

**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/MSP/2004/CRP.1
19 November 2004

ENGLISH ONLY

2004 Session
Geneva, 18-19 November 2004
Item 12 of the agenda

DRAFT 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 29 of its Report (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.” For that purpose the Meeting of the States Parties to the Convention decided that the Group of Governmental Experts would continue its work in the year 2004.

2. The Meeting of the States Parties 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.”

3. The Meeting of 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.”
4. The Meeting of 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.”
5. The Meeting of the States Parties decided, as contained in paragraph 32 of CCW/MSP/2003/3, “to designate Ambassador Gordan Markotić of Croatia as Chairman of the Meeting of the States Parties to be held in 2004”. Furthermore, the States Parties decided to appoint Ambassador Markku Reimaa of Finland as Coordinator on Mines Other Than Anti-Personnel Mines, and Ambassador Jayant Prasad of India as Coordinator on Explosive Remnants of War.
6. The Group of Governmental Experts held three sessions during 2004. The deliberations and activities of all three sessions of the Group are reflected in CCW/GGE/VII/3 of 23 March 2004, CCW/GGE/VIII/3 of 18 August 2004 and CCW/GGE/IX/2 of 18 November 2004, respectively.
7. The Meeting of the States Parties to the Convention was held at Geneva on 18 and 19 November 2004.
8. The following States Parties to the Convention participated in the work of the Group: Albania, Argentina, Australia, Austria, Bangladesh, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Costa Rica, 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, Mongolia, Morocco, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Senegal, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Togo, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America.
9. The following State, which has deposited its instrument of ratification, acceptance, approval of or accession to the Convention, but for which it has not yet entered into force also participated in the work of the Meeting: Sri Lanka.
10. The following Signatory States to the Convention also participated in the work of the Group: Afghanistan, Egypt, Iceland, Nigeria, Turkey and Vietnam.
11. The following States which are not parties to the Convention participated as observers: Algeria, Azerbaijan, Côte d’Ivoire, Kazakhstan, Kuwait, Lebanon, Madagascar, Malaysia, Nepal, Oman, Qatar, Saudi Arabia, Singapore, Syria, Thailand, Venezuela and Yemen.

12. The representative of the United Nations Mine Action Service (UNMAS) took part in the work of the Group.

13. The representatives of the following organisations also took part in the work of the Group: African, Caribbean and Pacific Group of States (ACP Group), European Commission, International Committee of the Red Cross (ICRC), Geneva International Centre for Humanitarian Demining (GICHD), American Bar Association, Actiongroup Landmine.de, Handicap International, Human Rights Watch, International Campaign to Ban Landmines (ICBL), Landmine Action UK, Mines Action Canada and Pax Christi Netherlands.

14. The Meeting of the States Parties was opened on 18 November 2004 by the Deputy Secretary-General of the Conference on Disarmament and Director of the Department for Disarmament Affairs, Geneva Branch, Mr. Enrique Román-Morey.

15. The Meeting of the States Parties held three plenary meetings. At its first plenary meeting, on 18 November 2004, the Meeting of the States Parties confirmed by acclamation the nomination of Ambassador Gordan Markotić of Croatia as Chairman of the Meeting.

16. At the same plenary meeting, the Meeting of the States Parties adopted its agenda as contained in Annex I.

17. At the same plenary meeting, the Meeting of the States Parties adopted the Rules of Procedure as adopted and used by the Second Review Conference (CCW/CONF.II/PC.1/1 with oral amendments).

18. At the same plenary meeting, the Meeting of the States Parties unanimously confirmed the nomination of Mr. Peter Kolarov, Political Affairs Officer, Department for Disarmament Affairs, Geneva Branch, as Secretary-General of the Meeting. He was assisted by Mr. Bantan Nugroho, Political Affairs Officer, as Secretary of the Meeting.

19. At the same plenary meeting, the Meeting of the States Parties agreed in the context of the short duration of the Meeting to have a streamlined bureau consisting of the Chairman, the Group Coordinators (the representatives of China, Germany, Romania and South Africa), the Working Group Coordinators (Ambassador Jayant Prasad of India as Coordinator on Explosive Remnants of War and Ambassador Markku Reimaa of Finland as Coordinator on Mines Other Than Anti-Personnel Mines) and the Chairmen of the Meetings of the Military Experts (Lt. Col. Bernard Jeanty of Switzerland on Explosive Remnants of War and Maj. Gen. Ahti Vartiainen of Finland on Mines Other Than Anti-Personnel Mines) on the understanding that this does not constitute a precedent for future meetings of the States Parties.

20. At the same plenary meeting, the Meeting of the States Parties received a message from the Secretary-General of the United Nations, which was delivered by the Deputy Secretary-General of the Conference on Disarmament and Director of the Department for Disarmament Affairs, Geneva Branch, Mr. Enrique Román-Morey.

21. At the same plenary meeting, the Meeting of the States Parties considered the financial arrangements for the Meeting, agreed by the 2003 Meeting of the States Parties to the Convention, as contained in Annex III of its Report (CCW/MSP/2003/3).
22. At the same plenary meeting, the Chairman of the Meeting of the States Parties, Ambassador Gordan Markotić of Croatia, reported the work of the Group of Governmental Experts to the Meeting of the States Parties for its consideration.
23. The following States participated in the consideration of the report of the work of the Group of Governmental Experts and general exchange of views: Australia, Argentina, Belarus, Canada, China, Colombia, Croatia, Cuba, Denmark, France, Ireland, Israel, Japan, Mexico, Morocco, Netherlands (on behalf of the European Union), New Zealand, Norway, Pakistan, Poland, Republic of Korea, Russian Federation, South Africa, Switzerland, United States of America. The representative of the International Committee of the Red Cross (ICRC) also participated in the discussion.
24. The following States participated in the discussion on the issue of the Third Review Conference 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: Japan, Netherlands (on behalf of the European Union), South Africa.
25. Following the recommendations of the Group of Governmental Experts, the Meeting of the States Parties decided that the Working Group on Explosive Remnants of War would continue its work in the year 2005 with the mandate contained in Annex I of CCW/GGE/IX/2 as follows:
- “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.”
26. Following the recommendations of the Group of Governmental Experts, the Meeting of the States Parties decided that the Working Group on Mines Other Than Anti-Personnel Mines would continue its work in the year 2005 with the mandate contained in Annex II of CCW/GGE/IX/2 as follows:
- “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.”

27. Following the recommendations of the Group of Governmental Experts, as contained in paragraph 25 of CCW/GGE/IX/2, the Meeting of the States Parties decided 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.

28. The Meeting of the States Parties decided that the Chairman-designate shall undertake consultations during the intersessional period on the preparation of the Third Review Conference of the States Parties to the Convention and shall report to the next Meeting of the States Parties.

29. Following the recommendations of the Group of Governmental Experts, as contained in paragraph 27 of CCW/GGE/IX/2, the Meeting of the States Parties decided 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 24 and 25 November 2005 at Geneva in conjunction with the Seventh Annual Conference of the States Parties to Amended Protocol II.

30. Following the recommendations of the Group of Governmental Experts, as contained in paragraph 26 of CCW/GGE/IX/2, the Meeting of the States Parties decided that the intersessional work of the Group of Governmental Experts of up to five weeks will be undertaken in three sessions at Geneva during 2005:

- 7 to 11 March 2005
- 2 to 12 August 2005
- 14 to 22 November 2005

31. The Meeting of the States Parties addressed the issue of the dates and duration of the Seventh Annual Conference of the States Parties to Amended Protocol II and decided that it be held on 23 November 2005 at Geneva.

32. The Meeting of the States Parties decided to designate ... of ... as Chairman of the Meeting of the States Parties to be held in 2005, and appointed ... of ... as Coordinator on Explosive Remnants of War and ... of ... as Coordinator on Mines Other Than Anti-Personnel Mines.

33. The proceedings of the Meeting of the States Parties as well as all the statements made during the discussions are reflected in the summary records of the Meeting of the States Parties which will be issued at a later date.

34. At its final plenary meeting, on 19 November 2004, the Meeting of the States Parties adopted its report, as contained in document CCW/MSP/2004/CRP.1, as orally amended, which is being issued as document CCW/MSP/2004/2 and the cost estimates of the three sessions in 2005 of the

CCW/MSP/2004/CRP.1

Page 6

Group of Governmental Experts and of the Meeting of the States Parties to the Convention to be held in 2005.

Annex I

AGENDA

as adopted at the first plenary meeting on 18 November 2004

1. Opening of the Meeting
2. Confirmation of the nomination of the Chairman of the Meeting
3. Adoption of the Agenda
4. Confirmation of the Rules of Procedure
5. Confirmation of the nomination of the Secretary-General of the Meeting
6. Election of Vice-Chairpersons
7. Message from the Secretary-General of the United Nations
8. Adoption of financial arrangements for the Meeting
9. Report of the work of the Group of Governmental Experts of the States Parties to the CCW
10. Consideration of the report of the work of the Group of Governmental Experts and general exchange of views
11. Third Review Conference 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
12. Adoption of the report
13. Other matters

Annex II

ESTIMATED COSTS OF THE 2005 MEETING OF THE STATES PARTIES
TO THE CONVENTION ON CERTAIN CONVENTIONAL WEAPONS

[TO BE COMPLETED BY THE SECRETARIAT]

Annex III

ESTIMATED COSTS OF THE THREE SESSIONS IN 2005 OF THE GROUP OF
GOVERNMENTAL EXPERTS OF THE STATES PARTIES TO THE CONVENTION ON
CERTAIN CONVENTIONAL WEAPONS

[TO BE COMPLETED BY THE SECRETARIAT]

Annex IVList¹ of the States Parties to the Convention

- | | | |
|--------------------|---------------------------|-------------------------------|
| 1. Albania | 35. Guatemala | 70. Poland |
| 2. Argentina | 36. Holy See | 71. Portugal |
| 3. Australia | 37. Honduras | 72. Republic of Korea |
| 4. Austria | 38. Hungary | 73. Republic of |
| 5. Bangladesh | 39. India | Moldova |
| 6. Belarus | 40. Ireland | 74. Romania |
| 7. Belgium | 41. Israel | 75. Russian Federation |
| 8. Benin | 42. Italy | 76. Senegal |
| 9. Bolivia | 43. Japan | 77. Serbia and |
| 10. Bosnia and | 44. Jordan | Montenegro |
| Herzegovina | 45. Laos | 78. Seychelles |
| 11. Brazil | 46. Latvia | 79. Sierra Leone ³ |
| 12. Bulgaria | 47. Lesotho | 80. Slovakia |
| 13. Burkina Faso | 48. Liechtenstein | 81. Slovenia |
| 14. Cambodia | 49. Lithuania | 82. South Africa |
| 15. Canada | 50. Luxembourg | 83. Spain |
| 16. Cape Verde | 51. Maldives | 84. Sri Lanka ⁴ |
| 17. Chile | 52. Mali | 85. Sweden |
| 18. China | 53. Malta | 86. Switzerland |
| 19. Colombia | 54. Mauritius | 87. Tajikistan |
| 20. Costa Rica | 55. Mexico | 88. The former |
| 21. Croatia | 56. Monaco | Yugoslav Republic |
| 22. Cuba | 57. Mongolia | of Macedonia |
| 23. Cyprus | 58. Morocco | 89. Togo |
| 24. Czech Republic | 59. Nauru | 90. Tunisia |
| 25. Denmark | 60. Netherlands | 91. Turkmenistan |
| 26. Djibouti | 61. New Zealand | 92. Uganda |
| 27. Ecuador | 62. Nicaragua | 93. Ukraine |
| 28. El Salvador | 63. Niger | 94. United Kingdom of |
| 29. Estonia | 64. Norway | Great Britain and |
| 30. Finland | 65. Pakistan | Northern Ireland |
| 31. France | 66. Panama | 95. United States of |
| 32. Georgia | 67. Paraguay ² | America |
| 33. Germany | 68. Peru | 96. Uruguay |
| 34. Greece | 69. Philippines | 97. Uzbekistan. |

States Signatories: Afghanistan, Egypt, Iceland, Nigeria, Sudan, Turkey, Vietnam.

¹ As of 11 November 2004

² Instruments of accession were deposited with the Depositary on 22 September 2004

³ Instruments of ratification were deposited with the Depositary on 30 September 2004

⁴ Instruments of accession were deposited with the Depositary on 24 September 2004

Annex V

List¹ of States Which Have Notified the Depositary of Their Consent to be Bound
by the Amendment to Article 1 of the Convention
(21 December 2001)

- | | | | |
|-----|--------------|-----|---|
| 1. | Argentina | 19. | Liechtenstein |
| 2. | Australia | 20. | Lithuania |
| 3. | Austria | 21. | Malta |
| 4. | Belgium | 22. | Mexico |
| 5. | Bulgaria | 23. | Netherlands |
| 6. | Burkina Faso | 24. | Norway |
| 7. | Canada | 25. | Panama |
| 8. | China | 26. | Republic of Korea |
| 9. | Croatia | 27. | Romania |
| 10. | Denmark | 28. | Serbia and Montenegro |
| 11. | Estonia | 29. | Sierra Leone |
| 12. | Finland | 30. | Slovakia |
| 13. | France | 31. | Spain |
| 14. | Holy See | 32. | Sri Lanka |
| 15. | Hungary | 33. | Sweden |
| 16. | Italy | 34. | Switzerland |
| 17. | Japan | 35. | United Kingdom of Great
Britain and Northern Ireland |
| 18. | Latvia | | |

¹ As of 11 November 2004

Annex VI

List¹ of States Which Have Notified the Depositary of Their Consent to be Bound
by the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other
Devices
(Protocol II as amended on 3 May 1996)

- | | | |
|--------------------|-------------------|-----------------------|
| 1. Albania | 29. Germany | 58. Peru |
| 2. Argentina | 30. Greece | 59. Philippines |
| 3. Australia | 31. Guatemala | 60. Poland |
| 4. Austria | 32. Holy See | 61. Portugal |
| 5. Bangladesh | 33. Honduras | 62. Republic of Korea |
| 6. Belarus | 34. Hungary | 63. Republic of |
| 7. Belgium | 35. India | Moldova |
| 8. Bolivia | 36. Ireland | 64. Romania |
| 9. Bosnia and | 37. Israel | 65. Senegal |
| Herzegovina | 38. Italy | 66. Seychelles |
| 10. Brazil | 39. Japan | 67. Sierra Leone |
| 11. Bulgaria | 40. Jordan | 68. Slovakia |
| 12. Burkina Faso | 41. Latvia | 69. Slovenia |
| 13. Cambodia | 42. Liechtenstein | 70. South Africa |
| 14. Canada | 43. Lithuania | 71. Spain |
| 15. Cape Verde | 44. Luxembourg | 72. Sri Lanka |
| 16. Chile | 45. Maldives | 73. Sweden |
| 17. China | 46. Mali | 74. Switzerland |
| 18. Colombia | 47. Malta | 75. Tajikistan |
| 19. Costa Rica | 48. Monaco | 76. Turkmenistan |
| 20. Croatia | 49. Morocco | 77. Ukraine |
| 21. Cyprus | 50. Nauru | 78. United Kingdom of |
| 22. Czech Republic | 51. Netherlands | Great Britain and |
| 23. Denmark | 52. New Zealand | Northern Ireland |
| 24. Ecuador | 53. Nicaragua | 79. United States of |
| 25. El Salvador | 54. Norway | America |
| 26. Estonia | 55. Pakistan | 80. Uruguay |
| 27. Finland | 56. Panama | |
| 28. France | 57. Paraguay | |

¹ As of 11 November 2004

Annex VIIList¹ of States Which Have Notified the Depositary of Their Consent to be Bound
by the Protocol on Blinding Laser Weapons

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|------------------------------|-------------------|--|
| 1. Albania | 28. France | 56. Pakistan |
| 2. Argentina | 29. Germany | 57. Panama |
| 3. Australia | 30. Greece | 58. Peru |
| 4. Austria | 31. Guatemala | 59. Philippines |
| 5. Bangladesh | 32. Holy See | 60. Poland |
| 6. Belarus | 33. Honduras | 61. Portugal |
| 7. Belgium | 34. Hungary | 62. Republic of
Moldova |
| 8. Bolivia | 35. India | 63. Romania |
| 9. Bosnia and
Herzegovina | 36. Ireland | 64. Russian Federation |
| 10. Brazil | 37. Israel | 65. Serbia and
Montenegro |
| 11. Bulgaria | 38. Italy | 66. Seychelles |
| 12. Burkina Faso | 39. Japan | 67. Sierra Leone |
| 13. Cambodia | 40. Latvia | 68. Slovakia |
| 14. Canada | 41. Liechtenstein | 69. Slovenia |
| 15. Cape Verde | 42. Lithuania | 70. South Africa |
| 16. Chile | 43. Luxembourg | 71. Spain |
| 17. China | 44. Maldives | 72. Sri Lanka |
| 18. Colombia | 45. Mali | 73. Sweden |
| 19. Costa Rica | 46. Malta | 74. Switzerland |
| 20. Croatia | 47. Mauritius | 75. Tajikistan |
| 21. Cyprus | 48. Mexico | 76. Ukraine |
| 22. Czech Republic | 49. Mongolia | 77. United Kingdom of
Great Britain and
Northern Ireland |
| 23. Denmark | 50. Morocco | 78. Uruguay |
| 24. Ecuador | 51. Nauru | 79. Uzbekistan. |
| 25. El Salvador | 52. Netherlands | |
| 26. Estonia | 53. New Zealand | |
| 27. Finland | 54. Nicaragua | |
| | 55. Norway | |

¹ As of 11 November 2004

Annex VIII

List¹ of States Which Have Notified the Depositary of Their Consent to be Bound
by Protocol V on Explosive Remnants of War

1. Lithuania
2. Sierra Leone
3. Sweden

¹ As of 11 November 2004

Annex IX

**LIST OF DOCUMENTS
OF THE MEETING OF THE STATES PARTIES**

Symbol	Title or descriptions
CCW/MSP/2004/1	Provisional Agenda
CCW/MSP/2004/2	Report of the Meeting of the States Parties
CCW/MSP/2004/L.1	Estimated Costs of the 2005 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/MSP/2004/L.2	Estimated Costs of the Three Sessions in 2005 of the 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/MSP/2004/CRP.1	Draft Report
CCW/MSP/2004/MISC.1	Provisional List of Participants
CCW/MSP/2004/SR.1	Summary Record of the 1 st meeting
CCW/MSP/2004/SR.2	Summary Record of the 2 nd meeting
CCW/MSP/2004/SR.3	Summary Record of the 3 rd meeting

[TO BE COMPLETED BY THE SECRETARIAT]

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