

**GROUP OF GOVERNMENTAL EXPERTS OF THE STATES
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**

CCW/GGE/IX/2
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Item 11 of the agenda

PROCEDURAL REPORT

1. The Meeting of the States 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 (CCW) held at Geneva on 27 and 28 November 2003 decided, as contained in paragraph 26 of CCW/MSP/2003/3, that the Working Group on Explosive Remnants of War would continue its work in the year 2004 with the following mandate:

“To continue to consider the implementation of existing principles of International Humanitarian Law and to further study, on an open-ended basis, and initially with particular emphasis on meetings of military and technical experts, possible preventive measures aimed at improving the design of certain specific types of munitions, including sub-munitions, with a view to minimise the humanitarian risk of these munitions becoming explosive remnants of war. Exchange of information, assistance and co-operation would be part of this work.”

2. At the same Meeting the States Parties decided, as contained in paragraph 27 of CCW/MSP/2003/3, that the Working Group on Mines Other Than Anti-Personnel Mines would continue its work in the year 2004 with the following mandate:

“1. To consider all proposals on Mines Other Than Anti-Personnel Mines put forward since the establishment of the Group of Governmental Experts with the aim of elaborating appropriate recommendations on Mines Other Than Anti-Personnel Mines for submission to the next Meeting of the States Parties to the Convention.

2. Meetings of military experts shall also be conducted to provide advice on these activities.”

3. At the same Meeting the States Parties decided, as contained in paragraph 28 of CCW/MSP/2003/3, that “the Chairman-designate shall undertake consultations during the intersessional period on possible options to promote compliance with the Convention and its annexed Protocols, taking into account proposals put forward, and shall submit a report, adopted by consensus, to the States Parties.”

4. At the same Meeting the States Parties decided, as contained in paragraph 29 of CCW/MSP/2003/3, “to commission follow-up work under the oversight of the Chairman-designate of a Meeting of the States Parties to the Convention to be held on 18 and 19 November 2004 at Geneva in conjunction with the Sixth Annual Conference of the States Parties to Amended Protocol II.”
5. The Meeting of the States Parties decided, as contained in paragraph 30 of CCW/MSP/2003/3, that “the intersessional work of the Group of Governmental Experts will be undertaken in three sessions at Geneva during 2004.”
6. The Ninth Session of the Group of Governmental Experts was held at Geneva from 8 to 16 November 2004.
7. On 8 November 2004, the session was opened by the Chairman-designate of the Meeting of the States Parties to the Convention to be held on 18 and 19 November 2004, Ambassador Gordan Markotić of Croatia.
8. The meetings of the Working Groups of the Group of Governmental Experts were chaired by the two Coordinators: Ambassador Jayant Prasad of India on Explosive Remnants of War, and Ambassador Markku Reimaa of Finland on Mines Other Than Anti-Personnel Mines, who was assisted by Minister Counsellor Harri Mäki-Reinikka of Finland as Friend of the Coordinator on MOTAPM. Mr. Peter Kolarov, Political Affairs Officer, Department for Disarmament Affairs, Geneva Branch, served as Secretary of the Group. He was assisted by Mr. Bantan Nugroho, Political Affairs Officer.
9. The Group held two plenary meetings. At its first plenary meeting, on 8 November 2004, the Group confirmed its Agenda (CCW/GGE/VII/1/Rev.1) as adopted at the first plenary meeting of the Seventh Session, on 8 March 2004, confirmed the Rules of Procedure as adopted and used by the Second Review Conference (CCW/CONF.II/PC.1/1 with oral amendments) and adopted its Programme of Work (CCW/GGE/IX/1).
10. The following States Parties to the Convention participated in the work of the Group: Albania, Argentina, Australia, Austria, Bangladesh, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Canada, Chile, China, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Guatemala, Holy See, Honduras, Hungary, India, Ireland, Israel, Italy, Japan, Jordan, Latvia, Lithuania, Luxembourg, Malta, Mexico, Morocco, Netherlands, New Zealand, Norway, Pakistan, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Senegal, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America.
11. The following Signatory States to the Convention also participated in the work of the Group: Afghanistan, Egypt, Iceland, Nigeria and Vietnam.
12. The following States not parties to the Convention participated as observers: Côte d’Ivoire, Kuwait, Malaysia, Oman, Qatar, Saudi Arabia, Singapore and Venezuela.

13. The representatives of the United Nations Institute for Disarmament Research (UNIDIR) and United Nations Mine Action Service (UNMAS) took part in the work of the Group.
14. The representatives of the following organisations also took part in the work of the Group: International Committee of the Red Cross (ICRC), Geneva International Centre for Humanitarian Demining (GICHD), American Bar Association, Actiongroup Landmine.de, Austrian Aid for Mine Victims, Danchurchaid, Handicap International, Human Rights Watch, International Campaign to Ban Landmines (ICBL), Landmine Action UK, Mines Action Canada, Pax Christi Netherlands, Norwegian Red Cross and World Council of Churches.
15. During the course of the session Netherlands participated in the discussions on behalf of the European Union.
16. At the Group's first plenary meeting, the following States participated in a general exchange of views: Argentina, Canada, China, Cuba, Israel, Norway, Pakistan, Republic of Korea, Russian Federation, Switzerland and United States of America. Mines Action Canada on behalf of the Cluster Munition Coalition and Pax Christi Netherlands also participated in the general exchange of views.
17. At the same meeting, Netherlands participated in the general exchange of views on the status of Protocol V on Explosive Remnants of War. The Group welcomed the States Parties which had notified the United Nations Secretary-General of their consent to be bound by Protocol V on ERW: Sweden, Lithuania and Sierra Leone.
18. The Working Group on Explosive Remnants of War held two meetings and discussed the implementation of existing principles of International Humanitarian Law; possible preventive measures aimed at improving the design of certain specific types of munitions, including sub-munitions, with a view to minimise the humanitarian risk of these munitions becoming explosive remnants of war; and the way ahead. It also held one meeting of military experts under the chairmanship of Lt. Col. Bernard Jeanty of Switzerland.
19. The Working Group on Mines Other Than Anti-Personnel Mines held five meetings and discussed "Proposals and ideas on MOTAPM in the Group of Governmental Experts (GGE) with the purpose to provide a basis for further work" presented by the Coordinator as contained in CCW/GGE/IX/WG.2/1. It also held one meeting of military experts under the chairmanship of Maj. Gen. Ahti Vartiainen of Finland and discussed a paper presented by the Chairperson of the Meeting of Military Experts on Mines Other Than Anti-Personnel Mines entitled "Provisional Agenda for the Meeting of the Military Experts on MOTAPM" as contained in CCW/GGE/IX/WG.2/2.
20. In accordance with the decisions taken at the Meeting of the States Parties to the Convention in 2003 (CCW/MSP/2003/3) one meeting was devoted to the consideration of options to promote compliance with the Convention, under the chairmanship of Ambassador Gordan Markotić, and considered working paper CCW/GGE/IX/WP.1.
21. During the course of the session, the Working Group on Explosive Remnants of War considered documents CCW/GGE/IX/WG.1/1, CCW/GGE/IX/WG.1/WP.1 and CCW/GGE/IX/WG.1/WP.2, and the Working Group on Mines Other Than Anti-Personnel

Mines considered documents CCW/GGE/IX/WG.2/1, CCW/GGE/IX/WG.2/2, CCW/GGE/IX/WG.2/WP.1 and CCW/GGE/IX/WG.2/WP.2, as listed in Annex III. These documents are available in all official languages through the United Nations Official Documents System (<http://www.ods.unog.ch>).

22. The Working Group on Explosive Remnants of War heard presentations by Germany entitled “Safety, Reliability and Performance of Conventional Munitions and Submunitions” and “International Law and the Use of Munitions”. The Working Group on Mines Other Than Anti-Personnel Mines heard presentations by Australia on “Detection Augmentation Tag for Landmines”, “What is Detectability” and “Minefield Marking Methodologies, A Start Point for Discussion”; Finland on “Mine Area: Fencing and Marking”; Russian Federation on “Impact of MOTAPM Detectability on their Combat Effectiveness”, “Advanced Technologies of Detection of Explosive Ordnance” and “Methods of Recording, Fencing and Marking of Mines and Explosive Obstacles in the Russian Federation”; and United States of America on “MOTAPM Detection Signal Equivalence”. GICHD also made a presentation of the study “Humanitarian Impact from Mines Other Than Anti-Personnel Mines”.

23. During the session Netherlands informed the Group on a Seminar on CCW Protocol V on Explosive Remnants of War held on 19 October 2004 in New York. A photographic exhibition on explosive remnants of war by Ms. Bonnie Docherty and Mr. John Rodsted, organised by Pax Christi Netherlands on behalf of the Cluster Munition Coalition, also took place during the course of the session.

24. At its final plenary meeting, on 16 November 2004, the two Coordinators presented recommendations of their respective Working Groups, which were endorsed by the Group of Governmental Experts and which are attached as Annex I and Annex II.

25. The Group of Governmental Experts recommended that the Chairman-designate shall undertake consultations during the intersessional period on possible options to promote compliance with the Convention and its annexed Protocols, taking into account proposals put forward, and shall submit a report, adopted by consensus, to the States Parties.

26. The Group of Governmental Experts agreed that the intersessional work of up to five weeks will be undertaken in three sessions during 2005, the dates for which will be decided by the Meeting of the States Parties to be held on 18 and 19 November 2004.

27. At the same plenary meeting, the Group of Governmental Experts recommended that follow up work arising from the Meeting of the States Parties (18 and 19 November 2004) shall be held under the oversight of the Chairman-designate of the Meeting of the States Parties proposed to be held at Geneva in 2005 in conjunction with the Seventh Annual Conference of the States Parties to Amended Protocol II.

28. At the same plenary meeting, on 16 November 2004, the Group of Governmental Experts adopted its procedural report of the Ninth Session, as contained in document CCW/GGE/IX/CRP.1, as orally amended, which is being issued as document CCW/GGE/IX/2.

Annex I

**RECOMMENDATION OF THE WORKING GROUP ON
EXPLOSIVE REMNANTS OF WAR**

The Working Group on Explosive Remnants of War recommends to the States Parties that it would continue its work in the year 2005 with the following mandate:

To continue to consider, including through participation of legal experts, the implementation of existing principles of International Humanitarian Law and to further study, on an open-ended basis, with particular emphasis on meetings of military and technical experts, possible preventive measures aimed at improving the design of certain specific types of munitions, including sub-munitions, with a view to minimising the humanitarian risk of these munitions becoming explosive remnants of war. Exchange of information, assistance and co-operation would be part of this work. The Group will report on the work done to the next Meeting of the States Parties.

Annex II

**RECOMMENDATION OF THE WORKING GROUP ON
MINES OTHER THAN ANTI-PERSONNEL MINES**

The Working Group on Mines Other Than Anti-Personnel Mines recommends to the States Parties that it would continue its work in the year 2005 with the following mandate:

1. To consider all proposals on Mines Other Than Anti-Personnel Mines put forward since the establishment of the Group of Governmental Experts with the aim of elaborating appropriate recommendations on Mines Other Than Anti-Personnel Mines for submission to the next Meeting of the States Parties to the Convention.
2. Meetings of military experts shall also be conducted to provide advice on these activities.

Annex III

**LIST OF DOCUMENTS
OF THE GROUP OF GOVERNMENTAL EXPERTS
SEVENTH SESSION, 8 - 12 MARCH 2004**

Number	Title	Countries/ Organizations
CCW/GGE/VII/1/Rev.1	Revised Provisional Agenda	Chairman-designate
CCW/GGE/VII/2/Rev.1	Revised Draft Programme of Work	Chairman-designate
CCW/GGE/VII/3	Procedural Report	Secretariat
CCW/GGE/VII/WG.1/WP.1	Note by the Coordinator	Coordinator on ERW
CCW/GGE/VII/WG.1/WP.2	Proposal for the Structuring of IHL/ERW Discussions during CCW Experts' Meetings in 2004	Sweden
CCW/GGE/VII/WG.1/WP.3	Questions and Issues with regard to Preventive Technical Measures for Certain Specific Types of Explosive Ordnance	Switzerland
CCW/GGE/VII/WG.1/WP.3/Corr.1 (English only)	Questions and Issues with regard to Preventive Technical Measures for Certain Specific Types of Explosive Ordnance - Corrigendum	Switzerland
CCW/GGE/VII/WG.1/WP.4	Exchange of Information on a Voluntary Basis on Protocol V	Netherlands
CCW/GGE/VII/WG.2/WP.1	Military Experts Meeting: Tentative List of Areas for Discussion	Coordinator on MOTAPM
CCW/GGE/VII/WG.2/WP.2	Landmine Detection Technology	Australia
CCW/GGE/VII/WG.2/WP.2/Corr.1 (English only)	Landmine Detection Technology - Corrigendum	Australia

CCW/GGE/VII/WG.2/WP.3	A Common Inter-Agency Coordination Group on Mine Action (IACG-MA) on Mines Other Than Anti-Personnel Mines	UNMAS on behalf of the IACG-MA
CCW/GGE/VII/WG.2/WP.3/Corr.1 (English only)	A Common Inter-Agency Coordination Group on Mine Action (IACG-MA) on Mines Other Than Anti-Personnel Mines	UNMAS on behalf of the IACG-MA
CCW/GGE/VII/WG.2/WP.4	Current and Future Technology for MOTAPM Detection and Clearance	UNMAS
CCW/GGE/VII/WG.2/WP.5	Two New Articles on International Cooperation and Assistance and on Transparency Measures	Lithuania
CCW/GGE/VII/WG.2/WP.6	Protocol on Prohibitions or Restrictions on the Use and Transfer of Mines Other Than Anti-Personnel Mines	Secretariat
CCW/GGE/VII/CRP.1	Draft Procedural Report	Secretariat
CCW/GGE/VII/MISC.1	Provisional List of Participants	Secretariat

**LIST OF DOCUMENTS
OF THE GROUP OF GOVERNMENTAL EXPERTS
EIGHTH SESSION, 5 - 16 JULY 2004**

Number	Title	Countries/ Organizations
CCW/GGE/VIII/1	Provisional Programme of Work	Chairman-designate
CCW/GGE/VIII/2	Discussion Paper on Compliance	Chairperson
CCW/GGE/VIII/3	Procedural Report	Secretariat
CCW/GGE/VIII/WP.1	CCW Framework Convention: Additional Articles on Consultations and Compliance	South Africa
CCW/GGE/VIII/WG.1/1	Provisional Agenda of the Meetings of the Military Experts on Explosive Remnants of War (ERW)	Chairperson of the Meetings of the Military Experts on ERW
CCW/GGE/VIII/WG.1/WP.1	Methodological approach to evaluation in the context of improvement of the design of certain specific types of munitions	France
CCW/GGE/VIII/WG.2/1	Proposals and ideas on MOTAPM in the Group of Governmental Experts (GGE) with the purpose to provide a basis for further work	Coordinator
CCW/GGE/VIII/WG.2/2	Provisional Agenda of the Meetings of the Military Experts on MOTAPM	
CCW/GGE/VIII/WG.2/WP.1	Detectability of Anti-Vehicle Mines	United Kingdom
CCW/GGE/VIII/WG.2/WP.2	Mines other than Anti-Personnel Mines (MOTAPM) laid outside perimeter-marked areas	Ireland
CCW/GGE/VIII/WG.2/WP.3	Sensitive Fuses and Sensors for Mines Other Than Anti-Personnel Mines (MOTAPM), Proposal for Best Practice	Germany

CCW/GGE/VIII/WG.2/WP.4	The current detectability status of Mines Other Than Anti-Personnel Mines currently available to States Parties to the Convention on Certain Conventional Weapons	GICHD at the request of the Coordinator for MOTAPM
CCW/GGE/VIII/WG.2/WP.5	Responses to Certain Concerns Regarding a MOTAPM Protocol	United States of America
CCW/GGE/VIII/CRP.1	Draft Procedural Report	Secretariat
CCW/GGE/VIII/Misc.1	Provisional List of Participants	Secretariat
CCW/GGE/VIII/INF.1 and Add.1	List of Participants	Secretariat

**LIST OF DOCUMENTS
OF THE GROUP OF GOVERNMENTAL EXPERTS
NINTH SESSION, 8 - 16 NOVEMBER 2004**

Number	Title	Countries/ Organizations
CCW/GGE/IX/1	Provisional Programme of Work	Chairman and the Coordinators on ERW and on MOTAPM
CCW/GGE/IX/WP.1	Ideas and suggestions regarding a possible compliance mechanism under the Convention on Certain Conventional Weapons	European Union
CCW/GGE/IX/WP.1/Corr.1 (English only)	Ideas and suggestions regarding a possible compliance mechanism under the Convention on Certain Conventional Weapons	European Union
CCW/GGE/IX/2	Procedural Report	Secretariat
CCW/GGE/IX/WG.1/1	Meetings of military and technical experts	Chairperson of the Meetings of the Military Experts on MOTAPM
CCW/GGE/IX/WG.1/WP.1	Dealing with the Impact of Cluster Munitions	Cluster Munition Coalition
CCW/GGE/IX/WG.1/WP.1/Corr.1 (English only)	Dealing with the Impact of Cluster Munitions	Cluster Munition Coalition
CCW/GGE/IX/WG.1/WP.2	Reliability, Safety, and Performance of Conventional Munitions and Submunitions	Germany
CCW/GGE/IX/WG.2/1	Proposals and ideas on MOTAPM in the Group of Governmental Experts (GGE) with the purpose to provide a basis for further work	Coordinator on MOTAPM
CCW/GGE/IX/WG.2/2	Provisional Agenda of the Meetings of the Military Experts on MOTAPM	Chairperson of the Meetings of the Military Experts on

		MOTAPM
CCW/GGE/IX/WG.2/WP.1	Sensitive Fuzes in Mines Other than Anti-Personnel Mines	United Kingdom of Great Britain and Northern Ireland
CCW/GGE/IX/WG.2/WP.2	Minefield Marking Methodologies	Australia
CCW/GGE/IX/CRP.1	Draft Procedural Report	Secretariat
CCW/GGE/IX/Misc.1	Provisional List of Participants	Secretariat
CCW/GGE/IX/INF.1	List of Participants	Secretariat

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