

**FIRST CONFERENCE OF THE HIGH
CONTRACTING PARTIES TO PROTOCOL V
ON EXPLOSIVE REMNANTS OF WAR 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/P.V/CONF/2007/SR.2
12 November 2007

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SUMMARY RECORD OF THE 2nd MEETING

Held at the Palais des Nations, Geneva,
on Monday, 5 November 2007, at 3.25 p.m.

President: Mr. LANDMAN (Netherlands)

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The meeting was called to order at 4.10 p.m.

REPORT(S) OF ANY SUBSIDIARY ORGAN(S) (agenda item 14)

1. The PRESIDENT noted that no subsidiary bodies had been established.

OTHER MATTERS (agenda item 15)

2. Following a suggestion by Mr. BETTAUER (United States of America) to combine the meetings on the Convention and its Protocols in 2008, the PRESIDENT announced that he would revert to the matter under the next item of the agenda.

CONSIDERATION AND ADOPTION OF THE FINAL DOCUMENT (agenda item 16)
(CCW/P.V/CONF/2007/CRP.1; CCW/P.V/CONF/2007/CRP.3; non-paper
containing amendments to the preceding documents, circulated in the meeting room in
English only)

3. The PRESIDENT drew attention to the draft final document of the First Conference of the High Contracting Parties to Protocol V on Explosive Remnants of War (CCW/P.V/CONF/2007/CRP.3), to the document entitled "Draft decisions" (CCW/P.V/CONF/2007/CRP.1) and to the non-paper by the secretariat containing amendments and additions based on discussions held earlier in the day. He invited the Conference to consider the draft final document paragraph by paragraph prior to adopting the text as a whole.

List of annexes and paragraphs 1 to 5

4. The list of annexes, as amended, and paragraphs 1 to 5 were adopted.

Paragraphs 6 to 14

5. The PRESIDENT drew attention to the lists of States and organizations that had participated in the work of the Conference to be added to paragraphs 6 to 11, 13 and 14.
6. Paragraphs 6 to 14, as amended, were adopted.

Paragraphs 15 to 23

7. The PRESIDENT drew attention to the list of States and organizations that had participated in the exchange of views to be added to paragraph 22, and to minor changes in paragraph 23.
8. Paragraphs 15 to 23, as amended, were adopted.

Paragraphs 24 to 37

9. The PRESIDENT drew attention to new paragraphs 24 to 37 (CCW/P.V/CONF/2007/CRP.1, paras. 1 to 6), as further amended in the non-paper. He proposed simplifying paragraph 33 by amending the first sentence to read “The Conference also decided to adopt on a trial basis the generic electronic template” and by deleting the last sentence.

10. It was so agreed.

11. Paragraphs 24 to 37, as amended, were adopted.

Paragraphs 38 to 42

12. The PRESIDENT drew attention to new paragraphs 38 to 42 (CCW/P.V/CONF/2007/CRP.1, paras. 15 to 19), as further amended in the non-paper. He trusted that the redrafting of paragraph 38 (e) duly reflected the suggestion of the representative of Algeria. On another point, he wished to place on record the common understanding that, at the meeting of experts, the Coordinators would facilitate discussion of the various items in sequence. Discussions would neither overlap nor run in parallel, so as to avoid straining small delegations.

13. Mr. DOBELLE (France) asked whether the Coordinator on the generic electronic template (para. 40 (c)) would duplicate the work provided for under other subparagraphs of paragraph 40 or would only be responsible for information submitted under article 4 of the Protocol.

14. The PRESIDENT said that the final version of paragraph 40 would clarify that the Coordinator on the generic electronic template (subparagraph (c)) would also be responsible for coordination of national reporting (subparagraph (e)). He announced that, following consultation with the regional group leaders, Croatia was proposed as Coordinator on clearance (subparagraph (a)), Hungary on requests for assistance (subparagraph (b)), India on the generic electronic template and national reporting (subparagraphs (c) and (e), to be combined), a member of the Group of Western European and Other States on generic preventive measures (subparagraph (d)), and Austria on victim assistance (subparagraph (f)).

15. Paragraphs 38 to 42, as amended, were adopted.

Paragraph 43

16. The PRESIDENT drew attention to paragraph 43 (CCW/P.V/CONF/2007/CRP.1, para. 20), as amended in the non-paper, in which the duration of the 2008 Conference - two or three days - had been left open. Decisions on the scheduling of the CCW meetings in 2008 would be deferred to the Meeting of the States Parties to the Convention to be held from 7 to 13 November 2007.

17. Mr. BETTAUER (United States of America) suggested that, instead of holding three separate meetings on the Convention as a whole, amended Protocol II and Protocol V, it might be useful to combine them into a single week-long CCW conference in 2008. That would greatly

reduce documentation and interpretation costs and lessen the secretariat's workload. Coherence and participation in issues related to amended Protocol II and Protocol V would be enhanced because the entire meeting would be attended - in some cases, in an observer capacity - by States parties to the Convention as well as by the parties to amended Protocol II and by the parties to Protocol V (which he believed his Government was likely to ratify by 2008). While such an approach admittedly involved some difficulties, the secretariat might handle the issue of financial allocations by prorating the meeting's costs according to the amount of time spent on each of the three main issues.

18. The PRESIDENT agreed on the need to contain the proliferation of meetings and considered that the suggestion had both advantages and drawbacks. The two Protocols differed from each other, as did the lists of States parties to each of them, and technical ministries tended to tailor the composition of their delegations to the topic under discussion to save time. Holding all three meetings under a single umbrella might require the week-long presence of experts or delegates who could otherwise have left after a few days. As for the specific Conference on Protocol V, experience showed that a one-day meeting was too short. Two or up to three days were needed, although there should be some flexibility for the participants to move on if the agenda were exhausted in less time than originally scheduled.

19. Mr. KOLAROV (Secretary-General of the Conference) said that a combined CCW meeting would indeed lessen the burden on the secretariat because the amount of preparatory work was largely the same, regardless of a meeting's duration. Nevertheless, there were other issues to consider. From a legal perspective, there were different rules of procedure and participants for meetings on amended Protocol II and Protocol V. Financially, it would be impossible for the secretariat to allocate costs between member States according to their willingness to participate in the various discussions. As for the duration of the 2008 Conference on Protocol V, it was important to remember that the three-day informal meeting of experts planned in 2008 was not intended to produce any decisions or a report. The question was how long it would then take the States parties to Protocol V to make the necessary decisions. Based on the current year's experience, a one-day Conference would not be feasible. On the other hand, the Conference could not be scheduled for "up to three days" unless it were the last of the CCW meetings.

20. He clarified that each CCW-related meeting represented a different financial and organizational project. The sequence of meetings of 2007 had been organized to begin with Protocol V because it had the smallest number of States parties. If that were to be the case in 2008, then even if the initial meeting were to finish in two days rather than three, the experts in relation to amended Protocol II, for example, would normally not arrive until a day later.

21. The PRESIDENT called for further views and responses.

22. Mr. BETTAUER (United States of America) said that if the practice of holding three separate meetings was continued, a maximum of three days should be allocated for the Second Conference of the High Contracting Parties to Protocol V to be held in 2008. However, a more flexible arrangement could be made if it was decided to hold one conference under the umbrella of the Convention. A programme of work could be drawn up allocating up to three days for the

consideration of items relating to Protocol V. Countries wishing to participate in that phase of the Conference should notify the secretariat in advance. They should also be aware that if the work on Protocol V was completed ahead of schedule, the meeting time available would be used for the next phase of the Conference. Such an arrangement would obviate the need for three opening and closing ceremonies and three procedural reports, thus saving time and resources required for translation and document production. The final decision rested with the 2007 Meeting of the High Contracting Parties to the Convention; nonetheless, if the present Conference endorsed his suggestion, preliminary cost estimates could be drawn up for the different phases without further delay.

23. The PRESIDENT said that while the suggestion made by the representative of the United States was logical, it had certain financial and practical implications. The fact that the decision must be taken by the States parties to the Convention would allow further time for reflection. He took it that the representative of the United States was willing to agree to a maximum of three days for the duration of the Second Conference of the High Contracting Parties to Protocol V.

24. As preparations for the present Conference had shown, a one-day conference required extended informal consultations beforehand and depended on the goodwill of the parties involved. He would therefore be in favour of a duration of at least two days.

25. Mr. KHELIF (Observer for Algeria) expressed concern about the suggestion made by the representative of the United States. In addition to the financial problems mentioned by the Secretary-General of the Conference, there was the complication that some countries were States parties, others had observer status, while others might not necessarily be concerned by all the instruments. That would pose certain logistical problems which required further consideration.

26. The PRESIDENT suggested, in the light of those comments, that consideration of paragraph 43 should be deferred so as to allow for further reflection on the suggestion made by the representative of the United States.

27. It was so decided.

Paragraph 44

Nomination of the President and vice-presidents of the Second Conference

28. The PRESIDENT said that following consultations between the different regional groups, it was proposed that Ambassador Eduardas Borisovas of Lithuania should be President of the Second Conference, with representatives of Austria and India as his vice-presidents. If he heard no objection, he would take it that the Conference wished to adopt that proposal.

29. It was so decided.

30. Paragraph 44 was adopted on that understanding.

Paragraph 45

Estimated costs for the Second Conference and the meeting of experts
(CCW/P.V/CONF/2007/CRP.6)

31. The PRESIDENT said that if he heard no objection, he would take it that the Conference wished to adopt the estimated costs for the meeting of experts. He also suggested that the Conference should provisionally adopt the two sets of estimated costs contained in document CCW/P.V/CONF/2007/CRP.6 for a two-day and three-day conference respectively, on the understanding that a final decision on the matter would be taken in the light of consideration of the suggestion put forward by the representative of the United States.

32. It was so decided.

33. Paragraph 45 was adopted on that understanding.

34. The draft final document of the First Conference of the High Contracting Parties to Protocol V and the annexes thereto, as amended, were adopted.

CLOSURE OF THE CONFERENCE

35. Mr. SOSORBARAM (Observer for Mongolia) said that he fully agreed with the humanitarian objectives of Protocol V and recognized its importance for the future. His Government had ratified Protocols I, II, III and IV of the Convention, and was downsizing its armed forces and military facilities. He expressed support for international demining efforts, and referred to a legislative amendment allowing the preparation of a voluntary national report on the condition and quantity of landmines, which had been submitted to the United Nations, as a first step towards his Government's accession to the Ottawa Convention. Referring to unexploded and abandoned ordnance in his country, he expressed concern about the threat it posed to civilians, and the lives lost each year as a result. That demonstrated the significance of Protocol V for his country. However, recent efforts by his Government to survey such explosive remnants had been hampered by lack of resources. In conclusion, he said that he would recommend the ratification of Protocol V to his Government.

36. Mr. BORISOVAS (Lithuania) thanked delegations for nominating him as President of the Second Conference. He expressed his gratitude to the outgoing President for his proactive approach, which had ensured the success of the First Conference. He was confident that with the office-holders appointed and the support of States parties, observers and other interested parties the Second Conference would achieve tangible results.

37. After thanking all the delegations, the secretariat and the conference services for their contributions, the PRESIDENT declared the Conference closed.

The meeting rose at 5.15 p.m.