

**DRAFT**  
**REPORT OF THE FIFTH ANNUAL CONFERENCE OF THE**  
**STATES PARTIES TO AMENDED PROTOCOL II ON**  
**PROHIBITIONS OR RESTRICTIONS ON THE USE OF MINES,**  
**BOOBY-TRAPS AND OTHER DEVICES**  
**AS AMENDED ON 3 MAY 1996**  
**ANNEXED 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**

Geneva, 26 November 2003

**FINAL DOCUMENT**

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**REPORT OF THE FIFTH 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**

**I. INTRODUCTION**

1. Article 13 of Amended Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices (Amended Protocol II) adopted on 3 May 1996 by the 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 (CCW), provides for a conference of the States Parties to the Protocol to be held annually for the purpose of consultations and cooperation on all issues related to the operation of the Protocol.
2. In its resolution 57/98, adopted on 22 November 2002, the General Assembly of the United Nations welcomed the results of the Third Annual Conference of the States Parties to Amended Protocol II held on 10 December 2001, and recalled the decision of the Second Review Conference to commission follow-up work under the oversight of a Chairman-designate of a Meeting of the States Parties to the Convention on 12 and 13 December 2002 in conjunction with the Fourth Annual Conference of the States Parties to Amended Protocol II.
3. The Fourth Annual Conference held on 11 December 2002 agreed to recommend to the Fifth Annual Conference a provisional agenda as contained in Annex IV of the Final Document of the Conference (CCW/AP.II/CONF.4/3 (Part I)). It also considered the estimated costs of the Fifth Annual Conference and recommended them for adoption at the time of the Conference in 2003 (CCW/AP.II/CONF.4/3 (Part I), Annex V). The Meeting of the States Parties to the Convention, held from 12 to 13 December 2002, decided that the Fifth Annual Conference of the States Parties to Amended Protocol II might begin on 26 November 2003.

**II. ORGANIZATION OF THE FIFTH ANNUAL CONFERENCE**

4. The Fifth Annual Conference was opened on 26 November 2003 by the President of the Fourth Annual Conference, Ambassador Christian Faessler of Switzerland.
5. At its first plenary meeting, on 26 November 2003, the Conference confirmed the nomination of Ambassador Dimiter Tzantchev of Bulgaria as President of the Fifth Annual Conference. It also confirmed the nominations of Ambassador Hu Xiaodi of China, Ambassador Siphon George Nene of South Africa and Ambassador Christian Faessler of Switzerland as Vice-Presidents.
6. Also at its first plenary meeting, the Conference appointed Mr. Vladimir Bogomolov, Political Affairs Officer, Department for Disarmament Affairs, Geneva Branch, as Secretary-

General of the Conference. Mr. Bantan Nugroho, Political Affairs Officer, Department for Disarmament Affairs, Geneva Branch, served as Secretary of the Fifth Annual Conference.

7. The following States which have notified the Depositary of their consent to be bound by Amended Protocol II participated in the work of the Conference: . . . . .

8. The following Signatory States to the Convention also participated in the work of the Conference: . . . . .

9. The following States not parties to Amended Protocol II participated as observers: . . . . .

10. The representatives of the United Nations Children's Fund (UNICEF), the United Nations Institute for Disarmament Research (UNIDIR) and the United Nations Mine Action Service (UNMAS) also participated in the work of the Conference.

11. The representatives of the International Committee of the Red Cross (ICRC), . . . . .  
. . . . . attended public meetings of the Conference.

### III. WORK OF THE FIFTH ANNUAL CONFERENCE

12. At its first plenary meeting, on 26 November 2003, the Conference adopted its agenda, as contained in Annex I, and noted that the Rules of Procedure for Annual Conferences of the States Parties to Amended Protocol II, adopted at the First Annual Conference held in 1999, together with the statement of the President which had been made in connection with the adoption of these Rules of Procedure, were applicable, *mutatis mutandis*, to the Fifth Annual Conference.

13. Also at that meeting the Conference decided to conduct its work in plenary meetings.

14. At the same meeting the Conference adopted the arrangements for meeting the costs of the Conference, as contained in document CCW/AP.II/CONF.4/3 (Part I).

15. At the same meeting the Conference received a message from the Secretary-General of the United Nations that was delivered by the Director-General of the United Nations Office at Geneva and Secretary-General of the Conference on Disarmament, Mr. Sergei Ordzhonikidze.

16. The following delegations participated in the general exchange of views: . . . . .  
. . . . . Representatives of . . . . . also took the floor. The statements made during the general exchange of views are reflected in the summary records of the Conference, which will be issued at a later date, as part of the final document of this Conference.

17. In accordance with paragraph 4 of Article 13 of the Protocol, the Conference had before it 42 national annual reports from the following States: Australia, Austria, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, China, Croatia, Czech Republic, Denmark, Estonia, France, Germany, Greece, Guatemala, Holy See, Hungary, India, Ireland, Israel, Italy, Japan,

Latvia, Liechtenstein, Lithuania, Monaco, Netherlands, New Zealand, Norway, Pakistan, Poland, Portugal, Republic of Korea, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland. The reports contained information on:

- (a) dissemination of information on the Protocol to armed forces and civilian populations;
- (b) mine clearance and rehabilitation programmes;
- (c) steps taken to meet technical requirements of the Protocol and any other relevant information pertaining thereto;
- (d) legislation related to the Protocol;
- (e) measures taken on international technical information exchange, on international cooperation on mine clearance, and on technical cooperation and assistance;
- (f) other relevant matters; and
- (g) information to the United Nations database on mine clearance

18. To facilitate the discussions on agenda item 9, entitled “Consideration of matters arising from reports by High Contracting Parties according to paragraph 4 of Article 13 of the Amended Protocol II”, the delegation of Switzerland in cooperation with interested delegations submitted a paper entitled “Synopsis of the National Annual Reports”, containing an analysis of the National Annual Reports 2003, which was welcomed by the participants and attached to this Report as Annex II.

19. At the Fourth Annual Conference Switzerland proposed the introduction of a cover sheet to the National Annual Report to simplify the submission of the Reports, as contained in CCW/AP.II/CONF.4/3 (Part I), Annex II. The Conference considered this proposal and decided to amend the current cover sheet to the National Annual Report accordingly. The proposed cover sheet is attached to this Report as Annex III.

#### IV. CONCLUSIONS AND RECOMMENDATIONS

20. At its second plenary meeting, on 26 November 2003, the Conference decided to issue an appeal to all States that had not yet done so to take all measures to accede to Amended Protocol II as soon as possible. The appeal is contained in Annex III.

21. The Conference recommended that the Secretary-General of the United Nations, as Depositary of Amended Protocol II, and the President of the Conference, on behalf of the High Contracting Parties, exercise their authority to achieve the goal of universality of Amended Protocol II. To this effect, the Conference requested the President to consider reporting to the 59th session of the United Nations General Assembly on his endeavours. The Conference also called on the High Contracting Parties to promote wider adherence to Amended Protocol II in their respective regions.

22. In light of the decision taken at the Fourth Annual Conference to designate the President and Vice-Presidents at the end of the conference in order to assure the continuity of the preparatory work by the presidency, the Conference decided to nominate Ambassador . . . . . of . . . . . as President-designate of the Sixth Annual Conference of the States Parties to be held in 2004 and representatives of . . . . ., . . . . . and . . . . . as Vice-Presidents-designates.

23. The Conference addressed the issue of holding the Sixth Annual Conference in 2004 and decided that the issues of the dates and duration would be addressed at the Meeting of the States Parties to the Convention to be held from 27 to 28 November 2003. The Conference decided that a preparatory meeting for the Sixth Annual Conference was not required. The Conference agreed to recommend to the Sixth Annual Conference a provisional agenda, as contained in Annex IV. It also considered the estimated costs of the Sixth Annual Conference and recommended them for adoption at the time of the Conference in 2004, as contained in Annex V.

24. At its final plenary meeting, on 26 November 2003, the Fifth Annual Conference adopted its report as contained in document CCW/AP.II/CONF.5/CRP.1, as orally amended, which is being issued as document CCW/AP.II/CONF.5/....



Annex I

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