance of Amended Protocol II as the only international legal instrument which covered all types of landmines, booby traps and other devices and which, therefore, complemented other instruments on landmines, he welcomed the successful outcome of the work of the Group of Governmental Experts of the States Parties to the Convention, which had met the previous day and agreed on a recommendation on mines other than anti-personnel mines.
2. Stressing the importance of the annual reports submitted by States parties in facilitating dialogue under the Protocol, he noted that, to date, 39 reports had been submitted and urged States parties whose reports were outstanding to submit them as soon as possible. Noting also that 24 more States had adhered to the Protocol since 1999, he appealed to all States parties which had not yet done so adhere, in order to ensure the universalization of that important instrument.
3. Finally, he stressed that the reduction of the Conference's duration to a single day was not to be construed as a precedent to be followed in perpetuity: given the vital importance of Amended Protocol II, sufficient time must be allocated for the Annual Conference to cover all its work in a thorough manner.

ELECTION OF THE PRESIDENT AND OTHER OFFICERS (item 2 of the provisional agenda)

4. The TEMPORARY PRESIDENT said that, in accordance with rule 3 of the rules of procedure, he had conducted intensive consultations with the regional coordinators and China with a view to identifying a candidate for president of the Fourth Annual Conference.
5. Mr. WENSLEY (South Africa) said the post of president had reverted to the group of non-aligned countries and other States for the current Annual Conference and that South Africa, as coordinator of the group, had held consultations to identify a candidate. No candidates had been put forward by the group, however, which suggested instead that the President of the Third Conference continue in office.
6. Mr. Faessler (Switzerland) was elected President of the Conference by acclamation.

7. The PRESIDENT said that, following his consultations, the regional coordinators and China had agreed to propose the representatives of Bulgaria and China as candidates for the posts of vice-president.

8. Mr. Tzantchev (Bulgaria) and Mr. Sha Zukang (China) were elected Vice-Presidents of the Conference by acclamation.

ADOPTION OF THE AGENDA (item 3 of the provisional agenda) (CCW/AP.II/CONF.4/1)

9. The PRESIDENT said that, owing to time constraints, no subsidiary body would be established and he therefore suggested that item 12 of the provisional agenda should be deleted.

10. The agenda, as amended, was adopted.

RECONFIRMATION OF THE RULES OF PROCEDURE (agenda item 4)

11. The PRESIDENT said that, at the First Annual Conference, the incumbent president had noted, with reference to rule 29 of the rules of procedure contained in annex II to document CCW/AP.II/CONF.3 (part I), that the high contracting parties had thus far proceeded on the basis of consensus in their deliberations and negotiations and had not taken any decision by vote. He would therefore work on the principle that the rules of procedure, read in conjunction with that statement, applied mutatis mutandis to the Fourth Annual Conference.

12. In addition, during informal consultations with regional groups, it had been proposed that the existing rules of procedure be amended to secure a more balanced representation of groups, specifically, by increasing the number of vice-presidents from two to three. It had also been suggested that a president-designate and vice-presidents-designate should be nominated at the end of each session, so that they could initiate intersessional activities at an early stage. He proposed that rules 3 and 7 of the rules of procedure should be amended accordingly to meet those concerns.

13. It was so decided.

APPOINTMENT OF THE SECRETARY-GENERAL OF THE CONFERENCE (agenda item 5)

14. The PRESIDENT, referring to rule 10 of the rules of procedure, said that his consultations had indicated that there was agreement to appoint Mr. Vladimir Bogomolov, Political Affairs Officer in the Geneva Branch of the Department of Disarmament Affairs, as Secretary-General of the Conference, he took it that it was the wish of the Conference to appoint Mr. Bogomolov to that office.

15. It was so decided.

ADOPTION OF ARRANGEMENTS FOR MEETING THE COSTS OF THE CONFERENCE  
(agenda item 6)

16. The PRESIDENT recalled that the Third Annual Conference had approved the cost estimates for the Fourth Annual Conference contained in annex V to its final document (CCW/AP.II/CONF.3/1). According to information provided by the secretariat, significant savings had been made in the preparations for the Third Annual Conference by a reduction in the volume of documentation and the actual costs were expected to be lower than the initial estimates. The actual figures would not be available, however, until after the Conference had ended. He took it that the Conference wished to adopt the arrangements for meeting its costs.

17. It was so decided.

MESSAGE FROM THE SECRETARY-GENERAL OF THE UNITED NATIONS

18. Mr. ROMÁN-MORAY (Deputy Secretary-General of the Conference on Disarmament), speaking on behalf of Mr. Dhanapala, Under-Secretary-General of the United Nations for Disarmament Affairs, read out the message from the Secretary-General to the Fourth Annual Conference. In his message, the Secretary-General said that the importance of the elimination of the threat of landmines could not be over-emphasized. Landmines, and especially anti-personnel mines, were having horrendously destructive effects on individuals and communities around the world. They were not only killing and maiming indiscriminately tens of thousands of men, women and children each year, but also ravaging communities and societies struggling to emerge from armed conflict.

19. The Secretary-General said that Amended Protocol II represented a concrete response to widespread and growing concerns about the victimization of civilians, particularly in armed conflicts, and the unnecessary suffering of combatants. The amendment process had strengthened the Protocol by, among other things, extending the scope of its application to cover both international and internal armed conflicts. Most significantly, Amended Protocol II sought to achieve a balance between humanitarian considerations and the security concerns of a number of States.

20. The Secretary-General was pleased to note that, since the First Annual Conference of the States Parties in December 1999, some progress had been made. Although the aim of achieving universal adherence had yet to be accomplished, an increasing number of States had either ratified or notified their consent to be bound by Amended Protocol II, bringing the total number to 69. He appealed, once again, to those countries that had not yet signed or ratified the instrument to do so as soon as possible.

21. The global elimination of the threat posed by anti-personnel landmines remained a priority goal of the international community. The United Nations was playing a key role in achieving that aim. By acting in a united fashion, the international community could make real and lasting progress towards ridding the world of all mines and he hoped that the work of the current conference would contribute to the effective implementation of Amended Protocol II and encourage accession by other States.

ORGANIZATION OF WORK, INCLUDING THAT OF ANY SUBSIDIARY BODIES OF THE CONFERENCE (agenda item 7)

22. The PRESIDENT said that, in view of the limited time available to the Fourth Annual Conference, it did not seem feasible, as he had already noted, to establish a subsidiary body. He proposed that the remainder of the first plenary meeting, following the consideration of procedural issues, should be devoted to a general exchange of views, during which delegations could take up substantive issues on the agenda, namely, items 9, 10 and 11, in their statements.

23. With regard to item 10, he said that, given the time constraints faced by the Conference, he had requested the Swiss delegation to prepare a synopsis of all the national annual reports submitted by States parties for the current Annual Conference, which, as at previous conferences, would constitute a major substantive analytical document for consideration by delegations.

GENERAL EXCHANGE OF VIEWS (agenda item 8)

24. Mr. VALLE FONROUGE (Argentina) said that his country shared in full the purposes and philosophy enshrined in Amended Protocol II, which was a path-breaking instrument in that it applied also to non-international conflicts and contained verification measures lacking in the Convention's other protocols. Noting that it complemented the Ottawa Convention on the Prohibition on the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, he appealed to all States parties to the Ottawa Convention to accede also to Amended Protocol II and to apply all its provisions in full.

25. The Third Review Conference of the Convention on Conventional Weapons would provide an opportunity to strengthen Amended Protocol II, in particular with regard to the need to fit detectability devices to all mines, to work towards a ban on all anti-handling devices and to ensure that any such devices fitted would not outlive the active life of the mines themselves. In addition, self-destruction and self-deactivation devices should be fitted, in particular to remotely delivered mines. He appealed to States to pool their efforts in meeting the challenge posed by the use of such weapons by non-State actors.

26. Reviewing efforts by his country to publicize the contents of Amended Protocol II among the armed forces and civilian population and its compliance with its reporting obligations under both the Protocol and the Ottawa Convention, he informed the Conference that there were no mines placed on the continental territory of Argentina and that talks were under way between Argentina and the United Kingdom on the feasibility of clearing mines laid in the Falkland Islands (Malvinas) during the 1982 armed conflict.

27. Argentina also attached great importance to international cooperation in humanitarian demining and had provided a list of its demining experts to the United Nations. Under its White Helmet initiative, members of the Argentine armed forces were participating in United Nations demining operations in a number of countries and Argentina was also providing training to individuals and organizations, including from other countries, in demining techniques.

28. Mr. SOTHA (Cambodia) said that Amended Protocol II and the Ottawa Convention represented two paths, one long and one short, leading to the same goal: ending the suffering caused by anti-personnel mines. In pursuance of that goal, his country had established the Cambodian Mine Action Authority as its regulatory, coordinating, planning and monitoring authority in the area of landmines and the Government had committed an annual allocation of \$750,000 to mine action.
29. Reviewing other measures relating to standards, licensing, monitoring and coordination in the field of mine action, he conceded that a great deal of work remained to be done, as Cambodia still had, on average, 70 new victims of landmine accidents every month. Accordingly, it was engaged in extensive mine-clearance efforts, aimed at eliminating the danger of accidents within a few years, by making optimal use of the funds allocated by the international community. In that context, he conveyed Cambodia's gratitude to the many donor countries which had provided assistance.
30. Mr. SKOTNIKOV (Observer for the Russian Federation) said that the potential offered by Amended Protocol II should be fully realized through the implementation of practical measures. To that end, the Russian Federation had proposed a uniform international method for assessing the reliability of self-destruction and self-deactivation mechanisms for anti-personnel mines. In addition, it was essential to promote universalization of the Protocol, in particular through support for States which supported its provisions and those of the Convention itself, but had not joined those instruments for economic or other reasons.
31. The international community was facing a new challenge posed by international terrorism, in particular, involving the indiscriminate and savage use of mines and other explosives, which caused countless innocent casualties. In response to that threat, a meeting had been held on 9 December 2002 between the Russian Federation and the North Atlantic Treaty Organization (NATO) to discuss practical joint measures to combat international terrorism.
32. Pointing out that the extended time taken by the Russian Federation to ratify Amended Protocol II, was an indication of his country's responsible attitude to that instrument, he confirmed that the process of ratification was currently nearing completion. Furthermore, for at least the previous eight years, the Russian Federation had in any event not commissioned, manufactured or deployed anti-personnel fougasse mines and, as of 1 December 2002, it had already disposed of more than 7 million anti-personnel mines. Extensive work was under way in the country to develop new methods of detecting and clearing mines and, every year, more than 100,000 mines left over from the Second World War were cleared from Russian territory.
33. Reviewing other activities in the Russian Federation in the field of mine action, including training of military officers in the safe application of mines and the requirements of the Protocol, he affirmed that a world without mines remained his country's ultimate objective, but that the path towards attainment of that objective must be realistic and staged, so as to ensure the necessary stability. Amended Protocol II had a vital role to play in achieving that goal and the Russian Federation therefore supported its further strengthening and universalization.

34. Mr. IVERSEN (Denmark) said that he was speaking on behalf of the European Union and that the countries of Central and Eastern Europe associated with the Union, namely, Bulgaria, Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, Slovakia and Slovenia, as well as Cyprus and Malta, also associated with the Union, aligned themselves with his statement. The Union attached great importance to Amended Protocol II, which considerably strengthened the regime of the Convention on Conventional Weapons and furthered the aim of all parties to reduce the humanitarian problems of landmines in general. It also helped enhance the security of military ground operations, which was of particular importance at a time when so many countries were involved in peacekeeping operations in former war-torn countries. In addition, the specific regulations contained in the Protocol were of great social and economic benefit in that they facilitated humanitarian assistance, peacekeeping efforts and post-conflict reconstruction and development.

35. Welcoming the fact that 69 countries were now parties to the Protocol, the European Union urged all States parties to adhere to the Protocol and to any other protocols to the Convention to which they were not yet party. He stressed the importance of the timely submission of annual reports and urged even those countries which had not yet acceded to the Protocol to submit national reports on a voluntary basis.

36. Finally, with regard to the issue of compliance with the Convention and its protocols, he noted that article 14 of Amended Protocol II contained provisions which could serve as a point of departure for the development of a mechanism on compliance. The European Union had put forward proposals in that regard and looked forward to discussing those and other options on compliance and to reaching agreement on a mechanism that took into account the wishes of all States parties.

37. Mr. UMER (Pakistan) said that, true to its commitment to Amended Protocol II, Pakistan had submitted its national implementation report every year and had concluded a unilateral moratorium on the export of anti-personnel mines in 1997, which had entered into legal effect in February 1999. In addition, Pakistan had taken steps to inform producers and the armed forces about the country's obligations under the Protocol.

38. Pakistan had successfully cleared all minefields after the three wars in that part of the continent and no humanitarian situation had been caused by the use of landmines. It was committed to ensuring that the mines in its military inventory would never be the cause of civilian casualties in Pakistan or elsewhere. Pakistan had also developed significant expertise in mine clearance and was involved in a number of United Nations-sponsored demining operations around the world.

39. In seeking to maintain the balance struck by Amended Protocol II between the legitimate security requirements of States parties and the humanitarian concerns raised by mines, States parties must concentrate on three priority goals: first, to promote wider acceptance of Amended Protocol II. To that end, it was important that the Protocol should not be revised through amendments or by another instrument on mines, which would pose problems for countries currently in the process of acceding to the instrument.



40. Second, mine clearance and victim assistance programmes should be expanded and strengthened. Accordingly, Pakistan welcomed the United Nations Comprehensive mine-action strategy for 2001 outlined by the Secretary-General and looked forward to strengthened interaction with United Nations agencies and other organizations, such as the International Committee of the Red Cross (ICRC), in responding to mine-related emergencies. It also stressed the need for new technologies to be developed in the field of demining.

41. Third, viable alternatives to landmines should be explored, in pursuit of the eventual goal of a universal ban on landmines, which necessitated real cooperation among States parties. To that end, the Conference could explore the possibility of setting up a group of experts to consider cooperation-related issues, as provided for in Amended Protocol II.

42. Mr. CHUNG Eui-yong (Republic of Korea) said that his Government was fully committed to the letter and spirit of Amended Protocol II, as witnessed by its continuing contributions to the Voluntary Trust Fund for Assistance in Mine Action and its moratorium on the export of anti-personnel mines, and that efforts to make the Protocol universal needed to be redoubled. In the past year, the Republic of Korea had cleared thousands of landmines from the periphery of military camps and air force bases. At the same time, mine-clearing operations had been carried out in the demilitarized zone by both South and North Korea, clearly illustrating how a changing political environment could have positive implications for landmine control. He hoped that further improvements in the political and security situation on the Korean peninsula would make it possible to take a more forward-looking stance on landmine issues.

43. Mr. SOOD (India) said that the complete elimination of anti-personnel mines would be facilitated if their legitimate operational role in the defence policy of the States that used them was duly recognized. His Government had demonstrated its full commitment to Amended Protocol II by discontinuing the production of non-detectable mines and introducing technical modifications to ensure that landmines were detectable. It also continued to observe a moratorium on the export of landmines and restricted their manufacture and use to government agencies. It was supported in its efforts to disseminate information on landmine-related issues by non-governmental organizations, independent research institutions and the media. Despite being sorely provoked by terrorist groups using explosive devices, the Indian armed forces adhered strictly to well-established standard operating procedures designed to prevent casualties among innocent civilians or grazing cattle. Work was already under way to recover the mines that had been laid along India's western border since the last meeting of the States parties to Amended Protocol II.

44. At the international level, the Indian army had been extensively involved in United Nations-sponsored mine-clearance programmes. India had also developed state-of-the-art prosthetics for the rehabilitation of mine victims, including the widely acclaimed "Jaipur foot", which it distributed in mine-affected countries in Africa and South Asia. In addition, it supported technical cooperation in mine-clearance technology, equipment and training and was ready to contribute technical assistance and expertise wherever required. It was also in the process of setting up a mine information centre and a web site containing data obtained from Indian personnel on United Nations missions.

45. Ms. INOBUCHI (Japan) stressed the importance of full compliance by all States parties with the provisions of Amended Protocol II, particularly with regard to the detectability, self-destruction and self-deactivation of anti-personnel mines. The Protocol complemented the Ottawa Convention in that it took into account the broad security interests of States, thus providing a practical alternative for States that had not acceded to the Convention for security reasons. Her Government regarded both the Convention and Amended Protocol II as central to international efforts to address the problems of anti-personnel mines and, in pursuit of the “zero victims” objective, had contributed more than \$90 million over five years to assist mine-affected countries and regions with mine clearance, help for victims and awareness-raising.

46. Mr. SHAW (Australia) said that, although Amended Protocol II did not completely prohibit the use of anti-personnel mines, it still had a very important role to play in engaging key mine-using States. Moreover, by covering not only anti-personnel and anti-vehicle mines but also booby traps and manually placed munitions, it enhanced the protection of civilians, peacekeepers and humanitarian workers in conflict situations. His delegation strongly supported the recommendation of the Group of Governmental Experts to consider the issue of anti-vehicle mines more closely and urged States parties to the Convention on Conventional Weapons to work towards a negotiating mandate on anti-vehicle mines, preferably in the form of an additional protocol on the subject. He announced that his Government was well on the way to meeting its 10-year target of providing \$100 million for mine-action activities by the end of 2005. At home it was working on improving the technology for mine-detection systems, while abroad it continued to focus on mine-action programmes in South-East Asia.

47. Ms. McKEN (United Kingdom of Great Britain and Northern Ireland), associating her delegation with the statement made by the representative of Denmark on behalf of the European Union, said that the joint working party set up by the United Kingdom and Argentina to carry out a feasibility study into the demining of the Falkland Islands (Malvinas) had met for the first time in Buenos Aires in December 2001. Since then, her Government had taken action on the points agreed at the meeting, notably by appointing a national mine-action authority, and would continue to cooperate with the Argentine Government to complete the feasibility study.

48. Mr. KONOPKO (Ukraine) said that the reason why more States were becoming parties to Amended Protocol II was precisely because it constituted a “partial” landmine ban, as it was sometimes called. Unlike the Ottawa Convention, it did not prohibit landmines altogether and its step-by-step approach had earned it wide support among the major mine-using and mine-producing States.

49. His own Government had taken a wide range of measures to fulfil its obligations under the Protocol, signing agreements with the Government of Canada and the NATO Maintenance and Supply Organization to destroy anti-personnel mines in Ukraine, with the result that 1,100 mines from its huge stockpiles were currently being destroyed every day. His Government had also declared an extended moratorium on the export of all types of anti-personnel mines and provided assistance in internationally supervised mine-clearance operations in a number of countries. It also expected to provide assistance in the near future to other countries through the cost-free transfer of demining equipment.

50. Mr. SHA Zukang (China) said that Amended Protocol II struck a balance between humanitarian concerns and States' legitimate military needs and its influence had grown as the number of States parties had risen and cooperation between them had increased. It would only realize its full potential if it became a truly universal instrument, however, and he urged all States parties to strive towards that goal. He saw no contradiction between moves to ban landmines completely and efforts to restrict their use: the restrictions on landmines were simply a realistic step towards the goal of their ultimate elimination.

51. His Government attached particular importance to making sure that the military personnel who used landmines were aware of the requirements of the Protocol. Consequently, the Chinese military had introduced new technical standards for landmines in line with the specifications contained in the Protocol and any landmines that did not meet the new requirements were destroyed. In addition, China observed a strict moratorium on the export of anti-personnel mines that were incompatible with the technical specifications contained in the Protocol.

52. The clearance of landmines that failed to meet the requirements of the Protocol was a vital step if humanitarian concerns were to be allayed and, even though China was a developing country with limited resources, it had earmarked funds and provided expert assistance and mine-detecting equipment to mine-affected countries, particularly in Africa, and was willing to cooperate with other countries and international organizations in international demining efforts.

53. Mr. GALLI (Croatia) informed delegations that Croatia had ratified Amended Protocol II on 21 February 2002 and formally agreed to be bound by it on 25 April 2002. Noting that his Government was on the verge of submitting its national report under the Protocol, he stressed its willingness to cooperate fully with other States parties in the implementation of the Protocol.

54. Mr. DAHINDEN (Switzerland) said that Amended Protocol II was a particularly important instrument for restricting the use of a range of conventional weapons because States parties were obliged to incorporate it into their domestic legislation and criminalize violations of its provisions. It also complemented other instruments dealing with landmines, including the Ottawa Convention, as it restricted the use of other devices too. He stressed the need for close cooperation between the States parties to the Protocol, the States parties to the Ottawa Convention and specialized non-governmental organizations in the areas of mine clearance, help for victims and technical assistance, pointing out that, in order to reduce the risk of duplication, the intersessional activities of the parties to the Ottawa Convention were open to all interested States.

55. He said that it was particularly important for States parties to pay attention to the implementation of Amended Protocol II at their annual conference because the Protocol did not provide for a verification mechanism and because scrupulous observance of all its provisions could make a significant difference to the protection of civilian populations. He also stressed the importance of submitting annual reports and expressed concern at the number of States parties that did not do so. In that connection, his delegation had circulated an informal paper proposing a new simplified format for annual reports, which would avoid the need to fill in each of the

eight individual forms if the information provided in previous reports was still valid. Lastly, he recommended that States that hesitated to ratify the Protocol for technical reasons should benefit from technical assistance and cooperation.

56. Ms. POLLACK (Canada) said that Canada and many other States parties to Amended Protocol II felt that the Protocol did not adequately address the humanitarian threats posed by the weapons that it covered. She therefore welcomed the recommendation by the Group of Governmental Experts to consider concluding a negotiating mandate for a new instrument on mines other than anti-personnel mines. There was growing international consensus on the unacceptability of anti-personnel mines, as attested by the gradual universalization of the Ottawa Convention. The fifth anniversary of the signing of the Convention had been marked by a highly successful seminar on the way forward, hosted by Mines Action Canada. Further good news was that her Government had recently announced a five-year, \$72 million extension of the Canadian Landmine Fund. Noting that Amended Protocol II still had a significant role to play in the international community's collective efforts to reduce the humanitarian suffering that resulted from armed conflict, she called on States parties to the Protocol to comply fully with their commitments, including by clearing, or assisting in the clearance of, landmines after the cessation of active hostilities.

57. Mr. CUMMINGS (United States of America) drew attention to some of the many achievements of Amended Protocol II. It had provoked a major shift in the military doctrine of many countries, resulting in the elimination of the use, transfer and, for all practical purposes, production of non-detectable anti-personnel mines. It had led to a growing realization of the importance of the self-destruction technologies applied to remotely delivered mines systems as a tool for human protection and had opened up the possibility of applying similar technologies to other munitions. Its scope of application, which included non-international armed conflicts, had influenced every major international humanitarian law instrument concluded subsequently and had provided the template for the successful amendment of article 1 of the Convention on Conventional Weapons. It had pioneered the application of important laws of war to armed conflicts irrespective of how the conflicts were legally characterized and had set new precedents in establishing a "prosecute or extradite" regime in the context of international humanitarian law applicable to international or internal armed conflict. Given all those achievements, far from being the failure it had been described as by some commentators, Amended Protocol II had been a substantial normative and diplomatic success.

58. Mr. ZARKA (Israel) stressed the importance of cooperation in mine clearance, victim rehabilitation and awareness-raising. Israel had stopped all production of anti-personnel mines, declared a moratorium on the export of mines and ratified Amended Protocol II, and hoped that other States in the region would join with it in efforts to reduce the threat posed by landmines. Israeli defence forces continued to clear, mark or fence off minefields and to destroy outdated mines but his country still faced a serious threat from the use of mines, booby traps and other devices by terrorists. His Government continued to provide the United Nations Interim Force in Lebanon (UNIFIL) with all relevant mine-related information, and tourist maps showing minefields or suspected minefields had been made available to the general public.

59. Ms. RUIZ DE ANGULO (Costa Rica) announced that only a few days earlier her country had been declared the first totally mine-free country in America by the Organization of American States. She pointed out that the landmines removed had been neither manufactured nor laid by Costa Rica itself, but had been left there by the parties to conflicts in which Costa Rica had not been involved. As it was often the case that the innocent suffered most, she called on all States parties to comply fully with the Protocol, including by submitting their annual reports, and to make humanitarian concerns their top priority in implementing it.

60. Mr. GOOSE (Human Rights Watch) said that actions by certain States parties over the course of 2002 raised serious concerns about the effective implementation of Amended Protocol II. Those concerns related to the inadequate measures by India and Pakistan to exclude civilians from landmine areas; allegations that Pakistani factories were offering anti-personnel mines for sale in the United Kingdom; lack of progress by States parties in reaching compliance with key provisions; and failure by States parties to provide detailed reporting on measures to implement the Protocol.

61. Listing the States parties to Amended Protocol II or to the original Protocol II which had used anti-personnel mines in recent years, as well as the States parties in whose territories such mines had been used by rebel groups and armed non-State actors, he pointed out that, of the 69 States parties to Amended Protocol II, only 10 were not also signatories or parties to the Ottawa Convention and therefore continued to assert the right to use anti-personnel mines. Human Rights Watch believed that any use of anti-personnel mines was prohibited under international humanitarian law and called for a halt to such use, urging States parties to Amended Protocol II that were also party to the Ottawa Convention to condemn any use of anti-personnel mines. It also called on States parties to the original Protocol II and to Amended Protocol II that had used anti-personnel mines in the previous year to report on compliance of their actions with the obligations under the Protocol.

62. Expressing concern about the continuing instances of civilian casualties in States parties to Amended Protocol II, in particular India and Pakistan, caused by landmines, he questioned the effectiveness of measures taken in such countries to protect civilians.

63. He also noted the declared intent of China and Pakistan to defer compliance with the specifications on detectability and the lack of any detailed information from either country on the steps taken thus far to meet those requirements. In addition, India, which had not deferred compliance, was known to have stockpiled at least one type of low metal content anti-personnel mine and, if it were to be in full compliance with Amended Protocol II, all low metal content anti-personnel mines should first be modified to include additional metal content.

64. With regard to reliability, he noted that a number of States were reported to be stockpiling or developing remotely delivered anti-personnel mine systems and rued the general lack of reporting by States parties on steps to comply with the requirements for self-destruction self-activation mechanisms on remotely delivered anti-personnel mines, as well as the generally poor compliance with reporting requirements under Amended Protocol II.

65. In the view of his organization, progress towards universalization had been disappointingly slow, impeded in particular challenge by the continued reported use of anti-personnel mines by certain countries which were not party or signatory to any international instrument on anti-personnel mines and by the non-accession to Amended Protocol II by a number of countries which allegedly still produced or stockpiled anti-personnel mines. Given that unsatisfactory state of affairs, Human Rights Watch urged countries to strengthen the Convention on Conventional Weapons.

66. Ms. WALKER (International Campaign to Ban Landmines) noted that Amended Protocol II was a useful but limited instrument in that it was only binding on the 10 of its 68 States parties which were not also parties to the Ottawa Convention. Encouragement could be derived from the progress made in ridding the world of anti-personnel mines, however. Listing achievements in that regard, she pointed out that significant challenges still remained, involving the continuing casualties in 69 countries, 47 of which were theoretically at peace and the continuing use of anti-personnel mines both by Governments and by rebel groups or non-State actors. In particular, ICBL had condemned India and Pakistan for their mine-laying operations along their common border since 2001, possibly the largest such operation in the world in decades, which had resulted in numerous civilian casualties.

67. ICBL appealed to all countries - particularly those 10 which were States parties to Amended Protocol II but not to the Ottawa Convention - to join that convention, which, in its view, represented the only way to address the global humanitarian crisis of anti-personnel landmines in an effective and comprehensive manner.

68. Mr. DIOP (Senegal) said that Amended Protocol II was of particular importance in that it applied also to non-international armed conflicts, which posed an increasing challenge in international humanitarian law. Senegal was particularly concerned by the problems posed by explosive remnants of war and unexploded ordnance and had therefore had no hesitation in ratifying the Ottawa Convention in 1990 and had scrupulously complied with its reporting requirements, including under Amended Protocol II.

69. Senegal was itself the victim of mines, following the independence movement in the south of the country, and in 2002 there had been 600 accidents involving mines, causing 150 deaths. Rebels had laid mines extensively against military bases and against civilians, with a view to spreading terror and forcing the Government to engage in negotiations. The country faced a particular problem in clearing those mines, which had no metallic content, and Senegal therefore stressed the need for strengthened international cooperation under Amended Protocol II to find a solution to that problem.

70. Mr. UMER (Pakistan), referring to the statement by the representative of Human Rights Watch, said that, while Pakistan did continue to use anti-personnel landmines, they formed an integral part of its defence doctrine and served legitimate security needs. The mines were used in strict compliance with the provisions of Amended Protocol II, to which Pakistan was fully committed, and there was no question of those provisions being circumvented.

71. The allegations that Pakistani factories were offering anti-personnel mines for sale in the United Kingdom, however, were pure fabrication. As for the concern expressed on lack of progress by Pakistan and other States, he assured the Conference that Pakistan was in full compliance with Amended Protocol II and that any action it took was in strict compliance with the letter and spirit of the Protocol.

REVIEW OF THE OPERATION AND STATUS OF THE PROTOCOL (agenda item 9)

72. The PRESIDENT recalled that, in article 13, paragraph 3, the Protocol stipulated that the work of the Conference should include a review of the operation and status of Amended Protocol II and that, at the First Review Conference of the Convention on Conventional Weapons, the States parties had undertaken to review the provisions of the Protocol. To date, 69 States had consented to be bound by the Protocol, but only 5 of those had joined since the Third Annual Conference, and it was vital to consider means of promoting universal adherence to the instrument.

CONSIDERATION OF MATTERS ARISING FROM REPORTS BY HIGH CONTRACTING PARTIES ACCORDING TO PARAGRAPH 4 OF ARTICLE 13 OF AMENDED PROTOCOL II (agenda item 10) (CCW/AP.II/CONF.4/INF.1, CCW/AP.II/CONF.4/NAR.1 and Add.1, 2, 3 and Add.1, 4-23, 24/Rev.1 and 25-38)

73. The PRESIDENT said that his delegation had prepared a synopsis of all the national annual reports that had been submitted thus far, which he would take into consideration during the next round of his presidential consultations.

The meeting rose at 1 p.m.