
Nairobi, 29 November – 3 December 2004
Item 11 of the revised provisional agenda

Nature, Timing and Sequencing of Post-2004 Meetings of the States Parties and Related Matters

Prepared by Germany, Malaysia and the President-Designate

1. On 13 February 2004, the First Preparatory Meeting considered, *inter alia*, the discussion paper prepared by Germany and Malaysia on “Nature, Timing and Sequencing of Post-2004 Meetings of the States Parties and Related Matters,” contained in document APLC/CONF/2004/PM.1/WP.2 dated 26 January 2004 (hereinafter referred to as “the Discussion Paper”). The Meeting expressed that the contents of this paper “would provide useful direction to the President-designate in his ongoing efforts to develop with the States Parties [...] a draft document on the nature, timing and sequencing of post-Review Conference Meetings of the States Parties and related matters [...].”¹
2. During the consideration of the Discussion Paper, many States Parties as well as interested international and non-governmental organizations expressed clear views as to their preferences for one or several of the options developed in the annex to the Discussion Paper. However, it appeared from the deliberations that the model solutions presented in the paper could be further refined, differentiated, or reconceived. With the approval of the President-designate, Germany and Malaysia, therefore, in order to gather more detailed and additional views on the matter, developed a questionnaire including several options (1 – 4), which was submitted to States Parties, interested international and non-governmental organisations.
3. In total 23 answers to this questionnaire were received (21 States Parties, 2 NGOs), which are indicative and helpful in identifying trends and opinions with regard to the decision to be taken at the Review Conference.
4. Evaluation of answers to the questionnaire, including the different options included in it, comes to the following results:
 - (i) General preferences are in favour of maintaining the organisational structure and nature of meetings, as developed in the years since the Convention entered into force. There seems to be no need for any basic changes.

¹ Procedural Report of the First Preparatory Meeting, paragraph 15 (document APLC/CONF/2004/PM.1/2 dated 3 March 2004).

- (ii) Annual meetings: While there is comparatively less interest in Option 3, a large majority of answers (17 of 22) supports a leaner annual programme (Options 1, 2, 4), of Meetings of States Parties (MSP) and informal Meetings of Standing Committees (MSC) but opinions are divided or contradictory on how best to achieve this aim, be it through
- (a) Option 1 (respectively one MSP and one MSC per year). Arguments in favour of this option appear to be, that it maintains established meetings schedule until 2RC as important implementation deadlines are due in the interval; warrants important attention on Convention's humanitarian objectives; is cost-effective; maintains of good balance between formal and informal meetings; represents a reasonable compromise between rationalizing the intersessional work programme and the necessity to reaffirm high political commitment, or
- (b) Option 2 (also holding two meetings per year, but only 2 MSPs in the run-up to the Second Review Conference, holding additional MSCs in the intervals), arguing that this option emphasises the informal mechanism; provides more opportunities for deliberations of experts; is effective in terms of cost, discussion, problem solving and time-saving; avoids the burden and the costs of the existing structure.
- (c) In addition, answers to the separate question about an adequate number of meetings (MSP and MSC) indicate a certain interest in increasing the number of MSCs, as compared to MSPs.

The matter will merit further discussion during the forthcoming Second Preparatory Meeting.

- (iii) Duration of meetings: There seems to be no significant interest to shorten the meetings as such; a rhythm of 4 – 5 days as the usual duration of formal (MSP) and informal (MSC) meetings, seems to be well established and acceptable for most.
- (iv) Venue of future meetings: Concrete answers to this question are scarce. There seems to be little objection to holding meetings – as until now – both in mine-affected States and in Geneva
- (v) Regional Meetings: With regard to a possible introduction of informal regional meetings in addition to the Meetings of States Parties and the informal meetings of the Standing Committees, opinions are clearly divided among "pros" and "cons" and do not indicate any clear trend. Further discussion of this question seems to be necessary

- (vi) Many answers are in favour of greater flexibility of the conference mechanisms, in accordance with practical needs and interests of consultation and cooperation, focussing primarily on the intersessional work programme, without modifying rules of procedure
- (vii) Thematic discussions receive support, in particular in the framework of MSCs
- (viii) While most see the existing structures of formal MSPs and informal MSCs as allowing for an adequate participation of non-governmental organizations, a few answers still see room for improvement.
- (ix) Existing structures of and time allotted to the Standing Committees in the framework of meetings are generally considered as being adequate for serving the purposes of the Convention. The same applies to the existing sharing of responsibility between mine-affected and non-mine-affected States Parties in the Standing Committees.
- (x) The existing structures of the Coordinating Committee and the Implementation Support Unit are equally considered by a clear majority of the answers as being adequate for serving the purposes of the Convention.
- (xi) Following the different answers, there is no clear picture on what kind of meetings – MSPs, MSCs, or Regional Meetings – may best serve as adequate fora
 - (a) to exchange information on victim assistance
 - (b) or to positively influence the disposition to allocate resources for the purposes pursuant to Article 6 of the Convention
- (xii) But, with regard to transparency, answers indicate very clearly that participants are of the opinion that both Meetings of the States Parties and the informal meetings of the Standing Committees serve adequately as means to exchange information pursuant to Article 7 of the Convention, and as means to highlight the importance of the Convention's transparency reporting obligations.

5. Based on these results and taking into account additional comments by States Parties, interested international organisations and non-governmental organisations, the Second Preparatory Meeting may wish to consider the following proposal:

Draft Decision of States Parties on the Nature, Timing and Sequencing of Post-2004 Meetings of the States Parties to the Ottawa Convention

Convinced that both formal meetings of States Parties, as well as informal Meetings of Standing Committees, on a regular basis, and with the full and active participation of States Parties, interested International Organisations and of Non-Governmental Organisations, as well

as States not parties that share our aims but have not yet joined our common effort, are indispensable and of the greatest value for the future functioning of the Convention and the realisation of its aims,

Taking into account the considerable experience gained in the years since the entering into force of the Convention, including the existing organisational structure and characteristics of meetings with their focus on the Convention's core aims, partnership and cooperation, flexibility and informality, continuity, and effective preparations,

Appreciating the work and structure of the Standing Committees, the Coordination Committee and the Implementation Support Unit as important elements for the implementation of the Convention,

Recognizing the value of regional initiatives, including conferences and workshops that can help enhance efforts to implement the Convention and assist in preparing States Parties for Meetings of the States Parties and Meetings of the Standing Committees,

Convinced that transparency is important to assuring confidence and that the exchange of information is central to the proper functioning of the Convention's cooperation mechanisms,

States Parties decide to

1. hold – until the Second Review Conference – [one Meeting of the States Parties every year] [Meetings of the States Parties in the years 2006 and 2008] which will regularly take place in the second half of the year.
 2. Convene, including in the year 2009, informal intersessional meetings of the Standing Committees at a time in the first half of each year, when the States Parties could take advantage of new information furnished through Article 7 reporting. [In the years 2005 and 2007, intersessional meetings will also be convened in the second half of the year.]
 3. Duration of these meetings will normally be of up to 4, maximum 5 days.
 4. The Second Review Conference will take place in the second half of the year 2009.
 5. The Sixth Meeting of States Parties will take place in the second half of the year 200[6] in [.....]
 6. [Meetings of the Standing Committees will take place XX-XX May/June 2006]
 7. In keeping with the States Parties practice of being flexible and pragmatic in addressing changing circumstances, the States Parties may review decisions regarding their 2005 – 2009 programme of meetings at each Meeting of the States Parties prior to the Second Review Conference.
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