

**REPORT OF THE SECOND 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, 11-13 December 2000

FINAL DOCUMENT

Geneva, 2001

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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**

CCW/AP.II/CONF.2/1
5 February 2001

Original: ENGLISH

Geneva, 11-13 December 2000

**REPORT OF THE SECOND ANNUAL CONFERENCE OF THE STATES PARTIES TO
AMENDED PROTOCOL II ON PROHIBITIONS OR RESTRICTIONS ON THE USE OF
MINES, BOOBY-TRAPS AND OTHER DEVICES 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**

I. INTRODUCTION

1. Article 13 of the 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 Have Indiscriminate Effects (CCW), provides for a conference of States Parties to that Protocol to be held annually for the purpose of consultations and cooperation on all issues relating to the Protocol.
2. In accordance with operative paragraph 3 of Section II of United Nations General Assembly resolution 54/58, the First Annual Conference, which was held from 15 to 17 December 1999 in Geneva, addressed the issue of holding the Second Annual Conference in 2000 and: (a) decided to convene it from 11 to 13 December 2000 in Geneva; (b) decided that a preparatory meeting for the Second Annual Conference was not required; (c) agreed to recommend to the Second Annual Conference a provisional agenda (CCW/AP.II/CONF.1/2, Annex VI); (d) also approved the estimated costs for the Second Annual Conference (*ibid.*, Annex VII); and, (e) decided to recommend that Ambassador Kálmán Petőcz of Slovakia be elected President of the Second Annual Conference.
3. In its resolution 55/37, adopted on 20 November 2000, the General Assembly of the United Nations welcomed the convening, from 11 to 13 December 2000, of the Second Annual Conference of States Parties to Amended Protocol II, in accordance with Article 13 thereof, and called upon all States Parties to Amended Protocol II to address at this meeting, *inter alia*, the issue of holding the third annual conference in 2001.

II. ORGANIZATION OF THE SECOND ANNUAL CONFERENCE

4. The Second Annual Conference was opened on 11 December 2000 by the Director-General of the United Nations Office at Geneva, Mr. Vladimir Petrovsky.

5. At its first meeting, on 11 December 2000, the Conference elected by acclamation Ambassador Kálmán Petőcz of Slovakia as President of the Second Annual Conference. It also elected Ambassador Chris Sanders of the Netherlands and Ambassador Jorge Voto-Bernales of Peru as Vice-Presidents. The Conference received a message from the Secretary-General of the United Nations, Mr. Kofi Annan, which was read out by Mr. Vladimir Petrovsky.

6. Also at its first meeting, the Conference appointed Mr. Bogomolov, Political Affairs Officer, Department for Disarmament Affairs, Geneva Branch, as Secretary-General of the Conference. Mr. Jerzy Zaleski, Political Affairs Officer, Department for Disarmament Affairs, Geneva Branch, served as Secretary of the Second Annual Conference. He was assisted by Mr. Alexandre Golay, Assistant Officer, Department for Disarmament Affairs, Geneva Branch.

7. The following 47 States which have notified the Depositary of their consent to be bound by Amended Protocol II participated in the work of the Conference: Argentina, Australia, Austria, Bangladesh, Belgium, Bosnia Herzegovina, Brazil, Bulgaria, Cambodia, Canada, China, Costa Rica, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Holy See, Hungary, India, Ireland, Israel, Italy, Japan, Jordan, Liechtenstein, Lithuania, Luxembourg, Monaco, Netherlands, New Zealand, Norway, Pakistan, Panama, Peru, Philippines, Portugal, Slovakia, South Africa, Spain, Sweden, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland, and United States of America.

8. The following 27 States not parties to Amended Protocol II participated as observers: Belize, Bolivia, Chile, Cuba, Cyprus, Egypt, The Former Yugoslav Republic of Macedonia, Guatemala, Indonesia, Iraq, Kuwait, Libyan Arab Jamahiriya, Madagascar, Malaysia, Malta, Mexico, Mongolia, Morocco, Poland, Republic of Korea, Romania, Russian Federation, Singapore, Slovenia, Sri Lanka, Tunisia and Turkey.

9. The representatives of the International Committee of the Red Cross and the Geneva International Centre for Humanitarian Demining also participated in the work of the Conference.

10. The representatives of the International Campaign to Ban Landmines, including some of its member organizations, attended public meetings of the Conference.

III. WORK OF THE SECOND ANNUAL CONFERENCE

11. At its first plenary meeting, on 11 December 2000, 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, 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 Second Annual Conference.

12. At the same meeting, the Conference adopted the arrangements for meeting the costs of the Conference, as contained in Annex II.

13. Also at that meeting the Conference decided to conduct its work in plenary meetings. Furthermore, in accordance with Rule 30 of the Rules of Procedure, the Conference decided to re-establish, under the Chairmanship of Col. Erwin Dahinden of Switzerland, the Group of Experts to consider 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", and agenda item 10, entitled "Consideration of the development of technologies to protect civilians against indiscriminate effects of mines".

14. At its 4th plenary meeting, on 13 December 2000, the Chairman of the Group of Experts presented its report, which was adopted by the Conference at its 5th plenary meeting on 13 December 2000. This report is contained in Annex III. At the recommendation of the Group of Experts the Conference took note of the Note from the Secretariat on "Feasibility of establishing a database for Amended Protocol II" contained in CCW/AP.II/CONF.2/CRP.3.

15. The following delegations took part in the general exchange of views: Argentina, Australia, Bangladesh, Brazil, Bulgaria, Cambodia, Canada, China, Egypt, Estonia, France (on behalf of the European Union, the following associated States: Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia as well as Liechtenstein, the member of the European Economic Area), India, Israel, Japan, Pakistan, Peru, Republic of Korea, Russian Federation, Switzerland, Ukraine and United States of America. The representative of the Geneva International Centre for Humanitarian Demining also participated in the general exchange of views. Furthermore, the representative of the International Campaign to Ban Landmines also made a statement. During this exchange of views, delegations reviewed the operation and status of the Amended Protocol II. They also emphasized the importance they attached to the wider adherence to the Protocol. 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 parts of the Final Document of this Conference.

16. In accordance with agenda item 11, entitled "Preparation for the Second Review Conference of the States Parties to CCW", the Conference discussed proposals made in the context of the preparations for the Second Review Conference of the States Parties to the Convention. In this connection, the delegation of the United States of America made a statement introducing two proposals contained in documents CCW/AP.II/CONF.2/WP.1 and CCW/AP.II/CONF.2/WP.2. These documents are contained in Annex IV. In this regard South Africa made a statement on behalf of Non Aligned Movement, contained in CCW/AP.II/CONF.2/WP.9, which is attached as Annex V.

17. In accordance with paragraph 4 of Article 13 of the Protocol, the Conference had before it 29 national annual reports from the following States: Australia, Austria, Argentina, Belgium, Brazil, Bulgaria, Cambodia, Canada, China, Czech Republic, Denmark, Estonia, Finland, France, Germany, India, Ireland, Italy, Japan, Liechtenstein, Netherlands, Pakistan, Peru, Slovakia, Spain, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland and United States of America. 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; and
- (f) other relevant matters.

IV. CONCLUSIONS AND RECOMMENDATIONS

18. At its 4th meeting, on 13 December 2000, the Conference decided to issue a declaration urging all States that had not yet done so to take all measures to accede to the Amended Protocol II as soon as possible, and to request the Secretary-General of the United Nations, as Depositary of the Amended Protocol II, to transmit it to those States. The declaration is contained in Annex VI.

19. The Conference welcomed the message addressed to it by the Secretary-General of the United Nations. The Conference recommended that the Secretary-General, as Depositary of the Amended Protocol II, and the President of the Second Annual Conference exercise their authority to achieve the goal of universality of the Amended Protocol II. The Conference also called on the States Parties to promote wider adherence to the Amended Protocol II in their respective regions.

20. In accordance with operative paragraph 3 of United Nations General Assembly resolution 55/37, the Conference addressed the issue of holding the Third Annual Conference in 2001 and decided to convene it on 10 December 2001 in Geneva. The Conference decided that a preparatory meeting for the Third Annual Conference was not required. The Conference agreed to recommend to the Third Annual Conference a provisional agenda, as contained in Annex VII. It also approved the estimated costs for the Third Annual Conference, as contained in Annex VIII.

21. At its final meeting, on 13 December 2000, the Second Annual Conference adopted its report.

ANNEX I

AGENDA OF THE SECOND 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

(11-13 December 2000)

1. Opening of the Second 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
2. Election of the President and other officers
3. Adoption of the Agenda
4. Appointment of the Secretary-General of the Conference
5. Adoption of arrangements for meeting the costs of the Conference
6. Organization of work including that of any subsidiary bodies of the Conference
7. General exchange of views (Plenary)
8. Review of the operation and status of the Protocol
9. Consideration of matters arising from reports by High Contracting Parties according to paragraph 4 of Article 13 of the Amended Protocol II
10. Consideration of the development of technologies to protect civilians against indiscriminate effects of mines
11. Preparation for the Second Review Conference of the States Parties to the CCW
12. Report(s) of any subsidiary organ(s)
13. Other matters
14. Consideration and adoption of the final documents

ANNEX II

ESTIMATED COSTS OF THE SECOND 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

Note by the Secretariat

1. 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 at its First Annual Conference, convened from 15-17 December 1999, decided, *inter alia* to hold a three-day session of the Second Annual Conference from 11-13 December 2000.
2. This paper is submitted pursuant to the above-mentioned decision of the States Parties and provides estimated costs for the above mentioned conference.
3. It should be noted that the costs are estimated on the basis of past experience and anticipated workload. The actual costs will be determined after closure of the sessions when the exact workload is known. At that time, any adjustment in the contributions by the participants sharing the costs will be made accordingly.
4. With regard to the financial arrangements, it will be recalled that in accordance with the practice followed on the occasion of previous disarmament conferences and meetings including the above Convention, the costs have been shared among the States Parties participating in the conferences and meetings based on the United Nations scale of assessment pro-rated to take into account the number of States Parties participating in the conferences and meetings. States which were not States Parties and which had accepted the invitation to take part in the conferences and meetings shared in the costs to the extent of their respective rates of assessment under the United Nations scale.
5. Subject to the States Parties approval of the estimated costs and cost-sharing formula, assessment notices would be prepared accordingly. Since the above-mentioned activities should have no financial implication for the regular budget of the Organization, States Parties should proceed with the payment of their share of the estimated costs as soon as assessment notices have been received. Adjustments in the contributions made to reflect actual participation in the meetings and as mentioned - actual costs - would be made after the closing of such meetings.

COST ESTIMATES FOR SECOND ANNUAL CONFERENCE OF STATES PARTIES TO AMENDED PROTOCOL II TO THE CCW
11-13 December 2000

Conference-servicing items	Meeting services \$	Pre-session documentation \$	In-session documentation \$	Summary records \$	Post-session documentation \$	Other requirements \$	General Services requirements \$	Total \$
Interpretation and meeting servicing	39,400							39,400
Translation of documentation		83,200	114,900	88,500	32,800			319,400
General Services requirements							3,000	3,000
Other requirements						5,200		5,200
Total	39,400	83,200	114,900	88,500	32,800	5,200	3,000	367,000

ANNEX III

SECOND 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

CCW/AP.II/CONF.2/CRP.10
14 December 2000

Original: ENGLISH

Geneva, 11-13 December 2000

REPORT OF THE GROUP OF EXPERTS

I. INTRODUCTION

1. At its second plenary meeting on 11 December 2000, the Second Annual Conference of the States Parties to the Amended Protocol II to the Convention on Prohibition or Restrictions on the Use of Certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects decided, in accordance with Rule 30 of its Rules of Procedure, to establish an open-ended group of experts to consider the following items on its agenda:

Item 9, entitled "Consideration of matters from reports by the High Contracting Parties according to paragraph 4 of Article 13 of the amended Protocol II", and

Item 10, entitled "Consideration of the development of technologies to protect civilians against indiscriminate effects of mines."

2. At the same meeting, the Conference elected Col. Erwin Dahinden of Switzerland as Chairman of the group of experts. The group of experts held three meetings on 12 and 13 December 2000.

II. WORK OF THE GROUP OF EXPERTS

3. In discharging its function, the group of experts considered the following issues:

- (a) Formal Aspects of the National Annual Reports, including questions in relation to the National Annual Reports, experience with the format and guide to formats.
- (b) Development of technologies to protect civilians against indiscriminate effects of mines, including discussion on international technical information exchange and technical cooperation and assistance.

Formal Aspects of the National Annual Reports

4. The group of experts noted with satisfaction that 29 of 58 High Contracting Parties had submitted their National Annual Reports, in accordance with paragraph 4 of Article 13 of the Amended Protocol II. A synopsis of the National Annual Reports is contained in Appendix A.

5. The group of experts expressed its concern that half of the High Contracting Parties have not submitted their National Annual Reports. The group of experts recalled its recommendation of the

First Annual Conference that National Annual Reports should be submitted no later than eight weeks prior to the convening of Annual Conferences.

6. The group of experts made the following recommendation

- A. The President of the Conference may take necessary steps to remind High Contracting Parties about their obligation to submit their National Annual Reports prior to the convening of Annual Conferences.**

Questions in relation to the National Annual Reports

7. The group of experts considered National Annual Reports. The list of National Annual Reports which the group had before it is contained in Appendix B.

8. The group of experts took note that many High Contracting Parties agreed that their National Annual Reports be made available to all other interested parties and entities.

Experience with the Formats for National Reports

9. Most High Contracting Parties made use of the standardized formats on a voluntary basis as recommended by the First Annual Conference of States Parties.

10. The group of experts confirmed the usefulness of the standardized formats, to be used voluntarily, as a basis for their National Annual Reports.

Guide to Formats

11. The group of experts welcomed the proposal by Austria to make available a guide to formats to all High Contracting Parties in view of promoting a standardized annual information exchange. This document is contained in Appendix C.

12. The guide to formats is a tool which may be utilized at the discretion of High Contracting Parties to facilitate the filling-out of the formats of the National Annual Reports. It is understood that the formats and the guide are of developmental nature and that the guide has no legal status.

13. The guide to formats may assist High Contracting Parties to standardize the depth of their reporting and to clarify the degree of specificity.

14. The group of experts expressed its expectation that the use of the guide to formats may facilitate and promote the exchange of structured information among the High Contracting Parties.

15. The group of experts discussed the possibility to share experiences regarding the filling out of the National Annual Reports with a view to discussing modifications of the guide to formats at the future Annual Conferences.

16. The group of experts made the following recommendation

- B. The guide should be made available and distributed to the competent national authorities in charge of the implementation of the Amended Protocol II. High Contracting Parties may, at their discretion, use the guide to formats when filling out National Annual Reports.**

Development of technologies to protect civilians against indiscriminate effects of mines

17. Several delegations informed the group of experts on their efforts to develop technologies to protect civilians against the indiscriminate effects of antipersonnel mines as well as on their national demining activities.

Discussion on international technical information exchange and technical cooperation and assistance.

18. A discussion on international information exchange and technical cooperation and assistance took place and further work would be needed pursuant to recommendation H as contained in the report of the First Annual Conference, CCW/AP.II/CONF.1/II (Part I). The group of experts, in this context, underscored the relevance of the implementation of the provisions contained in article 13 of the Amended Protocol II by the High Contracting Parties.

Any other business

19. The chairman informed the group of experts about the information provided by the Secretariat in the note CCW/AP.II/CONF.2/CRP.3 concerning the feasibility of establishing a database for Amended Protocol II. The group of experts agreed to bring this note to the attention of the Annual Conference.

20. With respect to the technical demonstration the chairman informed the group of experts that the planning for such a demonstration in the context of the Review Conference of the CCW would be finalized in accordance with the decisions agreed upon by the Preparatory Committee for this Review Conference.

APPENDIX A

SYNOPSIS OF THE NATIONAL ANNUAL REPORTS-DRAFT

Submitted National Reports 2000 by Dec 12th, 2000 (26)

[illegible]

COUNTRY	DATE OF HANDING IN	FORMAT	INFORMATION	SUBSTANCE OF THE REPORTING ITEMS					LANGUAGE
				Dissemination of information	Mine clearance and rehabilitation program	Technical requirements and relevant information	Legislation	(1) International technical information exchange, (2) co-operation on mine clearance, (3) technical co-operation and assistance	
			<i>Can be made available to other interested parties</i>						
BRAZIL	Dec 12 ⁿ , 2000	Yes	yes	Yes	no information	yes	Yes	(1) yes (2) yes (3) yes	English
BULGARIA, REPUBLIC OF	Oct 26 ⁿ , 2000	Yes	yes	Yes	yes	yes	Yes	(1) yes (2) yes (3) yes	English
CAMBODIA	Dec 1 st , 2000	Yes	yes	Yes	yes	yes	Yes	(1) yes (2) yes (3) yes	English
CANADA	Nov 21 st , 2000	Yes	yes	Yes	yes	yes	Yes	(1) yes (2) yes (3) yes	English/ French
CAPE VERDE									
CHINA									
COLOMBIA									
COSTA RICA									

COUNTRY	DATE OF HANDING IN	FORMAT	INFORMATION	SUBSTANCE OF THE REPORTING ITEMS					LANGUAGE
				Dissemination of information	Mine clearance and rehabilitation program	Technical requirements and relevant information	Legislation	(1) International technical information exchange, (2) co-operation on mine clearance, (3) technical co-operation and assistance	
CZECH REPUBLIC	Oct 15 th , 2000	Yes	yes	Yes	yes	yes	Yes	(1) yes (2) yes (3) yes	English
DENMARK	Nov 10 th , 2000	Yes	no information	Yes	yes	yes	Yes	(1) yes (2) yes (3) yes	English
ECUADOR									
EL SALVADOR									
ESTONIA	Oct 20 th , 2000	Yes	yes	Yes	yes	yes	Yes	(1) yes (2) yes (3) yes	English
FINLAND	Dec 4 th , 2000	Yes	yes	no information	yes	yes	Yes	(1) no information (2) no information (3) no information	English
FRANCE	Dec 11 th , 2000	Yes	yes	Yes	yes	yes	Yes	(1) yes (2) yes (3) yes	French

COUNTRY	DATE OF HANDING IN	FORMAT	INFORMATION	SUBSTANCE OF THE REPORTING ITEMS					LANGUAGE
			<i>Can be made available to other interested parties</i>	<i>Dissemination of information</i>	<i>Mine clearance and rehabilitation program</i>	<i>Technical requirements and relevant information</i>	<i>Legislation</i>	<i>(1) International technical information exchange, (2) co-operation on mine clearance, (3) technical co-operation and assistance</i>	
GERMANY	Oct 15 th , 2000	Yes	yes	Yes	yes	yes	Yes	(1) yes (2) yes (3) yes	English
GREECE									
HOLY SEE									
HUNGARY									
INDIA	Oct, 2000	Yes	yes	Yes	yes	yes	Yes	(1) yes (2) yes (3) yes	English
IRELAND									

COUNTRY	DATE OF HANDING IN	FORMAT	INFORMATION	SUBSTANCE OF THE REPORTING ITEMS					LANGUAGE
			Can be made available to other interested parties	Dissemination of information	Mine clearance and rehabilitation program	Technical requirements and relevant information	Legislation	(1) International technical information exchange, (2) co-operation on mine clearance, (3) technical co-operation and assistance	
LIECHTENSTEIN	Sept 18 th , 2000	Considering the intending arrangement but not the reporting form	no information	Yes	yes	yes	Yes	(1) yes (2) yes (3) yes	English
LITHUANIA									
LUXEMBOURG									
MALDIVES									
MONACO									
NETHERLANDS	Oct 15 th , 2000	Yes	yes	Yes	yes	yes	Yes	(1) yes (2) yes (3) yes	English
NEW ZEALAND									
NICARAGUA									

COUNTRY	DATE OF HANDING IN	FORMAT	INFORMATION	SUBSTANCE OF THE REPORTING ITEMS					LANGUAGE
									E

[illegible]

COUNTRY	DATE OF HANDING IN	FORMAT	INFORMATION	SUBSTANCE OF THE REPORTING ITEMS					LANGUAGE
				Dissemination of information	Mine clearance and rehabilitation program	Technical requirements and relevant information	Legislation	(1) International technical information exchange, (2) co-operation on mine clearance, (3) technical co-operation and assistance	
			<i>Can be made available to other interested parties</i>						
SLOVAKIA	Oct, 2000	Yes	no information	Yes	yes	yes	Yes	(1) yes (2) yes (3) yes	English
SOUTH AFRICA									
SPAIN	Oct 1 st , 2000	Yes	no information	Yes	yes	no information	Yes	(1) yes (2) yes (3) no information	Spanish
SWEDEN	Oct 23, 2000	Yes	yes	Yes	yes	yes	Yes	(1) yes (2) yes (3) yes	English
SWITZERLAND	Oct 27 th , 2000	Yes	Yes	Yes	yes	yes	Yes	(1) yes (2) yes (3) yes	English
TAJIKISTAN									
UKRAINE									

APPENDIX B

NATIONAL ANNUAL REPORTS

Listed in order received by Geneva Secretariat

CCW/AP.II/CONF.2/NAR.1	Liechtenstein
NAR.2	Slovakia
NAR.3	India
NAR.4	The Netherlands
NAR.5	Austria
NAR.6	Czech Republic
NAR.7	Estonia
NAR.8	Bulgaria
NAR.9	Peru
NAR.10	Germany
NAR.11	Switzerland
NAR.12	Spain
NAR.13	Sweden
NAR.14	Canada
NAR.15	Denmark
NAR.16	Japan
NAR.17	United Kingdom of Great Britain and Northern Ireland
NAR.18	Finland
NAR.19	United States of America
NAR.20	Cambodia
NAR.21	Argentina
NAR.22	Australia
NAR.23	France
NAR.24	Pakistan
NAR.25	Italy
NAR.26	China
NAR.27	Ireland
NAR.28	Belgium
NAR.29	Brazil

APPENDIX C

SECOND 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

CCW/AP.II/CONF.2/CRP.5/Rev.1
12 December 2000

Original: ENGLISH

Geneva, 11-13 December 2000

AUSTRIAN PROPOSAL

PROTOCOL ON PROHIBITIONS OR RESTRICTIONS ON
THE USE OF MINES, BOOBY-TRAPS
AND OTHER DEVICES AS AMENDED ON 3 MAY 1996
(PROTOCOL II AS AMENDED ON 3 MAY 1996)

NATIONAL ANNUAL REPORT
GUIDE TO FORMATS

I. INTRODUCTION

The High Contracting Parties shall provide annual reports to the Depositary, who shall circulate them to all High Contracting Parties in advance of the conference, on any of the following matters (Art. 13 paragraph 4 of the Protocol II as amended on 3 May 1996; short: amended Protocol II):

- (a) dissemination of information on this Protocol to their armed forces and to the civilian population;
- (b) mine clearance and rehabilitation programmes;
- (c) steps taken to meet technical requirements of this Protocol and any other relevant information pertaining thereto;
- (d) legislation related to this Protocol;
- (e) measures taken on international technical information exchange, on international co-operation on mine clearance, and on technical co-operation and assistance; and
- (f) other relevant matters.

With regard to the Summary Record of the 3rd Meeting of the First Annual Conference of the States Parties to the amended Protocol II (CCW/AP.II/CONF.1/2(Part II)) it was decided to adopt the report of the group of experts containing seven recommendations concerning the National Annual Report.

The present document – GUIDE for the NATIONAL ANNUAL REPORT – indicates how to best fill in the standardised format not of obligatory nature by giving examples and providing references to the respective basic obligations and decisions.

II. REFERENCES AND ADVICES WITH REGARD TO REPORTING FORMAT

1. Miscellaneous

- 1.1. It is obligatory to provide annual reports by giving information concerning the sub-paragraphs (a) to (f) of Article 13.¹
- 1.2. The use of the reporting format is voluntary. Yet, the High Contracting Parties (short: HCP) agreed to make efforts, as appropriate, to use the format. The HCP are of the view that such a format would make it easier not only to prepare the reports, but also to evaluate them and compare the contained information.² The HCP are encouraged to use the latest Formats as it appears in the respective Documents of the latest Conference³.
- 1.3. The format is of developmental nature. Future decisions made by the HCP might change the content.
- 1.4. National Annual Reports should be submitted no later than eight weeks prior to the convening of the Annual Conferences. It is up to the HCP to decide upon the date of Annual Conferences.
- 1.5. National Annual Reports should be transmitted to the Depositary both electronically, where possible, and in hard copy, on the understanding that the earlier date would become the date of submission.
- 1.6. National Annual Reports should be submitted in one of the six official languages to the Certain Conventional Weapons Convention (Arabic, Chinese, English, French, Spanish, Russian). HCP, in a position to do so, would make efforts to provide an unofficial translation into another official language of the Certain Conventional Weapons

¹ Art. 13 of the Protocol II as amended on 3rd May 1996.

² Decision made by the 1st Meeting of High Contracting Parties.

³ As of December 2000 the Formats as proposed by the Conference appear in "portrait format" with a cover sheet.

Convention (CCW).

1.7. HCP may include additional information to the format.

2. Cover Sheet of the Annual Reporting Format

2.1. *The National Point(s) of Contact (POC)* serve(s) primarily as a point of contact with regard to questions concerning the content of the National Annual Report. To enable HCP to consult each other directly it should, where possible, contain

- organisation represented,
- name,
- (postal) address,
- telephone-/fax numbers,
- e-mail address of the official in charge of the submission of the report.

The nomination of further POCs is possible, when indicating the particular responsibility (e.g. POC for technical questions, POC for questions related to demining issues , ...).

2.2. The term *"this information can be made available to all interested parties and entities"* means that each HCP, when submitting the National Annual Report, will decide whether or not it wishes to make its National Annual Report available through the Depositary or through HCPs to other interested parties. It is understood that the information contained in the national reports could be useful to others active in the field (e.g. demining companies, donor countries, institutions interested in technical co-operation).

In order to promote openness and transparency in the interest of all HCP by taking into account possible security concerns of individual HCP the cover sheet also gives the possibility to allow the release of information partially by marking the respective square.

3. Form A, dissemination of information

3.1. The term *"reporting for time period from ... to"* means that each HCP should allow the given information to be classified with a certain time period. Additionally, the reported time serves as a reminder for HCP not to cause gaps in the flow of information.

3.2. It is highly recommended to use the same time period for all parts (forms) of the National Annual Report.

3.3. The HCP are obliged to disseminate the content of this Protocol. Armed Forces personnel has to be informed in particular about the prohibitions and restrictions on the use of weapons (e.g. Art. 3, 4, 5, 6 and 7) and all other commitments (e.g. recording, removal, use of information) deriving from the Protocol.

In accordance to Art.14 armed forces have to

- issue relevant military instructions
- issue and adapt operating procedures
- provide appropriate training
- inform personnel about the imposition of penal sanctions;

3.4. Beyond the general and specific norms of international humanitarian law (e.g. to be excessively injurious or to have indiscriminate effects) armed forces have, inter alia, to take precautions that no weapons are used which

- employ a mechanism or device specifically designed to detonate the munition by the presence of a commonly available mine detector (Art.3/5)
 - (mines) are equipped with anti-handling devices able to be alive after the mine has ceased to function (Art.3/6);
- 3.5. The implementation of these obligations are normally both short- and long-term projects to be realised by a step by step approach. All steps, taken during the reporting time period, are to be stated here.
- 3.6. The civilian population (men, women, children) has to be informed in particular about specific dangers caused by the use of such weapons. This includes inter alia to inform about
- warning signs in general;
 - particular dangers prior to any emplacement;
 - the significance of means and methods of marking weapon-affected areas;
 - responsible authorities (points of contact) civilians may approach;
 - restrictions and prohibitions deriving from the Protocol;
 - penal sanctions in order to prevent violations of this Protocol or the law.

The dissemination of such information is normally done through publication of legal codes and/or specific leaflets dependent on the situation;

All steps and measures, taken during the reporting time period, are to be stated here.

4. Form B, mine clearance and rehabilitation programmes

- 4.1. HCP are responsible for all weapons under their control to which the Protocol applies. After the cessation of active hostilities mine clearance is one of the core obligations to be performed by HCP. **Mine clearance programs** contain inter alia
- information management;
 - data and records available;
 - estimated extent of weapon-affected areas;
 - estimated costs and duration;
 - authority responsible for clearance (inclusive point of contact);
 - institutions acting on behalf of the authority;
 - international assistance given;
 - missing technical and material assistance;
- 4.2. HCP intending to provide assistance with respect to information exchange, co-operation on mine clearance and technical co-operation should place appropriate information under Form E (see para 7 of this directory).
- 4.3. HCP seeking for assistance from other HCP, organisations or institutions should give necessary information in the National Annual Report; For the sake of clarification it is recommended to use Form E in this respect.
- 4.4. Despite there is no direct obligation under this Protocol to establish and run rehabilitation programmes a common *understanding has been expressed in the Final Declaration to acknowledge the valuable work of relevant agencies, bodies of the UN and of the ICRC and NGOs in the field of surgical care and rehabilitation of mine victims. To promote humanity and to facilitate international help for the benefit of victims HCP will report on governmental or other rehabilitation programmes*
- in existence; or

- to be performed.

This information may include

- name of authority or institution acting;
- responsible authority to co-ordinate national and international help (point of contact)
- estimated number of victims, classified by their handicap, if possible;
- description of business;
- and other relevant information to promote help through others;

5. Form C, technical requirements and relevant information

5.1. The High Contracting Parties are obliged to meet all **technical requirements** at the time of use of weapons contained by this Protocol. In addition HCP have to prepare warning signs and other material in accordance with international norms. In order to provoke HCP to adjust their inventories as soon as possible Art.13 requires information on steps taken.

5.2. HCP have to observe that

- in general no mines shall be used which are not in compliance with provisions on self-destruction and/or self-deactivation or self-neutralisation;
- appropriate and sufficient material is available at the time of use of non self-destructing and self-deactivating APM other than remotely-delivered mines in order to effectively exclude civilians from the area;
- appropriate and sufficient material is available at all times of armed conflicts in order to clear, remove or destroy weapons laid or emplaced or to establish protections for the benefit of personnel and civilians, irrespectively of whether the weapons have been laid by their forces or others;
- appropriate and sufficient material is available at the time of use of weapons corresponding to recording commitments;
- appropriate and sufficient material is available at the time of use of weapons corresponding to features as set out for international warning signs;
- no mines, produced after the entry into force of this Protocol, are used unless marked in accordance with the provisions of para 1/ d of the Technical Annex.
- No APM are used unless they are detectable in accordance with the provisions of para 2 of the Technical Annex

5.3. Any **other relevant information** (with regard to technical requirements)

- e.g. to inform in the case that the HCP has declared its deferral of compliance with sub-paragraph (b) of para 2 of the Technical Annex (inclusive the foreseen time period)
- e.g. to inform in the case that the HCP has declared its deferral of compliance with sub-paragraph (c) of para 3 of the Technical Annex;
- The necessary time period of the respective declaration of deference;

6. Form D, legislation

6.1. HCP have to report on **legislation** related to this Protocol.

6.2. It may be useful to also make reference to **other norms** with regard to mines or similar weapons in order to inform other HCP of prohibitions or restrictions going beyond this Protocol; e.g.

- National (domestic) norms for the use of weapons;
- National (domestic) norms with regard to transfer issues;
- Specific norms to implementing this protocol; (e.g. penal sanctions)
- Accession to the "Ottawa-Convention";
- Date of the entry into force of respective norms;
- Restrictions with regard to technology-transfer;

7. Form E, international technical information exchange, co-operation on mine clearance, technical co-operation and assistance

7.1. It has been the intention of this Protocol to limit specific effects of weapons under use to personnel and civilians for humanitarian reasons. In order to promote this intention it is necessary to **exchange information**, to **co-operate** and to provide **assistance** within the international community with the aim to:

- quickly implement the provisions of this Protocol;
- reduce any period of deferral for which provision is made in the Technical Annex;
- to enhance capabilities for mine clearance operations;

7.2. To inform other HCP as well as the United Nations System about running humanitarian projects. This may help States to identify necessary activities and to facilitate contacts in a complex technical environment.

7.3. HCP intending to provide assistance with respect to information exchange, co-operation on mine clearance and technical co-operation should place appropriate information under Form E (see also para 4 of this directory).

7.4 HCP seeking assistance from other HCP, organisations or institutions should give necessary information in the National Annual Report; For the sake of clarification it is recommended to use Form E in this respect.

7.5 HCP in a position to do so shall provide information on

- Organisations, institutions, contact address active in the field;
- concrete activities of technical co-operation with states, institutions or organisations (e.g. Committees of experts under the Ottawa-Convention); This may include
 - objectives
 - main activities
 - technologies used
 - programme responsibility
 - standard operating procedures
 - time planning
 - field experience
 - partners, contractors
 - scientific support;
- experience with equipment and technologies;
- technical information on mines;
- training programmes;
- list of experts and expert agencies;

- possibilities and terms to get access to such co-operations for other HCP or interested States (e.g. multilateral test and evaluation programs);
- and similar activities which may serve the humanitarian goal;

8. Form F, other relevant matters

8.1. _____

ANNEX IV

**SECOND 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**

CCW/AP.II/CONF.2/WP.1
11 December 2000

Original: ENGLISH

Geneva, 11-13 December 2000

Technical Annex, Part Two

1. Specification on detectability

- (a) With respect to mines other than anti-personnel mines produced after 1 January 2002, such mines shall incorporate in their construction a material or device that enables the mine to be detected by commonly-available technical mine detection equipment and provides a response signal equivalent to a signal from 8 grammes or more of iron in a single coherent mass.
- (b) With respect to mines other than anti-personnel mines produced before 1 January 2002, such mines shall either incorporate in their construction, or have attached prior to their emplacement, in a manner not easily removable, a material or device that enables the mine to be detected by commonly-available technical mine detection equipment and provides a response signal equivalent to a signal from 8 grammes or more of iron in a single coherent mass.
- (c) For those High Contracting Parties that have accepted part two of the Technical Annex, it shall be prohibited to use or transfer mines other than anti-personnel mines which are not in compliance with the above specifications on detectability.
- (d) In the event that a High Contracting Party determines that it cannot immediately comply with sub-paragraph (b), it may declare at the time of its notification of consent to be bound by part two of the Technical Annex that it will defer compliance with sub-paragraph (b) for a period not to exceed [] years from the entry into force of part two of the Technical Annex. In the meantime, it shall, to the extent feasible, minimize the use of mines other than personnel mines that do not so comply.

2. Specifications on self-destruction and self-deactivation

- (a) All remotely-delivered mines shall be designed and constructed so that no more than 5 per cent of activated mines will fail to self-destruct within 30 days after emplacement, and each mine shall have a back-up self-deactivation feature designed and constructed so that, in combination with the self-destruction mechanism, no more than one in ten thousand will function as a mine 120 days after emplacement.
- (c) For those High Contracting Parties that have accepted part two of the Technical Annex, it shall be prohibited to use or transfer remotely-delivered mines which are not in compliance with the above specifications on self-destruction and self-deactivation in subparagraph (a) of this paragraph.

3. Part two of the Technical Annex shall enter into force as provided for in paragraph 1 of Article 8 of the Convention.

**SECOND 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**

CCW/AP.II/CONF.2/WP.2
11 December 2000

Original: ENGLISH

Geneva, 11-13 December 2000

COMPLIANCE ANNEX

Proposal submitted by the United States

Acceptance of this Annex

1. Any High Contracting Party may declare, upon its notification of acceptance to be bound by this Protocol, or at any subsequent time, its intention to be bound, as well, by this Annex.
2. The provisions of this Annex apply only to such Parties. All references in this annex to a Party or Parties shall include only such Parties.

Compliance Meetings

1. Any Party may ask the Depositary to convene a Compliance Meeting to conduct an inquiry to clarify and seek to resolve questions relating to compliance with the provisions of this Protocol concerning the use of mines, booby-traps and other devices. The request for a Compliance Meeting shall contain all appropriate information on the basis of which a concern has arisen regarding possible non-compliance.
2. The Depositary shall invite all Parties to the Compliance Meeting which shall be convened in New York within four weeks of the request. The Party which is the subject of the request may provide an expression of its views prior to the Compliance Meeting.
3. The presence of a quorum consisting of a majority of the Parties shall be required to take decisions. The Compliance Meeting shall take its decisions by consensus if possible, but otherwise by a majority of Parties present and voting, except as otherwise indicated herein. The costs of the Compliance Meeting's activity shall be covered by the Parties in accordance with the UN scale of assessments, adjusted to allow for differences between the number of States Members of the United Nations and the number of Parties.
4. The Compliance Meeting shall hold an inquiry into the compliance issue raised unless it decides that the information and facts provided do not justify it. Such decision shall be by a two-thirds majority of Parties present and voting.
5. The inquiry shall be supplemented by facts collected on the spot or in other places directly related to the alleged compliance issue under the jurisdiction or control of a Party, unless the Compliance Meeting decides that no such action is required and that the request may be dealt with on

the basis of the materials provided. Such decision shall be by a two-thirds majority of Parties present and voting.

Teams of Experts

1. Facts to supplement an inquiry shall be collected by a team of experts.
2. The Depositary shall prepare a list of qualified experts provided by Parties, and shall constantly keep this list updated. The initial list and any subsequent change to it shall be communicated, in writing, to each Party.
3. Any qualified expert included in this list shall be regarded as designated unless a Party, not later than thirty days after its receipt of the list, objects, in which event the Compliance Meeting shall decide whether the expert in question shall be designated.
4. Upon receiving a request from the Compliance meeting, the Depositary shall appoint a team of experts from the list of qualified experts, who shall act in their personal capacity. Experts who are nationals of Parties which requested the inquiry or of concerned Parties shall not be chosen. The team of experts shall include no more than ten persons.
5. The Depositary shall dispatch the team of experts at the earliest opportunity taking into account the safety of the team and shall notify the Party on whose territory facts are to be collected of the team's arrival at least 72 hours before its arrival.
6. Such Party shall facilitate the arrival, transport and accommodation of the team of experts.
7. The team of experts may bring the following equipment, which shall be used solely for the collection of information relevant to the alleged compliance issue: (a) mine detection equipment and animals; (b) hand tools for mine removal and defusing; (c) portable x-ray equipment to determine the presence of anti-handling devices or booby traps; (d) radios; (e) maps; (f) GPS equipment and compasses; (g) cameras with flash equipment and video cameras; (h) portable computers and printers; (i) measuring tapes and sticks; (j) flashlights; (k) scales; (l) tamper-indicating seals; and (m) other equipment, as agreed. After arrival, the team of experts may hear statements by official representatives of the Party and may question persons connected with the alleged compliance issue, may have access to areas and installations under the control of the Party where facts relevant to the compliance issue could reasonably be expected to be collected, and collect samples of relevant mines, booby-traps or other devices, as well as copies of documents relevant to their location, characteristics, and maintenance. These rights shall be subject to any arrangements that the Party concerned considers necessary for:
 - (a) The protection of sensitive equipment, information and areas unconnected with the subject of the fact-finding mission;
 - (b) any constitutional obligations the Party concerned may have with regard to proprietary rights, searches and seizures, or other constitutional protection; and
 - (c) the protection of the conduct of actual military operations.

In the event any of these limitations apply, the Party concerned shall make every reasonable effort to satisfy the legitimate needs of the team of experts through other means.

8. The team of experts may remain in the territory of the Party concerned for no more than two weeks, and at any particular site no more than one week, unless otherwise agreed. After having completed its mission, the team of experts shall submit a report to the Depositary not later than one week after leaving the territory of the concerned Party. The report shall summarize the factual findings of the team related to the compliance issue.

9. The Depositary shall promptly transmit the report of the team of experts to the Compliance Meeting.

Compliance Meeting Consideration

1. The Compliance Meeting shall consider all relevant information and facts, including any report submitted by the team of experts. If the Compliance Meeting concludes based on such information and facts that there has been violation of the provisions of this Protocol concerning the use of mines, booby-traps and other devices, the Compliance Meeting shall, as appropriate, request that the Party responsible for the violation take appropriate measures to remedy the situation.

2. The Compliance Meeting may also consider measures designed to encourage compliance, and may, in accordance with the UN Charter, refer the issue to the attention of the Security Council.

ANNEX V

**SECOND 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**

CCW/AP.II/CONF.2/CRP.9
13 December 2000

Original: ENGLISH

Geneva, 11-13 December 2000

**STATEMENT BY SOUTH AFRICA ON BEHALF OF THE STATES PARTIES
OF AMENDED PROTOCOL II OF NAM AND OTHER COUNTRIES, AT THE
SECOND ANNUAL CONFERENCE OF STATES PARTIES TO AMENDED
PROTOCOL II**

The States Parties of Amended Protocol II from the Movement of Non-Aligned and other Countries note that 57 States have to date notified the Depositary of their consent to be bound to Amended Protocol II on Mines, Booby-traps and Other Devices.

We welcome this positive development especially the adherence to the Amended Protocol II of an additional 12 States since the First Annual Conference of States Parties was held from 15-17 December 1999, in Geneva.

We note that many States are in various stages of technical and political consideration, evaluation and implementation of Amended Protocol II.

In the interest of achieving the widest possible adherence to the Amended Protocol II and cognisant of obligations of those States Parties who are also party to other instruments dealing with anti-personnel mines, we believe that Amended Protocol II should not be further revised.

We are convinced that revising Amended Protocol II again would result in a multiplicity of instruments dealing with mines, booby-traps and other devices which will be detrimental to the implementation of obligations contained in Amended Protocol II.

ANNEX VI

**SECOND 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**

CCW/AP.II/CONF.2/CRP.4*
18 December 2000

Original: ENGLISH

Geneva, 11-13 December 2000

**DECLARATION ON THE OCCASION OF THE SECOND ANNUAL
CONFERENCE OF STATES PARTIES TO AMENDED PROTOCOL II TO THE CCW**

We, the States which have notified the Depositary of our consent to be bound by Amended Protocol II to the CCW, meeting in Geneva on 11-13 December 2000 for our Second Annual Conference:

Bearing in mind the important contribution of Protocol II to international efforts to alleviate the suffering caused by the indiscriminate use of landmines;

Noting that Protocol II is the only international legal instrument which covers all types of landmines, as well as booby-traps and other devices;

Having reviewed the operation and status of the Protocol, in accordance with paragraph 3(a) of Article 13;

Having considered the national annual reports presented by States which have notified the Depositary of their consent to be bound by the Protocol;

Welcomed the fact that, since the First Annual Conference held in December 1999, 13 more States have notified the Depositary of their consent to be bound by the Protocol, thus bringing the total number of States which have adhered to the Protocol to 58;

Emphasized the importance of achieving the widest possible adherence to the Protocol;

Urged all States that have not yet done so to take all measures to accede to it as soon as possible.

* Reissued for technical reasons.

ANNEX VII

**SECOND 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**

CCW/AP.II/CONF.2/CRP.8
13 December 2000

Original: ENGLISH

Geneva, 11 - 13 December 2000

**PROVISIONAL AGENDA OF THE THIRD 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**

1. Opening of the Third 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
 2. Election of the President and other officers
 3. Adoption of the Agenda
 4. Appointment of the Secretary-General of the Conference
 5. Adoption of arrangements for meeting the costs of the Conference
 6. Organization of work including that of any subsidiary bodies of the Conference
 7. General exchange of views (Plenary)
 8. Review of the operation and status of the Protocol
 9. Consideration of matters arising from reports by High Contracting Parties according to paragraph 4 of Article 13 of the Amended Protocol II
 10. Consideration of the development of technologies to protect civilians against indiscriminate effects of mines
 11. Preparation for the Second Review Conference of the States Parties to the CCW
 12. Report(s) of any subsidiary organ(s)
 13. Other matters
 14. Consideration and adoption of the final documents
-

ANNEX VIII

SECOND 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

CCW/AP.II/CONF.2/MISC.2
26 January 2001

Original: ENGLISH

Geneva, 11-13 December 2000

ESTIMATED COSTS OF THE THIRD ANNUAL CONFERENCE OF THE STATE PARTIES
TO THE AMENDED PROTOCOL II TO THE CONVENTION ON PROHIBITIONS OR
RESTRICTIONS ON THE USE OF CERTAIN CONVENTIONAL WEAPONS WHICH MAY
BEDEEMED TO BE EXCESSIVELY INJURIOUS OR TO HAVE INDISCRIMINATE EFFECTS

Note by the Secretariat

1. Following a recommendation of the First Committee, the General Assembly in its resolution 55/37 would call for the convening in 2001 of the Third Annual Conference of the State Parties to the Amended Protocol II to the Convention on the Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to be Excessively Injurious or to Have Indiscriminate Effects. The specific day(s) in which the Conference will take place would be determined by the Second Annual session of the States Parties currently in session.
2. This document is submitted pursuant to the above-mentioned resolution and would provide the estimated costs of convening the above-mentioned Conference. A breakdown of the cost estimates is provided as an annex to the present document.
3. It should be noted that the costs are estimated on the basis of past experience and anticipated workload. The actual costs would be determined at the end of the Conference when the exact workload is known. The share of each State Party in the total costs of the Conference would also be determined after the necessary adjustments in contributions by the participants sharing the costs and the recording of all expenditures thereon.
4. With regard to the financial arrangements, it will be recalled that, in accordance with the practice followed on the occasion of previous conferences on multilateral disarmament treaties, and as reflected in their rules of procedure, the costs would be shared among the States Parties participating in the conferences, based upon the United Nations scale of assessment prorated to take into account the number of States Parties participating in the Conference. States that are not Parties but that have accepted the invitation to take part in the Conference would share in the costs to the extent of their respective rates of assessment under the United Nations scale of assessments.
5. Subject to the States Parties approval of the estimated costs and cost-sharing formula, assessment notices would be prepared based on the overall estimated costs and applicable cost-sharing formula. Since the above-mentioned activities have no financial implication for the regular budget of the Organization, States Parties should proceed with the payment of their share of the estimated costs as soon as assessment notices have been received.

Title of session: **THIRD ANNUAL CONFERENCE OF STATES PARTIES TO AMENDED PROTOCOL II OF CCW**

Date to be held: *One day (to be determined)*

Conference-servicing Items	Meeting Servicing \$	Pre-session documentation \$	In-session documentation \$	Summary records \$	Post-session documentation \$	General Services requirements \$	Other requirements \$	Total \$
Interpretation and meeting servicing	8'700							8'700
Translation of documentation		23'400	55'400	26'400	55'400			160'600
General Services requirements						900		900
Other requirements							2'200	2'200
Total	8'700	23'400	55'400	26'400	55'400	900	2'200	172'400

A. Total conference-servicing requirements 172'400

B. Non-conference-servicing requirements

Office of the Secretary-General of the Conference 6'200

(special post allowance and hospitality)

Programme support costs @13% 800

Subtotal B 7'000

Grand total (rounded) A+B 179'400

ANNEX IX

**SECOND 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**

CCW/AP.II/CONF.2/CRP.2/Corr.1
13 December 2000

ENGLISH only

Geneva, 11-13 December 2000

**LIST OF STATES WHICH HAVE NOTIFIED THE DEPOSITARY
OF THEIR CONSENT TO BE BOUND BY AMENDED
PROTOCOL II TO THE CCW CONVENTION**

- | | |
|-----------------------|---|
| 1. Argentina | 31. Jordan |
| 2. Australia | 32. Liechtenstein |
| 3. Austria | 33. Lithuania |
| 4. Bangladesh | 34. Luxembourg |
| 5. Belgium | 35. Maldives |
| 6. Bosnia Herzegovina | 36. Moldova |
| 7. Brazil | 37. Monaco |
| 8. Bulgaria | 38. Netherlands |
| 9. Cambodia | 39. New Zealand |
| 10. Canada | 40. Nicaragua |
| 11. Cape Verde | 41. Norway |
| 12. China | 42. Pakistan |
| 13. Colombia | 43. Panama |
| 14. Costa Rica | 44. Peru |
| 15. Czech Republic | 45. Philippines |
| 16. Denmark | 46. Portugal |
| 17. Ecuador | 47. Senegal |
| 18. El Salvador | 48. Seychelles |
| 19. Estonia | 49. Slovakia |
| 20. Finland | 50. South Africa |
| 21. France | 51. Spain |
| 22. Germany | 52. Sweden |
| 23. Greece | 53. Switzerland |
| 24. Holy See | 54. Tajikistan |
| 25. Hungary | 55. Ukraine |
| 26. India | 56. United Kingdom of Great Britain
and Northern Ireland |
| 27. Ireland | 57. United States of America |
| 28. Israel | 58. Uruguay |
| 29. Italy | |
| 30. Japan | |

ANNEX X

**SECOND 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**

CCW/AP.II/CONF.2/CRP.1
5 December 2000

ENGLISH/FRENCH/RUSSIAN
ONLY

Geneva, 11 - 13 December 2000

**REPLIES OF
UNITED NATIONS MEMBER STATES**

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- Royaume du Maroc (French)
- Trinidad and Tobago (English)

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- Uzbekistan (Russian)

PART I



AZERBAIJAN

Permanent Mission to the United Nations

366, United Nations Plaza, Suite 568, New York, NY 10017 Tel. (212) 371 2559 / Fax (212) 371 2784

28 September 2000

Excellency,

I have the honour to convey the letter addressed to Your Excellency from
H.E. Mr. Heydar Aliyev, President of the Republic of Azerbaijan.

Please accept, Excellency, the assurances of my highest consideration.



Eldar Kouliev
Ambassador
Permanent Representative

H.E. Mr. Kofi Annan
Secretary-General of the United Nations
New York



AZƏRBAYCAN RESPUBLİKASININ PREZİDENTİ
PRESIDENT OF THE REPUBLIC OF AZERBAIJAN

Birləşmiş Millətlər Təşkilatının
Baş Katibi

cənab Kofi Annana

Hörmətli cənab Baş Katib,

Mən Sizin "Həddən artıq zədə vuran və ya kütləvi təsirə malik hesab edilə bilən adi silahların konkret növlərinin tətbiqinin qadağan olunması və ya məhdudlaşdırılması haqqında" Konvensiyaya dair məktubunuzla tanış oldum.

İnamla təsdiq edirəm ki, Azərbaycan Respublikası piyadalar əleyhinə minaların və həddən artıq zədə vuran və ya kütləvi təsirə malik hesab edilə bilən digər növ adi silahların qadağan olunmasına və ləğvinə və bu sahədə beynəlxalq-hüquq vasitələrinə tərəfdar çıxır. Azərbaycan hesab edir ki, minaların tətbiqinin tam qadağan olunması və ləğvi XXI əsrdə dünya ictimaiyyəti qarşısında duran zəruri humanitar məqsəddir.

Lakin, Azərbaycanın 20 % ərazisinin erməni silahlı qüvvələri tərəfindən davamlı işğal olunması və hərbi hücumların bərpası təhlükəsi şəraitində, qarşı tərəfin Azərbaycanın ərazisində minaları geniş tətbiq etdiyi halda, Azərbaycan hazırkı mərhələdə "Həddən artıq zədə vuran və ya kütləvi təsirə malik hesab edilə bilən adi silahların konkret növlərinin tətbiqinin qadağan olunması və ya məhdudlaşdırılması haqqında" və "Piyadalar əleyhinə minaların qadağan olunması haqqında" Konvensiyalar kimi "Minalardan, mina tələlərindən və digər qurğulardan istifadənin qadağan olunması və ya məhdudlaşdırılması barədə" II Protokola da qoşula bilməz. Azərbaycan Respublikası bu sənədlərdən irəli gələn öhdəlikləri yerinə yetirmək imkanından məhrumdur.

Əminəm ki, erməni-azərbaycan münaqişəsinin həlli Azərbaycan Respublikasının qeyd olunan beynəlxalq-hüquqi sənədlərə tezliklə qoşulması məsələsinin həllinə yol açacaqdır.

Dərin hörmət və ehtiramla,

Heydər Əliyev
Azərbaycan Respublikasının Prezidenti

Bakı şəhəri, " 3 " sentyabr 2000-ci il

unofficial translation

3 September 2000, Baku

Dear Mr. Secretary-General,

I have studied your letter with regard to the Convention on Prohibition or Restriction on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.

I should confirm that Azerbaijan stands for the prohibition and destruction of anti-personnel mines and other types of conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects and supports international legal instruments in this field. We believe that the full prohibition of using of mines and their destruction is an important humanitarian task before international community in the XXI century.

However, the continuous occupation of 20 % of the territory of Azerbaijan by Armenian armed forces, the threat of resumption of hostilities as well as the wide using of anti-personnel mines by the adversary do not allow Azerbaijan to accede to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction; Convention on Prohibition or Restriction on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects and its Amended Second Protocol on Prohibition or Restrictions on the Use of Mines, Booby-Traps and Other Devices. Azerbaijan is deprived from possibilities to fulfill obligations arisen from those documents.

I am confident that the settlement of the Armenian-Azerbaijani conflict will open avenue for Azerbaijan to promptly access to the aforementioned international legal instruments.

Excellency, I avail myself of this opportunity to express assurances of my highest consideration.

(signed)
Heydar Aliyev
President of the Republic of Azerbaijan

H.E. Mr. Kofi Annan
Secretary-General of the United Nations
New York



25 years of the
United Nations

**PERMANENT MISSION OF BANGLADESH
TO THE UNITED NATIONS**

821 United Nations Plaza, 8th Floor, New York, NY 10017
Tel: (212) 867-3434 • Fax: (212) 972-4038 • E-mail: bangladesh@un.int
web site: www.un.int/bangladesh

No. PMBNY/FC-8/99

24 July 2000

Excellency,

I have the honour to enclose copy of a letter addressed to you by Her Excellency Sheikh Hasina, Prime Minister of Bangladesh in response to your letter of 4 April 2000 on the Amended Protocol II relating to conventional weapons.

Please accept, Excellency, the assurances of my highest consideration.

Anwarul Karim Chowdhury
Ambassador and Permanent Representative
of Bangladesh to the United Nations

His Excellency
Mr. Kofi Annan
Secretary-General of the
United Nations
New York.

নির্বাহী



**PRIME MINISTER
GOVERNMENT OF THE PEOPLE'S REPUBLIC OF
BANGLADESH**

Date : 28th June, 2000

Excellency,

I thank you for your letter on Amended Protocol II on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices.

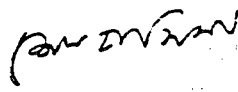
I am deeply touched by your conviction of the positive impact of Bangladesh's adherence to the Amended Protocol II and would like to assure you that your request for our accession to it is under close consideration of my Government.

I am fully convinced of the tragic and inhumane consequences of the use of weapons covered by the Amended Protocol II while congratulating you for the remarkable initiative you have taken in raising the concern of the international community on addressing the issue. Your efforts and commitment for the implementation of the recommendations of the First Conference of the States Parties will continue to have a profound impact on the member states in inspiring them to accede to the Amended Protocol II.

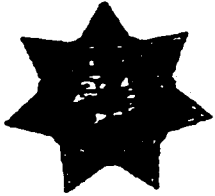
Bangladesh is fully committed to the goal of a complete and general disarmament. A party to almost all the major international disarmament and humanitarian instruments Bangladesh has remained totally devoted to the cause of peace and humanity. Bound by these principles, my government has taken a leading role in our region by having ratified the CTBT and signed the AMPT as well as the Statute of the International Criminal Court.

You may kindly recall that at The Hague Peace Conference, I had made a commitment to devote my energies and efforts towards a world free of anti-personnel mines. I would like to assure you that I stand by that commitment. The matter of our accession to the Amended Protocol II is under active consideration of my Government and I hope that we will be able to reach a positive decision soon.

Please accept, Excellency, the assurances of my highest consideration.


(Sheikh Hasina)

His Excellency
Mr. Kofi Annan
Secretary General of the United Nations,
New York.



საქართველოს მუდმივი წარმომადგენლობა
გაერთიანებული ერების ორგანიზაციაში

PERMANENT MISSION OF GEORGIA TO THE UNITED NATIONS

ONE UNITED NATIONS PLAZA, 26TH FLOOR, NEW YORK, NY 10017, TEL: (212) 759-1949 • FAX: (212) 759-1832

N 77 - 00

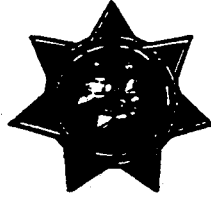
August 2, 2000

The Permanent Mission of Georgia to the United Nations presents its compliments to the Secretary-General of the United Nations and has the honor to transmit herewith two letters of H.E. Mr. Eduard Shevardnadze, President of Georgia.

The Permanent Mission of Georgia to the United Nations avails itself of this opportunity to renew to the Secretary-General of the United Nations the assurance of its highest consideration.



H.E. Kofi Annan
Secretary-General
of the United Nations
New York



საქართველოს პრეზიდენტი
PRESIDENT OF GEORGIA

29 June 2000

Mr. Secretary General,

It was with great interest that I read your letter, in which you (as a depositary of 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") invite the Government of Georgia to adhere to the Amended Protocol II of the present Convention on the prohibition and limitation of the use of anti-personnel mines, booby traps and other devices.

I am in full accord with the statements and assessments contained in your letter, and would like to once again state my country's position on this question.

We thoroughly comprehend the horror and barbarity of the weapons of indiscriminate effects, through which our sizeable population of internally displaced people had to travel at the time ethnic cleansing was carried out against the Georgians in the region of Abkhazia.

Through our appearance at the above mentioned Convention on 1996, our support of the relevant UN resolutions on Prohibition of anti-personnel mines, and our participation in various meetings, Georgia has stated its clear position on the noble objectives of the Global prohibition of anti-personnel landmines. Georgia declares its support for the international process of prohibition of anti-personnel landmines and is prepared to make its own contribution to this cause.

His Excellency

Kofi A. Annan,

Secretary General of the United Nations

Through a statement made on September 1996, I as President of Georgia called for a moratorium on the export and production of anti-personnel landmines. In addition, Georgia actively cooperates - both on bilateral and regional levels within the frame of confidence-building measures - to keep the risk of anti-personnel landmines to a minimum.

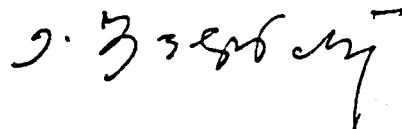
We think that this quite sufficiently clarifies Georgia's position on the problem of anti-personnel landmines.

With regard to Georgia's accession to this Protocol, let me inform you that internal procedures required by our law are underway. After these are completed, the document will be sent to Parliament for ratification. Georgia should be joining this Protocol in the nearest future.

Please, Excellency, accept the assurances of my highest consideration.

Sincerely yours,

Eduard Shevardnadze

A handwritten signature in dark ink, appearing to be 'E. Shevardnadze', written in a cursive style.



ПРЕЗИДЕНТ
РЕСПУБЛИКИ
КАЗАХСТАН

ҚАЗАҚСТАН
РЕСПУБЛИКАСЫНЫҢ
ПРЕЗИДЕНТІ

PRESIDENT
REPUBLIC OF
KAZAKHSTAN

Астана
12/052000

Ваше Превосходительство,

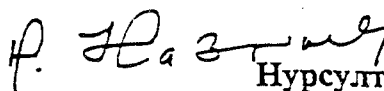
Мы признательны Вам за вклад, в качестве Депозитария Конвенции о «негуманном оружии», в создание эффективного международного режима по ограничению и запрещению использования противопехотных мин во всем мире.

Казахстан разделяет растущую озабоченность мирового сообщества в связи с огромными жертвами среди мирного населения, вызванными применением противопехотных мин, которые продолжают калечить и убивать гражданское население.

Хочу проинформировать Вас, что односторонний мораторий, принятый Правительством Республики Казахстан в 1997 году, поддерживает соответствующие резолюции Генеральной Ассамблеи ООН и является выражением приверженности нашей страны делу укрепления международного мира и безопасности.

Казахстан разделяет мнение, что поэтапное введение ограничений и запретов на использование противопехотных мин будет способствовать действительно полному запрещению этого вида оружия. Исходя из этого, наше государство поддерживает инициативы в области запрещения и ограничения на применение противопехотных мин, основанные на решениях Женевской конференции 1995 г. по обзору Конвенции о «негуманном оружии».

Примите мои уверения в высочайшем уважении.


Нурсултан Назарбаев

Его Превосходительству
Г-ну Кофи А.Аннану
Генеральному Секретарю ООН
Нью-Йорк

Unofficial translation

Astana
12/05/2000

Excellency,

We appreciate Your efforts and contribution as Depositary of the Unhumane Weapons Convention to the creation of the effective international regime on the restriction and banning of anti-personnel landmines in the world.

Kazakhstan shares the growing concern of the world community on a large number of victims among civilians caused by the use of APL maiming and killing civilians every day.

I would like to inform You that unilateral moratorium, declared by the Government of the Republic of Kazakhstan in 1997, proceeds from the corresponding resolutions of the UN General Assembly and highlights strong commitments of our Government to the cause of strengthening international peace and security.

Kazakhstan shares the opinion that step-by-step approach to the restrictions and prohibitions of the use of APL will help to promote the total ban of this weapon. Proceeding from this understanding, the Government of Kazakhstan supports the initiatives in the sphere of restrictions and banning the use of APL, based on the decisions of the Geneva Review Unhumane Weapons Conference 1995.

Please accept, Excellency, the assurances of my highest consideration.

Nursultan Nazarbayev

**His Excellency
Mr. Kofi A. Annan
UN Secretary General
New York**



Latvijas Valsts prezidents

Riga, 5 May 2000

Excellency,

I would like to thank you for your letter of 4 April regarding Amended Protocol II on Prohibition or Restrictions on the Use of Mines, Booby-Traps and Other Devices.

Latvia supports the determination of the world's community to strengthen international law limiting and restricting the use of barbaric and indiscriminate weapons. The Parliament of Latvia has ratified the Certain Conventional Weapons Convention, including the Protocols attached thereto. However, Latvia has not done so with the amendments of May 3, 1996 to the Protocol II.

At the same time, the Government of Latvia is fully aware of the global problem caused by anti-personnel landmines and it supports the efforts of the international community to stop the use of this weapon and, eventually, to eliminate all planted and stockpiled anti-personnel landmines. As a heritage of the past, Latvia still has some areas contaminated during World War II and the Soviet post-war operations with different types of explosives, including mines. Latvian Armed Forces detect and destroy about 3,000 pieces of these explosives every year.

I would like to assure you that the issue of acceding to the amended Protocol II and the Ottawa Convention on Prohibition of the use, production and stockpiling of the anti-personnel landmines and on their destruction is within our concern. Latvia has always pursued the objectives defined by the Ottawa Convention even before it was initiated. In this regard, I would like to inform you that anti-personnel landmines are not produced or manufactured in Latvia. Latvia maintains no active mine fields at the borders or elsewhere. Latvian national export control authorities prohibited the export of all types of mines already in September 1995.

I would also like to emphasise that Latvia's position should be viewed within the regional context, having in mind that not all the neighbouring countries have acceded to the Ottawa Convention.

I rely upon your understanding of my country's position and let me convey to You, Excellency, the assurances of my highest consideration.



Vaira Vīķe-Freiberga

His Excellency
Mr. Kofi A. Annan
Secretary-General of the United Nations
New York, N.Y.

*République Libanaise**Le Président*

Baabda, le 17 mai 2000

Monsieur le Secrétaire Général,

Je vous remercie pour votre lettre du 4 avril 2000 et pour l'intérêt que vous ne cessez de porter à la cause des plus faibles et des plus démunis, notamment celle des victimes innocentes de l'emploi de mines, pièges et autres dispositifs.

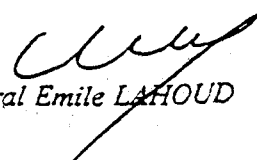
Comme vous le savez, le Liban a énormément souffert d'une longue guerre dont il a été victime, et notamment des agressions israéliennes continues contre sa population et son infrastructure civile et du recours pernicieux des forces israéliennes à larguer ou à planter sur le territoire libanais, des mines et des pièges souvent déguisés sous forme de jouets pour enfants.

Le Liban est par ailleurs demandeur, et partiellement bénéficiaire d'une assistance internationale, visant à le débarrasser de milliers de mines anti-chars et anti-personnel, qui restent semées sur une bonne partie de son territoire.

Il ne peut donc envisager que d'une manière positive, son adhésion, dès que possible, au protocole sur l'interdiction ou la limitation de l'emploi de mines, pièges et autres dispositifs.

Toutefois, au vu des défis qui lui restent imposés, par la persistance de l'occupation israélienne d'une partie du Sud-Liban et de la Békaa-Ouest, le Liban s'est réservé le droit de reporter la décision relative à son adhésion au Protocole sur l'interdiction ou la limitation de l'emploi de mines, pièges et autres dispositifs, jusqu'au jour où il réussira à libérer son territoire de l'occupation israélienne d'une manière totale et inconditionnelle.

Dans cet espoir de libération, et celui de l'avènement d'une paix juste et globale au Moyen-Orient, à laquelle vous ne cessez d'y apporter une précieuse contribution, je vous prie de croire, Monsieur le Secrétaire Général, à l'assurance de ma haute considération.


Général Emile LAHOUD

Son Excellence Monsieur Kofi ANNAN
Secrétaire Général
Organisation des Nations Unies
New York

*Permanent Mission of Lebanon
to the United Nations*

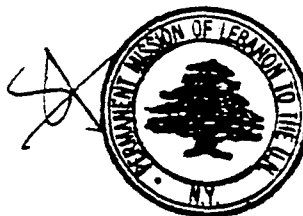
Ref: 971/00

The Permanent Mission of Lebanon to the United Nations presents its compliments to the office of the Secretary-General of the United Nations and has the honor to enclose herewith a letter from H.E. General Emile Lahoud, President of the Republic of Lebanon to H.E. Mr. Kofi Annan, the Secretary-General of the United Nations.

The Permanent Mission of Lebanon to the United Nations kindly requests that the enclosed letter be delivered to its high destination.

The Permanent Mission of Lebanon to the United Nations avails itself of this opportunity to renew to the office of the Secretary-General the assurances of its high consideration.

New York, June 5, 2000



Office of the Secretary General
United Nations, Room 3800
New York, N.Y. 10017

*The Permanent Mission
of the Kingdom of Morocco
to the United Nations*



البعثة الدائمة
للمملكة المغربية لدى الأمم المتحدة
نيويورك

MA/uw
no. 978 /00

Le Représentant Permanent du Royaume du Maroc auprès de l'Organisation des Nations Unies présente ses compliments à S.E. M. Kofi ANNAN, Secrétaire général de l'Organisation des Nations Unies, et a l'honneur de lui faire parvenir, ci-joint, une lettre adressée par Sa Majesté le Roi MOHAMMED VI concernant l'adhésion du Royaume du Maroc au Protocole II amendé sur les Mines, Pièges et autres Dispositifs.

Le Représentant Permanent du Royaume du Maroc auprès de l'Organisation des Nations Unies saisit cette occasion pour renouveler à S.E. M. Kofi ANNAN, Secrétaire général de l'Organisation des Nations Unies, les assurances de sa haute considération.



New York, le 16 Juin 2000

S.E. Monsieur le Secrétaire général
de l'Organisation des Nations Unies
New York, N.Y. 10017



Monsieur le Secrétaire Général,

Nous avons l'honneur de Nous référer à votre correspondance en date du 4 avril 2000, par laquelle vous avez invité mon pays à envisager de consentir à être lié par le Protocole (II) amendé, sur l'interdiction ou la limitation de l'emploi des mines, pièges et autres dispositifs.

L'occasion Nous est ainsi offerte pour vous réaffirmer l'attachement ferme du Maroc à un désarmement général et complet, qui constitue à Notre avis une condition incontournable pour le maintien de la paix et de la sécurité internationales.

Il est évident que le désarmement général et complet reste tributaire des mesures prises tant au niveau international que régional, portant aussi bien sur le désarmement et la réduction des armements que sur l'affermissement de la confiance entre les Etats. Nous demeurons convaincu que l'universalité des instruments juridiques internationaux pertinents est un facteur essentiel dans le cadre des efforts louables déployés par la communauté internationale en la matière.

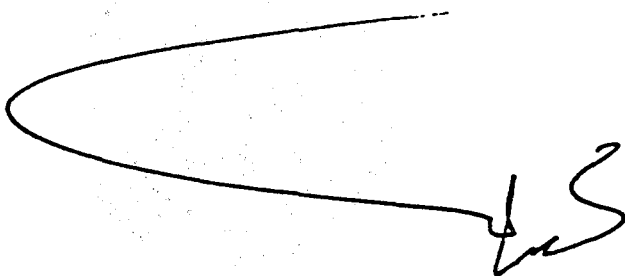
S.E.M. Kofi Annan
Secrétaire Général de l'Organisation
des Nations Unies
New York
Etats-Unis d'Amérique.

A cet égard, Nous ne pouvons que saluer l'action inlassable menée par l'ONU visant au renforcement et au respect des principes et règles du droit international dans le domaine du désarmement, ainsi qu'à la mobilisation constante de la communauté internationale en vue de conférer à la question une acuité particulière.

S'agissant de l'attitude de Mon pays vis-à-vis du Protocole (II) amendé, vous n'êtes pas sans savoir que le Royaume du Maroc a signé, en 1996, cet important instrument et entamé, depuis, sa procédure de ratification, laquelle devrait aboutir très prochainement.

Conscient du caractère prioritaire et urgent de l'universalité du Protocole (II) amendé, sur l'interdiction ou la limitation de l'emploi des mines, pièges et autres dispositifs, le Royaume du Maroc est toujours disposé à apporter sa contribution aux efforts de la communauté internationale visant à limiter l'usage de ces armes inhumaines.

Veuillez agréer, Monsieur le Secrétaire Général, les assurances de Notre haute considération.

A large, stylized handwritten signature in black ink, consisting of a long horizontal stroke that curves upwards at the end, followed by a smaller, more complex flourish.

Mohammed VI

Roi du Maroc

Fait en Notre Palais Royal de Marrakech
Le 25 Safar 1421
(29 mai 2000)



Permanent Mission of the Republic of Trinidad and Tobago
to the United Nations
820 Second Avenue, Floor 5
New York, NY 10017

No. 94

The Permanent Representative of the Republic of Trinidad and Tobago to the United Nations presents his compliments to the Secretary-General of the United Nations and has the honour to transmit herewith the reply of His Excellency, Mr. Arthur N.R. Robinson, President of the Republic of Trinidad and Tobago, to the letter of the Secretary-General dated 4 April 2000 in his capacity as Depositary of 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 and Amended Protocol II thereto.

The Permanent Representative of the Republic of Trinidad and Tobago to the United Nations avails himself of this opportunity to renew to the Secretary-General of the United Nations the assurances of his highest consideration.

New York - May 26, 2000





THE PRESIDENT
REPUBLIC OF TRINIDAD AND TOBAGO

April 26, 2000

Dear Secretary-General,

I refer to your letter dated April 4, 2000 inviting Trinidad and Tobago to consider consenting to be bound by Amended Protocol II on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices.

I wish to inform you that, as this matter more properly falls within the province of the Prime Minister and Ministers of Government, I have referred your letter to the Prime Minister.

Please accept my best wishes for the success of your work in this important area of international law.

A handwritten signature in black ink, reading "Arthur N. R. Robinson".

Arthur N. R. Robinson TC., OCC., SC., Hon. Fellow of St John's College, Oxford

Mr Kofi A. Annan
Secretary-General of the United Nations
United Nations
New York

PART II

O'ZBEKISTON RESPUBLIKASI
BIRLASHGAN MILLATLAR TASHKILOTIDAGI DOIMIY
VAKOLATXONASI, NEW YORK



REPUBLIC OF UZBEKISTAN
PERMANENT MISSION TO THE UNITED NATIONS
NEW YORK

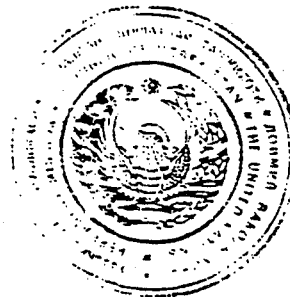
866 UN Plaza, Suite 325, New York, N.Y. 10017 Phone: 212-486-4242, Fax: 212-486-7999

UZ 104/00

The Permanent Mission of the Republic of Uzbekistan to the United Nations presents its compliments to the United Nations Department for Disarmament Affairs and with the reference to the latter's note No DDA/12-2000/CCW.APII has the honor to convey the Note from the Ministry of Foreign Affairs of the Republic of Uzbekistan No 11/7188 concerning the Amended Protocol II on Prohibitions or Restrictions on the Use of Mines, Booby -Traps and other devices to the 1981 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.

The Permanent Mission of Republic of Uzbekistan to the United Nations avails itself of this opportunity to renew to the United Nations Department for Disarmament Affairs the assurance of its highest consideration.

June 26, 2000



Departments for Disarmament Affairs
United Nations
New York



O'ZBEKISTON RESPUBLIKASI
TASHQI ISHLAR VAZIRLIGI

№ 11/7/88

Министерство иностранных дел Республики Узбекистан свидетельствует свое уважение Секретариату Организации Объединенных Наций и имеет честь сообщить о получении письма Генерального секретаря Организации Объединенных Наций господина Кофи Аннана о "Дополнительном Протоколе II по запрещению или ограничению использования мин" к Конвенции 1981 года по запрещению или ограничению использования обычных видов вооружения, которые могут рассматриваться чрезвычайно вредными или имеющими неизбирательное действие.

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Ташкент, 21 июня 2000 г.

Секретариат
Организации Объединенных Наций
г. Нью — Йорк



**SECOND 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**

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SUMMARY RECORD OF THE 1st MEETING

Held at the Palais des Nations, Geneva,
on Monday, 11 December 2000, at 10 a.m.

Temporary President: Mr. PETROVSKY (Director-General of the
United Nations Office
at Geneva)

President: Mr. PETÖCZ (Slovakia)

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BE DEEMED TO BE EXCESSIVELY INJURIOUS OR TO HAVE INDISCRIMINATE
EFFECTS

ELECTION OF THE PRESIDENT AND OTHER OFFICERS

ADOPTION OF THE AGENDA

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The meeting was called to order at 10.25 a.m.

OPENING OF THE SECOND ANNUAL CONFERENCE OF THE STATES PARTIES TO THE 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 (item 1 of the provisional agenda)

1. The TEMPORARY PRESIDENT declared open the Second Annual Conference of the States Parties to the 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 (CCW). He emphasized the crucial role of Annual Conferences in strengthening the Amended Protocol II, on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices, as they brought together States which refrained from using certain types of landmines and States which still used them, with the common objective of eliminating the indiscriminate use of landmines and increasing the protection of civilians, peace-keepers and humanitarian personnel in areas of conflict. He hoped that the work of the Conference would contribute to the effective implementation of the Protocol and encourage the accession of other States.

ELECTION OF THE PRESIDENT AND OTHER OFFICERS (item 2 of the provisional agenda)

2. The TEMPORARY PRESIDENT said that, under rule 3 of the Conference's rules of procedure, the First Annual Conference, at its final meeting, had unanimously decided to recommend that Ambassador Kálmán Petöcz of Slovakia be elected President of the Second Annual Conference. Ambassador Petöcz was to be congratulated on his tireless efforts in preparing for the Second Annual Conference during the inter-sessional period, his skilful conduct of the mid-year meeting of experts, and his report to the First Committee during the fifty-fifth session of the United Nations General Assembly.

3. Mr. Petöcz (Slovakia) was elected President of the Conference by acclamation.

4. Mr. Petöcz (Slovakia) took the Chair.

5. The PRESIDENT said that he had decided to adopt a proactive approach to his stewardship of the Conference, given the importance to his country, Slovakia, of further developing the complementary relationship between Amended Protocol II and the Convention on Certain Conventional Weapons (CCW) to which it was annexed, on the one hand, and the Ottawa Convention on anti-personnel mines, to which Slovakia was also a party, on the other.

6. The Review Conference of the CCW had set itself the ambitious aim of achieving universal adherence to the Convention and its Protocols by 2000. Although that objective had not been reached, an increasing number of States had either ratified the Convention or notified their consent to be bound by Amended Protocol II. In accordance with his mandate from the

First Annual Conference "to exercise his authority to achieve the goal of universality of the Amended Protocol II", he had transmitted letters to the Foreign Ministers of States not yet parties to the Protocol, while a similar letter had been sent by the Secretary-General of the United Nations to Heads of State or Government. Furthermore, he had held consultations with delegations or State representatives in Geneva and New York with a view to encouraging further accessions. He was convinced that those efforts would bear fruit in time for the Second Review Conference of the CCW.

7. The First Annual Conference had also adopted recommendations calling, inter alia, for structured discussions on international technical information exchange, international cooperation on mine clearance, technical cooperation and assistance, and the development of viable and cost-effective technologies to replace anti-personnel mines (CCW/AP.II/CONF.1/2, Part 1, p. 24). He had undertaken intensive consultations on ways to translate those recommendations into action, culminating in an informal meeting of experts held on 31 May and 2 June 2000. He had also reported to the fifty-fifth session of the United Nations General Assembly on inter-sessional activities, as requested by the First Annual Conference.

ELECTION OF THE PRESIDENT AND OTHER OFFICERS (item 2 of the provisional agenda) (continued)

8. The PRESIDENT, referring to rule 3 of the rules of procedure, which provided for the election of two Vice-Presidents, said that his consultations had indicated that there was agreement to elect Ambassador Chris Sanders of the Netherlands and Ambassador Jorge Voto-Bernales of Peru as Vice-Presidents of the Conference. He took it that the Conference wished to confirm that agreement.

9. Mr. Sanders (Netherlands) and Mr. Voto-Bernales (Peru) were elected Vice-Presidents of the Conference by acclamation.

ADOPTION OF THE AGENDA (item 3 of the provisional agenda)

10. The agenda was adopted.

RECONFIRMATION OF THE RULES OF PROCEDURE (agenda item 3 (a))

11. The PRESIDENT said that, at the First Annual Conference, the then President, referring to rule 29 of the rules of procedure, had stated that High Contracting Parties had thus far proceeded on the basis of consensus in their deliberations and negotiations and that no decision had been taken by vote. The rules of procedure, together with the President's statement, were therefore applicable, mutatis mutandis, to the Second Annual Conference.

APPOINTMENT OF THE SECRETARY-GENERAL OF THE CONFERENCE (agenda item 4)

12. The PRESIDENT, referring to rule 10 of the rules of procedure, said that his informal consultations had indicated that there was agreement to appoint Mr. Vladimir Bogomolov,

Political Affairs Officer in the Geneva Branch of the Department of Disarmament Affairs, as Secretary-General of the Conference. He took it that it was the wish of the Conference to appoint Mr. Vladimir Bogomolov as Secretary-General of the Conference.

13. It was so decided.

MESSAGE FROM THE SECRETARY-GENERAL OF THE UNITED NATIONS
(agenda item 4 (a))

14. Mr. PETROVSKY (Director-General of the United Nations Office at Geneva) read out the following message from the Secretary-General of the United Nations:

“I am pleased to greet the participants in the Second Annual Conference of the High Contracting Parties to the Amended Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices. The importance of the elimination of the threat of landmines cannot be overemphasized. The total eradication of landmines from world arsenals poses an extraordinary challenge to the international community, a fact that was highlighted by the world leaders who gathered at the Millennium Summit last September.

The Summit did so because the leaders recognize that the challenge of landmines has to be addressed globally since the countries most severely affected by these weapons are the ones least able to deal with their deadly legacy. By assisting in mine clearance, educating the people of the mine affected countries, providing adequate assistance to victims and ensuring their reintegration into society, every member of the international community can play a role.

Amended Protocol II represents a concrete response to widespread and growing concerns about the victimization of civilians in armed conflicts and the unnecessary suffering of combatants. One important element is its applicability not only to international, but also to internal, conflicts, as well as its provisions for protecting humanitarian missions. Most significantly, the Protocol strikes the balance between humanitarian considerations and the security concerns of a number of States.

I am pleased to note that since the First Annual Conference of States parties in December 1999, some progress has been made. By now, 12 more States have agreed to be bound by the provisions of the Amended Protocol II, bringing the total number to 57. I take this opportunity to appeal, once again, to all States that have not yet done so to become Parties to the Protocol as soon as possible.

The global elimination of the threat posed by anti-personnel landmines remains a priority goal of the international community. The United Nations is playing a key role in achieving this aim. By staying united, and acting in a united fashion, we can make real and lasting progress towards ridding the world of all mines. A successful outcome of your Conference will further contribute to this shared objective. I wish you every success in your endeavours.”

ADOPTION OF ARRANGEMENTS FOR MEETING THE COSTS OF THE CONFERENCE
(agenda item 5)

15. The PRESIDENT recalled that, in paragraph 18 of its Final Document (CCW/AP.II/CONF.1/2 (Part I)), the First Annual Conference had approved the estimated costs of the Second Conference. He took it that the Conference agreed to adopt the estimated costs.

16. It was so agreed.

ORGANIZATION OF WORK INCLUDING THAT OF ANY SUBSIDIARY BODIES OF THE
CONFERENCE (agenda item 6)

17. The PRESIDENT suggested that, in order to utilize fully the limited time available and, following consultations with members of the Bureau and the regional group coordinators, the remainder of the first plenary meeting and the second plenary meeting should be devoted to a general exchange of views, as provided for under item 7 of the agenda. He also suggested that, pursuant to rule 30 of the rules of procedure, the Conference should establish an open-ended group of experts to consider agenda item 9 and report back to the plenary. The Conference would consider agenda items 8, 10 and 11 at the third and fourth plenary meetings and agenda items 12, 13 and 14 at the fifth plenary meeting.

18. Mr. ELLAHI (Pakistan) said his delegation favoured the procedure adopted at the First Annual Conference: the open-ended group of experts should consider agenda item 10 in addition to item 9.

19. The PRESIDENT said that there had been extensive consultations on the subject and he had been under the impression that agreement had been reached, at the extended Bureau meeting, on the compromise solution he had proposed.

20. Mr. ELLAHI (Pakistan) said that he had not been present at the Bureau meeting but, in any event, his delegation was of the view that, in the light of the nature of agenda item 10, it would be more appropriate for it to be considered by the group of experts rather than the plenary.

21. The PRESIDENT asked whether Mr. Ellahi would agree to postpone consideration of that matter and proceed with the agenda since there was still time for further discussion before the open-ended group of experts met the following day.

22. Mr. ELLAHI (Pakistan) said that he was willing to submit to the President's decisions regarding the programme of work but he had heard no objections to his proposal.

23. The PRESIDENT asked whether the Conference agreed to Pakistan's proposal.

24. Mr. BRINKERT (Canada), endorsing the President's remarks, said that the matter should be deferred until after the general exchange of views. If, however, a choice had to be made between deferral and acceptance of Pakistan's proposal, his delegation would not be prepared to support the proposal.

25. The PRESIDENT said that the matter could be taken up again at the next meeting. He took it that the Conference wished to approve the programme of work, subject to further discussion of that outstanding issue.

26. It was so agreed.

27. The PRESIDENT said that his consultations had indicated that there was general agreement that Colonel Erwin Dahinden of Switzerland should continue to act as Chairperson of the group of experts. He took it that the Conference wished to establish a group of experts to consider agenda item 9 and to appoint Colonel Erwin Dahinden as its Chairperson.

28. It was so decided.

29. The PRESIDENT announced that the extended Bureau would meet with other delegations at 2.30 p.m. to discuss the pending issue relating to the programme of work.

GENERAL EXCHANGE OF VIEWS (agenda item 7)

30. Mr. DE LA FORTELLE (France) said that he was speaking on behalf of the European Union and the following associate States: Bulgaria, Cyprus, Czech Republic, Estonia, Hungary, Lithuania, Malta, Poland, Romania, Slovakia, Slovenia, as well as Liechtenstein, which was a member of the European Economic Area.

31. The European Union believed that the Amended Protocol was an important and dynamic instrument for the international community, which would make an effective contribution to solving the problems relating to landmines in general and anti-personnel mines in particular. The Protocol complemented the Ottawa Convention but was broader in scope, since it covered all landmines, booby-traps and other devices.

32. It was, therefore, essential to work towards the universalization of the Protocol. The European Union, for its part, had taken steps to promote further accessions and invited other States which were not yet parties to the Convention and the Protocol to take necessary and prompt measures to that end.

33. There had been no significant violations of the provisions of the Protocol but the complex nature of certain obligations could raise obstacles to its full implementation by some States. In that connection, the European Union wished to emphasize the importance it attached to the presentation of annual reports to promote transparency and facilitate dialogue among States parties. It also urged non-parties to submit voluntary annual reports.

34. The Protocol contained a section on cooperation and assistance in mine clearance, a priority for the European Union and one to which it allocated substantial resources. The European Union encouraged all States to participate in the work carried out within the framework of the inter-sessional process of the Ottawa Convention, whether or not they were parties to the Convention.

35. The current meeting provided an opportunity for an exchange of views on the 2001 CCW Review Conference. Several proposals had been made for improvement of the Protocol, notably by the United States. The European Union was willing to engage in open and constructive dialogue in that regard and maintained its position in favour of a credible and effective verification mechanism. Other ideas had been put forward, particularly in relation to the complex issue of "unexploded ordnance" (UXO) which posed a humanitarian challenge of which the European Union was deeply aware and which had been the subject of a recent in-depth study by the International Committee of the Red Cross. The European Union was in favour of holding structured discussions on both the humanitarian and the military aspects of that subject, preferably within the framework of the preparatory process for the Review Conference.

36. Mr. LIVERMORE (Canada) said that Canada attached great importance to the Convention because, first, the parties to an armed conflict did not have an unlimited right to choose methods or means of warfare and, secondly, civilian populations had to be protected against the effects of hostilities. The Convention could play a vital role in addressing the humanitarian impact of weapons deemed to be excessively injurious or to have indiscriminate effects.

37. The majority of States had formally accepted the necessity of a complete ban on the production, use and transfer of anti-personnel mines, but Canada believed that the Amended Protocol had an important role to play in reducing the humanitarian impact of mines other than anti-personnel mines.

38. Canada welcomed the United States' proposal for measures to enhance the protection of civilians from anti-vehicle mines and it supported all efforts to develop minimum detectability standards for such mines and to require that they be equipped with self-destruction and self-deactivation mechanisms. Canada also supported the idea of developing a compliance mechanism for the Amended Protocol and extending the scope of the Convention to cover non-international armed conflicts, two other proposals put forward by the United States.

39. Canada was grateful to the International Committee of the Red Cross (ICRC) and non-governmental organizations (NGOs) for drawing attention to the issue of explosive remnants of war - including cluster bomb submunitions and anti-vehicle mines - which killed or injured civilians, impeded humanitarian assistance operations and hindered recovery in war-torn societies. The Conference could usefully set aside time for consideration of those problems during the preparatory meetings for the Review Conference in April and September 2001.

40. Mines still claimed thousands of victims every year and Canada implored those who had accepted the restrictions of either the Amended Protocol or the original 1980 Protocol II to comply fully with their commitments, including acceptance of the prohibition on the indiscriminate use of mines, booby-traps and other devices.

41. While it was desirable to establish expert work programmes involving international organizations and NGOs with an understanding of the humanitarian impact of such devices and the means of addressing the problems, such programmes should not duplicate work already in progress elsewhere.

42. Lastly, although States had no legal obligation towards the hundreds of thousands of people disabled by landmines around the world, they had a moral obligation to assist in their care, rehabilitation and social and economic reintegration.

43. Mr. TALAVERA (Peru) said that Peru was well aware of the terrible damage mines could inflict not only on individuals but also on States' social and economic development, and had therefore decided to clear its territory completely of anti-personnel mines.

44. The Convention provided a useful framework for discussion of excessively injurious and indiscriminate weapons such as cluster bombs and other remnants of war and Peru believed that the ICRC proposal on the subject deserved consideration. Similarly, the Amended Protocol was an important international legal instrument serving to promote the exchange of experiences and international cooperation. Peru had just submitted its second annual report and urged other States parties to comply with the reporting requirement, in the interests of transparency and confidence-building.

45. Lastly, he expressed his country's gratitude to those States parties that had provided technical and financial support for its programme of integrated action against anti-personnel mines.

46. Mr. NOBORU (Japan) said that, although the Amended Protocol dealt with various types of mines and contained provisions relating to internal conflicts and the transfer of certain anti-personnel mines, such issues as effective compliance measures and restrictions on the use of mines other than anti-personnel mines still needed to be addressed.

47. The Amended Protocol did not totally ban the transfer of anti-personnel mines and therefore States that had not ratified the Ottawa Convention were not legally prohibited from transferring certain types of anti-personnel mines. Japan was flexible on the question of how to achieve a legally binding ban on such transfers - it could be done either at the Conference on Disarmament or in the context of the Convention review process.

48. States that had not yet ratified the Amended Protocol should be encouraged to do so as soon as possible. Japan would continue to make efforts to enhance awareness of the Convention among such countries in Asia and around the world.

49. He hoped that, at the first meeting of the Preparatory Committee, States parties would consider how best to reconcile the protection of civilians in armed conflict and other humanitarian principles with the maintenance of legitimate self-defence capabilities.

50. Japan had recently appointed a special adviser to the Minister for Foreign Affairs on the question of mines and was determined to continue to play a leading role in global efforts to tackle the problem.

51. Mr. SHA Zukang (China) said the tendency to use the term "insidious" to describe landmines raised an important issue: landmines were small but were to be banned; nuclear

weapons and outer space weapons were large but it was not permitted even to discuss banning them. The impression gained was that nuclear and outer space weapons were almost humanitarian, whereas landmines were non-humanitarian.

52. The Chinese delegation was pleased to note that nearly 60 countries, including some of China's close neighbours, had now acceded to the Amended Protocol. It particularly welcomed the Republic of Korea's decision to accede.

53. The Protocol had been concluded as the result of extensive consultations and hard negotiation, and achieved a balance between humanitarian and national security concerns. However, its implementation and amendment would be facilitated by clarification of its relationship to the Ottawa Convention on anti-personnel mines.

54. The Ottawa Convention and the Protocol were complementary and both could help protect civilians from the indiscriminate effects of landmines. The Ottawa Convention aimed at complete and immediate prohibition of anti-personnel landmines, and that was undoubtedly the best way to address the humanitarian concerns raised by their use. China respected the sovereign choice of those countries that had acceded to the Ottawa Convention. However, divergent national conditions, including differences in terms of security concerns and military technology development levels, made it difficult, at the current stage, for many countries, like China, to ban anti-personnel mines completely. China therefore reserved the right to continue to use anti-personnel landmines on military or security grounds or for self-defence purposes, pending the development of alternative means of defence. It was possible to resolve the humanitarian issue as long as landmines already in place were cleared completely and mines used for legitimate security purposes met the requirements of detectability, self-destruction and self-deactivation provided for in the Protocol. In that connection, since April 1996, China had observed a moratorium on the export of landmines that did not comply with the standards laid down in the Protocol.

55. Two tasks now needed urgent attention: international efforts to promote the universality of the Protocol should be intensified; and all States parties should implement the Protocol in letter and spirit if it was not to be rendered meaningless.

56. His delegation wished to express its concern at certain specific amendments to the Protocol that had been proposed since the previous annual conference. To reopen negotiations and further amend the Protocol only two years after it had entered into force would undermine its status and disorient the States that had already acceded and were engaged in earnest efforts at implementation.

57. Moreover, proposals for further amendment could only disrupt the accession process for would-be States parties, while raising the threshold of accession for developing countries, particularly those with less developed military technology. The Chinese delegation therefore strongly opposed any proposal for further amendment of the Protocol at the current stage, although States parties might wish to move ahead with implementation of the technical specifications outlined in the proposed amendments and provide technical assistance, equipment and training to developing countries among the States parties.

58. His country's fulfilment of many of its obligations under the Protocol since it had entered into force for China in 1999 had been outlined in its annual report. The Chinese military authorities had sponsored a comprehensive training course in 2000 to make all relevant departments aware of those obligations. Also in the pipeline were a series of Protocol-related procedures and norms, as well as national military standards for technical specifications for anti-personnel landmines and minefield marking.

59. With regard to humanitarian demining, his Government, continuing its cooperation with the United Nations Mine Action Service, had recently cosponsored a training workshop on demining technology attended by trainees from four African countries, and was donating demining equipment to seven countries.

60. China considered it an obligation under the Protocol to share its considerable demining experience and expertise with interested countries and organizations, through cooperation and exchanges aimed at identifying ways of protecting innocent civilians against the indiscriminate effects of old models of landmines. His delegation hoped that efforts in that area would be intensified as a result of the work done at the Conference. No slogan adopted by the Conference could replace the actual removal of all landmines.

61. Mr. SOOD (India) said that his country, which had ratified all the Protocols to the Convention on Certain Conventional Weapons (CCW), looked forward to participating in the Conference, which was well-timed for evaluating and building on past achievements in the run-up to the CCW Review Conference in December 2001. Maintenance of the previous year's rules of procedure would allow the Conference to concentrate on substantive issues.

62. The process of elimination of anti-personnel landmines (APLs), to which India was committed, would be facilitated by addressing their legitimate defence role and making appropriate, militarily effective, but non-lethal and cost-effective alternative technologies available to the countries concerned.

63. India, in its commitment to Amended Protocol II, had made the required design modifications to non-detectable mines and had produced no new ones since January 1997, developing only the detectable version. A remotely delivered mine (RDM) system for APLs with the requisite self-destruction and self-deactivation mechanism had also been designed for testing and prototype production. Army units had been issued with a mechanical minefield marking system with markings that were visible, legible, durable and weather-resistant.

64. Only the armed forces were authorized to use landmines, and information concerning the Amended Protocol was regularly disseminated to them by various means. The media and other bodies had sensitized the public to the problem of APLs and to the relevant international instruments, especially the Amended Protocol.

65. India was not a mine-afflicted country and the army did not engage in classical mine-clearing tasks. Indian forces had been restrained in their reaction to the use of improvised explosive devices (IEDs) by militant and insurgent groups and had refrained from using landmines. The Army Corps of Engineers continued to help the authorities defuse and remove IEDs used in cross-border and related terrorism.

66. The humanitarian crises resulting from irresponsible transfers and indiscriminate use of landmines had led the Indian army to become extensively involved, over the past four decades, in United Nations-sponsored mine clearance and rehabilitation programmes throughout the world. More recently, Indian troops had been involved in clearing stray mines when encountered by United Nations missions in Lebanon and Sierra Leone. For technical data-sharing purposes, the authorities were setting up a Web site containing data obtained by Indian personnel while on United Nations missions.

67. The armed forces played an important role in the rehabilitation of landmine victims, and India had successfully developed a new artificial limb known as the "Jaipur foot" as well as other state-of-the-art prosthetic devices derived from polypropylene technologies. Private-sector manufacture or trade in landmines was prohibited by law, and there was a moratorium on the export of landmines. India was still committed to its 1996 proposal of a complete ban on transfers of landmines and would pursue that goal in the relevant negotiations at the Conference on Disarmament.

68. The unrestricted transfer of technology was an important aspect of mine detection and clearance and India was willing to share its expertise and contribute to mine clearance and rehabilitation programmes in other countries. Accession to the CCW Amended Protocol II by certain countries since the 1999 Conference was a positive step towards universalization of the Protocol, and he urged other countries to follow suit. Lastly, he stressed the importance of the submission of timely national annual reports, in keeping with States parties' obligations under the Protocol.

69. Ms. BURTT (Australia) said that her country had been encouraged by the steady increase in the number of accessions to the Amended Protocol which continued to play a crucial role in reinforcing the international regime against landmines and in addressing their tragic humanitarian and socio-economic impact. The Protocol imposed obligations on a number of key APL producers and users not currently in a position to accede to the Ottawa Convention and had the advantage of broader coverage than that Convention, in that it restricted and regulated the use of all mines as well as booby-traps and other devices. She urged all States, including States parties to the Ottawa Convention, to support Amended Protocol II, as Australia had done, despite the fact that its landmine commitments under the Protocol had been superseded by the Ottawa Convention.

70. The spotlight focused on the landmines issue over the past five years had attracted funding for mine clearance and victim assistance programmes, to which the Australian Government was a major contributor, with particular emphasis on its own immediate region. AusAID had committed some 100 million Australian dollars, through the United Nations and NGOs, for the decade ending in 2005, mainly for the benefit of Cambodia and Laos, but with substantial amounts also destined for countries outside the region. A key priority was to encourage mine-affected countries to develop the necessary skills and expertise to manage their own mine action activities.

71. Australia was committed to a landmine-free world and was sharing with interested States details of the method employed by the Australian Defence Force (ADF) in destroying its APL stockpiles, a method that would be cheap and effective for States considering stockpile destruction options.

72. Australia was interested in presiding over the 2001 CCW Review Conference and the preceding preparatory process and hoped to be entrusted with that task. It was already giving detailed consideration to the various proposals, circulated by States parties and NGOs, for further amendments to Amended Protocol II and the Convention itself, as well as for the possible adoption of additional protocols. Were Australia to be entrusted with the presidency, it would encourage frank dialogue with a view to building consensus around proposals to strengthen the humanitarian norm represented by the Convention.

73. Mr. YUN Byung-se (Observer for the Republic of Korea) said that his country's position on landmines had been registered in many international forums. It shared the international community's humanitarian concern at the suffering inflicted by the indiscriminate and irresponsible use of anti-personnel landmines, and was anxious to accede to Amended Protocol II which struck a proper balance between humanitarian objectives and legitimate security interests. The accession process was well under way and should be completed shortly.

74. A demining operation in a limited area south of the Demilitarized Zone (DMZ) dividing the Korean peninsula had recently been conducted as part of a plan to clear the adjacent area for construction of a highway and rail links between South and North. The demining of an area of 300,000 square metres south of the DMZ had been completed in October, and the remaining area within the DMZ would be cleared in due course. Those operations attested to the potential implications for landmine issues of the changing political environment. While his country had not altered its position on those issues, it hoped that further political and security improvements on the Korean peninsula would enable it to adopt a more forward-looking stance.

75. In its resolve to contribute to pertinent international efforts, his country had contributed to several United Nations mine action programmes, participated in the Mine Action Support Group and made annual contributions to the Voluntary Trust Fund for Assistance in Mine Clearance. Lastly, for Amended Protocol II to be effective it must be universal. The increase from 44 to 57 high contracting parties, excluding his own country, was therefore highly encouraging.

76. Mr. CUMMINGS (United States) said his country looked forward to meaningful progress in the work of the Conference under article 13 (3) of Amended Protocol II. The main goal of the Conference must be the same as that of the Protocol itself: to work together to enhance the protection of civilian populations against indiscriminate use of all types of landmines. That was essential if the CCW was to serve its intended function as both a dynamic instrument in the law of armed conflict and an effective vehicle for advancing the cause of humanitarian protection.

77. The Amended Protocol was an essential part of the strategy to address indiscriminate use of landmines. Its value had not been diminished by the adoption of the Ottawa Convention,

since it could attract the adherence of all States, including those currently unable to accept a total prohibition on anti-personnel mines. In addition, it provided a vital measure of protection for civilian populations. It covered a variety of weapons not covered by the Ottawa Convention, including anti-tank mines, booby-traps and other devices, which might endanger civilian populations if improperly used. Lastly, the Protocol dealt with important matters not addressed by the Ottawa Convention, including the basic rules for the use of mines and other devices, the systems for recording and marking minefields, and the protection of peacekeeping forces and humanitarian missions from the danger of mines.

78. For all those reasons, it was to be hoped that as many States as possible would accede to the Amended Protocol, whether or not they were parties to the Ottawa Convention. It was in the interests of all States to observe the most rigorous restrictions on all types of landmines. The Protocol could result in a substantial decrease in civilian casualties. Admittedly, it was not perfect, but the United States looked forward to discussing specific ways in which it could be strengthened.

79. His delegation was distributing to participants a number of proposals designed to require that all landmines should be detectable and that all remotely delivered mines should have self-destruction or self-deactivation features, to improve the technical specifications for those features and to establish a reasonable and balanced compliance mechanism. If adopted by the 2001 CCW Review Conference, those proposals would provide further protection for civilian populations and strengthen the viability and utility of the Protocol.

80. Mr. KVOK (Russian Federation) said that in the year that had elapsed since the previous Conference Russia had witnessed important events that confirmed his country's attachment to its obligations under the Amended Protocol, which it would shortly be ratifying.

81. Comparisons between the Ottawa Convention and the Amended Protocol were not relevant to the work of the Conference. Russia was prepared not to use anti-personnel landmines, but was confronted with problems of national security and defence. The country had stepped up its disarmament process, which it saw as synergetic, through ratification of the Treaty on Further Reduction and Limitation of Strategic Offensive Arms (START II) and the Comprehensive Nuclear Test Ban Treaty (CTBT) as well as the 1997 Protocol to the Anti-Ballistic Missile Treaty (ABM). Russia was prepared to reduce its warheads, but could only maintain its strategic stability if the 1972 ABM remained intact and was fully implemented.

82. He gave details of some of the measures being taken by the Russian Federation to implement the Amended Protocol, including the continuing ban on exports of anti-personnel mines and the dissemination of information on the Protocol to the armed forces. All production of anti-personnel blast mines, which were the main cause of civilian casualties, had been stopped in 1998 and over a million anti-personnel mines had been destroyed. The Russian Federation was also active in regional and international forums dealing with mine-clearance issues and was stepping up its cooperation in international humanitarian mine-clearance projects.

83. It would be inappropriate to make any changes to the Protocol, as there was a risk of watering down its provisions and hindering its universal ratification. A first step towards an eventual complete ban would be to prohibit transfers of anti-personnel mines, and the only

suitable forum for discussing that issue was the Conference on Disarmament. Moreover, the landmines problem could only be solved by concerted action that took into account the overall defensive needs and capacities of the States involved.

84. Mr. IENG (Cambodia) said that the Ottawa Convention on anti-personnel mines and Amended Protocol II were two paths leading eventually to the same destination. It was not surprising that Cambodia should have chosen to follow the quickest and surest path to the *complete elimination of landmines - the Convention - as people living in the Cambodian countryside suffered daily from the presence of mines, which had left over 40,000 of them maimed and which had turned hundreds of thousands of hectares of badly needed fertile land into no-go areas, seriously hampering the country's social and economic development.*

85. While he understood the constraints which prevented some States from signing or ratifying the Ottawa Convention, he called on those States to modify their position so that the ultimate objective of the Convention could be achieved within a reasonable time. His Government was firmly committed to the complete elimination of anti-personnel mines and complied scrupulously with all the provisions of the Amended Protocol, including with regard to the submission of annual reports and awareness-raising. Thanks to the generous help of international organizations, effective rehabilitation services were available to the victims of mines and over 100 square kilometres of land had been cleared of mines and returned to civilian use.

86. The Government had set up the Cambodian Mine Action Authority to make humanitarian mine-clearance operations more efficient and to make optimum use of the aid from the international community for mine clearance. Unfortunately, because of a lack of funds, the Authority had been obliged to lay off almost 2,000 workers in recent months; the Government had organized a symposium to discuss that and other problems with donors and had also announced a large increase in its own spending on mines-related problems in 2001. It was doing everything possible to improve the effectiveness of its policy in that area, but could not achieve its objectives without financial and technical assistance from its partners. His Government was committed to working closely with donors to ensure that no more mine-clearance operations had to be called off for lack of adequate financial support.

87. The PRESIDENT said that, if he heard no objection, he would give the floor, under rule 41 of the Conference's rules of procedure, to the representative of the International Campaign to Ban Landmines.

88. Mr. GOOSE (International Campaign to Ban Landmines (ICBL)) said that the only viable means of solving the global anti-personnel mine problem was the Ottawa Convention. Protocol II was largely irrelevant to the humanitarian effort to alleviate the suffering caused by anti-personnel mines: only eight of the parties to the original Protocol II and seven of the parties to Amended Protocol II had not signed the Convention. The vast majority of the international community recognized that a strong, new international norm was emerging that would ban the possession or use of anti-personnel mines.

89. ICBL had always maintained that the Protocol was a weak collection of partial restrictions that were unlikely to be obeyed in combat or to have a significant humanitarian

impact. In the past year, it appeared that the Protocol had not only failed to curtail the use of anti-personnel mines, but had actually resulted in their increased production. Anti-personnel mines continued to cause civilian casualties in Chechnya and southern Lebanon, and the production of mines, including remotely delivered mines with self-destruction mechanisms, was continuing in India and Pakistan. Moreover, it appeared that some States parties to the Protocol were not destroying their non-detectable mines. The net effect of those developments was to increase the number of mines in the world.

90. However, despite those objectionable acts on the part of some States parties to the Protocol, a new international norm against anti-personnel mines was rapidly taking shape. Global use of anti-personnel mines was on the wane, the number of producers had declined considerably and exports of such mines had almost completely stopped. More than 23 million anti-personnel mines had been destroyed from stockpiles, more land was cleared of mines every year and the number of new mine victims in many of the worst-affected States had dropped dramatically.

91. He called on all Governments that had not yet done so to become parties to the Ottawa Convention as soon as possible and to begin moving towards a comprehensive ban, for example by introducing production and export bans and destroying stockpiles. States should show their support for the Ottawa Convention in the relevant international forums, and those that were parties to the Protocol should investigate and curb any breaches of its provisions.

92. There had been some talk of the "complementarity" of the Protocol and the Ottawa Convention, particularly as anti-vehicle mines were not covered by the latter. However, there should be no benign acceptance of the use of anti-personnel mines in any circumstances, whether or not such use was in compliance with the Protocol. He reminded States parties to the Ottawa Convention that to promote changes in the Protocol that dealt with the use of anti-personnel mines could be seen as inconsistent with the Ottawa Convention prohibition on assisting or encouraging any one in any way to carry out an act prohibited by the Convention.

93. Mr. CHELIA (Argentina) said that the national reports submitted pursuant to amended Protocol II enabled the international community to assess its effectiveness. The Protocol and the Ottawa Convention were valuable legal instruments that strengthened international humanitarian law, and all States that had not yet signed them should do so as soon as possible in order to facilitate effective action by the international community to alleviate the consequences of the indiscriminate use of landmines. His Government, together with the other countries of the Southern Common Cone Market (MERCOSUR), Bolivia and Chile, was committed to a total ban on mines in the western hemisphere. In that connection, Argentina and Canada had jointly organized a recent workshop on the destruction of stockpiles in the Americas.

94. Argentina's national annual report, submitted in accordance with article 13 (4) of the Amended Protocol, noted the presence of anti-personnel mines on its territory in the Malvinas. Its offer to clear them had been accepted by the British Government, and the two sides were discussing details of how to proceed with the work.

95. With regard to the dissemination of information on the Protocol, all legislation concerning international humanitarian law was included in training courses for the armed forces.

96. Mine clearance had become a humanitarian task that was crucial to public safety, economic and social development and the protection of human life. His Government's commitment to the provisions of the Protocol and the Ottawa Convention was reflected in the way it took part in international mine-clearance efforts, sending experts to provide training and supervision in the field. The Argentine centre for training in humanitarian demining provided training to Argentine and foreign soldiers and was open to all organizations and staff who had to operate in countries where there were problems with landmines. Argentine military experts had provided assistance in Angola, Kuwait and Central America, among other places. His Government also provided assistance to those affected by mines through the "White Helmets" initiative, under which volunteers from different countries were recruited for international humanitarian work.

97. His Government fully supported the aims of those international and civil organizations that were working to eliminate anti-personnel mines. The indiscriminate damage and high level of civilian casualties resulting from the use of mines called for an urgent, unconditional and essentially humanitarian commitment by all countries to tackle the problem.

The meeting rose at 1.05 p.m.

**SECOND 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**

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SUMMARY RECORD OF THE 2nd MEETING

Held at the Palais des Nations, Geneva,
on Monday, 11 December 2000 at 3 p.m.

President: Mr. PETÖCZ (Slovakia)

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GENERAL EXCHANGE OF VIEWS (continued)

ORGANIZATION OF WORK INCLUDING THAT OF ANY SUBSIDIARY BODIES OF THE
CONFERENCE (continued)

REVIEW OF THE OPERATION AND STATUS OF THE PROTOCOL

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The meeting was called to order at 3.20 p.m.

GENERAL EXCHANGE OF VIEWS (agenda item 7) (continued)

1. Mr. FAESSLER (Switzerland) said that Switzerland attached great importance to Amended Protocol II on prohibitions or restrictions on the use of mines, booby-traps and other devices. It sat very well with Switzerland's humanitarian tradition. The Protocol complemented other instruments in force in the area of conventional arms limitation, such as the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, or Ottawa Convention. It was the only international instrument covering all mines and all booby-traps and other devices. Unlike the other protocols to the Convention, it applied equally to internal and international conflicts.
2. Although it did not go as far as the Ottawa Convention, Amended Protocol II helped to alleviate the suffering of civilian populations by restricting the use of mines and other devices. It represented an important intermediate step for States that did not yet plan to ratify the Ottawa Convention.
3. Amended Protocol II must be implemented globally. Switzerland was grateful to all those States that had recently announced their agreement to be bound by the Protocol or were preparing to do so. It also welcomed the United Nations Secretary-General's call to States non-parties to observe the standards and provisions of the Protocol. Switzerland stood ready to consider, with interested countries and the International Committee of the Red Cross (ICRC), steps that might be taken to speed up acceptance of the Protocol.
4. Instruments such as Amended Protocol II established minimum international standards for conventional weapons and thus significantly improved the protection of civilian populations. It was vital to regulate the technical properties of weapons and to restrict their use and bring it into line with humanitarian standards. In that spirit, Switzerland would be interested in taking part in a debate during the 2001 Review Conference on the Convention on Certain Conventional Weapons (CCW), on the preparation of a protocol specifically covering cluster bomb submunitions. Switzerland was also ready to take up ICRC's challenge regarding explosive remnants of war.
5. The annual conferences were an opportunity to assess implementation of the Protocol. Switzerland believed it was important to consider the national reports carefully during the conferences. It welcomed the fact that the States parties most affected by the problem of mines had submitted country reports but found it worrying that article 4 had not been fully complied with.
6. In order to disseminate information on the Protocol, it might be useful to create a Web site accessible to all interested States and organizations, containing, *inter alia*, a list of States parties' assistance and technical cooperation programmes in the area of mines.
7. In June 2000, an informal meeting of experts had considered the technical issues arising from implementation of the Protocol. Participants had stressed the importance of international

cooperation and assistance. It was important to bear in mind the specific needs of States parties and observer States and to involve non-governmental organizations (NGOs) in the work on the ground. With regard to demining and other technical issues that related also to the Ottawa Convention, the experts had warned against duplication of work. Demining, victim relief and technical assistance required close cooperation among the States parties to the Protocol, the States parties to the Ottawa Convention and specialist NGOs. In order to avoid duplication of work in the area of demining and technical cooperation, the Ottawa Convention inter-sessional work should be opened up to all interested States, thereby strengthening the complementarity between the Protocol and the Ottawa Convention.

8. Mr. TAWFIK (Observer for Egypt) said that the problem of mines had political, economic and social ramifications. Egypt had signed the Convention on Certain Conventional Weapons in 1981. It had not yet ratified it but always observed it in spirit. CCW provided the ideal framework within which to combat the problem of mines in all their aspects. In that regard, he said countries that had laid mines in other countries should contribute to their removal.

9. The Egyptian delegation wished to recall that there were large numbers of mines on Egyptian territory and that the problem was hampering the country's social and economic development. There were 23 million mines in Egypt - one for every three inhabitants. They had been laid in an area of 288,000 hectares, mainly at the time of the battle of El Alamein, during the Second World War. The region could be prosperous but the presence of mines prevented optimum exploitation of its resources and continued to cause loss of human life. The countries responsible should participate in their removal by providing technical and financial aid. Demining the entire area required technical and financial resources too great for the Egyptian Government alone.

10. Egypt was persevering with demining despite the cost of the operations. The army had launched an ambitious programme aimed at clearing the area of mines. Between 1981 and 1991, 11 million mines had been removed. In 2000, in order to mobilize all the financial, human and administrative resources available, the Egyptian Government had established a national committee for demining operations that was accountable to the Ministry of Planning and Technical Cooperation and included representatives of a number of ministries and regional and local organizations. The aim was to clear the area of mines while responding to the development needs of the affected regions.

11. Article 10 of the Protocol was of fundamental importance since it obliged the international community, and particularly those States that had laid mines in the territory of other States, to provide technical assistance to the affected countries. His delegation paid tribute to United Nations efforts to assist with demining operations.

12. It was vital to support the Voluntary Trust Fund for Assistance in Mine Clearance, which had already enabled significant progress to be made. Egypt was attending the Conference as an observer out of a desire to boost the role the international community should play in efforts to eliminate landmines. In order to attain the objective of eliminating landmines, the problem should be addressed from every angle - economic, political and humanitarian, as well as from the security standpoint.

13. Mr. DRAGANOV (Bulgaria) welcomed the fact that 57 countries had notified their consent to be bound by Amended Protocol II. It seemed that the efforts to universalize the Protocol as a basic document in the field of disarmament had borne fruit.

14. In recent years, Bulgaria had concentrated on multilateral relations, especially with its neighbours, with a view to developing regional cooperation. It had ratified Amended Protocol II on 4 November 1998 and strictly complied with its obligations under the Protocol. On 29 July 1998, Bulgaria had ratified the Ottawa Convention and in 1999 had adopted a national programme for implementation of the Convention, setting out the modalities and methods of destruction of stockpiles of anti-personnel mines and demining of affected areas, ways of financing those activities and the roles of the institutions involved. Implementation of the programme was controlled by an inter-agency working group under the chairmanship of a deputy minister of defence. In the hope that its experience could be useful to other countries, Bulgaria drew delegations' attention to a brochure describing the programme, entitled "Towards a Mine-Free World - the Bulgarian Contribution".

15. Bulgaria had presented its national report in accordance with article 13, paragraph 4 of Amended Protocol II, for the period from 15 October 1999 to 26 October 2000. It stated that all minefields on the country's borders had been removed. By 20 December 2000, there would be no more anti-personnel mines on Bulgarian territory.

16. Bulgaria was determined to tackle the problem of mines not only at the national level but also at the international level and was prepared to support all efforts aimed at eliminating anti-personnel mines. The Ministry of Defence was planning to offer demining training activities, including humanitarian training. Bulgaria was prepared to offer the services of demining experts. It had specialist companies with the skills and technologies needed for such operations. It was already involved in demining operations in Bosnia and Herzegovina and in Croatia and would be sending demining teams to the Balkans. Bulgaria was also taking part in the work of the Regional Mine-Action Support Group, established as part of the Stability Pact for South-Eastern Europe.

17. His delegation aligned itself with the statement made by France on behalf of the European Union. It was in favour of considering the United States proposals on amending Amended Protocol II, and believed them to be constructive. Including a minimum of 8 grams of iron in anti-vehicle mines would facilitate their detection by readily available means. Reducing self-destruction and self-deactivation times for remotely delivered mines, which were currently of little military use, would benefit civilians in particular and decrease the risk of accidents. It might be useful to establish an inspection procedure for detecting possible violations of the Protocol, provided that all modalities and responsibilities were well defined. The idea of widening the scope of the other protocols to cover internal armed conflicts was also worth considering.

18. Bulgaria was also interested in the proposal for a protocol on explosive remnants of war that ICRC planned to present to States parties to the Convention at the 2001 Review Conference.

19. Mr. DAHINDEN (Observer for the Geneva International Centre for Humanitarian Demining) said that the Centre had been launched in 1998 on the initiative of the Swiss

Government on the occasion of the signature of the Ottawa Convention. It was an international foundation supported by 18 Governments; it worked for a total ban on anti-personnel landmines and carried out humanitarian action to help victims.

20. Amended Protocol II contributed to the attainment of such a ban since it covered weapons not covered by the Ottawa Convention, encouraged early accession of States to the Ottawa Convention and was of humanitarian value for States not yet ready to accede to the Ottawa Convention.

21. The Centre carried out research and provided operational assistance in humanitarian demining. The main aim of its research was to make such operations safer and more effective, and staff from the Centre were automatically sent out into the field. The Centre regularly provided expertise in all areas of humanitarian demining to a large number of organizations, Governments and institutions, which were thereby assured of independent, impartial support. If necessary, the Centre could dispatch experts at short notice.

22. The Centre hoped that the work of the second Annual Conference of the States Parties to the Amended Protocol II would make it possible to reduce the human suffering that mines and other munitions were still causing. It was willing to provide expert contributions to support any work on implementation of the suggestions concerning explosive remnants of war made at the Conference.

23. Ms. KOKAJEV (Estonia) said that Estonia aligned itself with the statement made by the representative of France on behalf of the European Union, and particularly with the commitment to full implementation of the Protocol. CCW and its four protocols had come into force for Estonia on 20 October 2000. It was therefore the first time that her delegation had participated as a State party in the Annual Conference of the States Parties to the Amended Protocol II. Her delegation considered the Protocol an important contribution to international efforts to limit suffering caused by the indiscriminate use of mines, booby-traps and other devices in armed conflicts. Estonia was still building up its defence forces, but it believed that it was of the utmost importance to observe the standards and principles of international law in that process, including the provisions of the Protocol. Estonia hoped to further advance the process by seeking viable alternatives to anti-personnel mines.

24. Mr. EFRAT (Israel) said that, as it was the first time that Israel had participated in the Conference as a State party, he wished to take the opportunity to present Israel's positions and views on anti-personnel landmines. He reiterated Israel's support for international efforts to eliminate the consequences of the indiscriminate use of anti-personnel landmines, which affected mainly civilians, United Nations peacekeeping forces and humanitarian aid personnel.

25. Israel had ratified CCW in 1995 and acceded to Protocols I and II, and then, on 24 August 2000, to Amended Protocol II and Protocol IV.

26. The most recent measures had been taken in addition to other concrete steps to reduce the proliferation and harmful effects of anti-personnel mines in the Middle East and beyond. Israel had ceased production of anti-personnel landmines and in July 1994 had imposed a moratorium on their export. The moratorium had been extended until 2002 and might be extended

indefinitely. Israel was willing to support international regimes aimed at banning the transfer of anti-personnel mines. It was participating in several humanitarian activities in the region and contributed to global activities such as the mine-awareness project launched by UNICEF in Angola.

27. Israel made every effort at the regional level to cooperate with its peace-seeking neighbours and United Nations peacekeeping forces by assisting in demining activities and providing information concerning landmines. Israel believed that those measures would contribute to the stability and welfare of the Middle East and that the best way to achieve a total ban on mines was through confidence-building and, on that basis, the establishment of regional cooperation. Israel therefore attached primary importance to regional arrangements that could enhance security and stability in the Middle East, although that did not prevent it from supporting the international community's efforts to curb the proliferation of conventional and non-conventional weapons. Where appropriate, Israel endorsed global instruments that did not impair its vital security margins and could complement the regional instruments already in force. That policy was clearly reflected in Israel's ratification of both protocols of CCW.

28. Israel supported a process that would allow all the States in the Middle East to move gradually towards the attainment of the humanitarian objectives implied by a total ban on mines. However, in the absence of a comprehensive peace with its neighbours, Israel was obliged to defend itself against terrorist attacks and other threats in order to protect its civilians. Israel was therefore as yet unable to subscribe to a ban on landmines for mines were still needed to ensure the safety of its troops and civilians. However, Israel's use of landmines was strictly subject to the provisions of Amended Protocol II.

ORGANIZATION OF WORK INCLUDING THAT OF ANY SUBSIDIARY BODIES OF THE CONFERENCE (agenda item 6) (continued)

29. The PRESIDENT recalled that the Conference had requested the extended Bureau to submit proposals concerning the modalities for considering agenda item 9, "Consideration of matters arising from reports by High Contracting Parties according to paragraph 4 of article 13 of the Amended Protocol II", and agenda item 10, "Consideration of the development of technologies to protect civilians against indiscriminate effects of mines".

30. The Bureau suggested adopting the same solution as the one adopted at the previous Conference, i.e. to request a subsidiary body - specifically, a Group of Experts - to consider those agenda items and submit a report on them to the Conference. Naturally, the report could then be considered and discussed by everyone, including non-State participants, in plenary session. He put the proposal to the Conference for its consideration.

31. Mr. SANDERS (Netherlands) said that his delegation was conscious of the fragility of a consensus-based decision-making process and therefore accepted the President's proposal.

32. His delegation wished nevertheless to point out that the purpose of setting up a Group of Experts at the previous Conference had not been to exclude non-State parties from consideration of agenda items 9 and 10. His delegation believed that NGOs were essential for the implementation of the Protocol and should therefore be closely involved in the consideration of

the issues the Group of Experts would be dealing with. It therefore considered that the previous year's decision regarding subsidiary bodies and their mandate did not constitute a precedent that was binding on the current conference; and also that the current proposal by the President on the matter would not constitute a precedent for future annual conferences of the States parties.

33. Mr. LIVERMORE (Canada) said that his delegation fully agreed with the views expressed by the delegation of the Netherlands. Provided debates on the issue did not go on for ever, it was certainly preferable for all the Conference's deliberations to be open to all participants, including relevant governmental and non-governmental organizations, in a spirit of total transparency. At best, his delegation could understand that certain delegations might wish to have agenda item 9 considered in a closed meeting, but it could not see why that should be necessary for item 10.

34. His delegation, too, believed that the decision taken at the first annual Conference, to establish and mandate a Group of Experts, should not constitute a precedent and hoped that the States parties could reach a compromise on NGOs' participation in the consideration of items 9 and 10.

35. The PRESIDENT said that, if he saw no objection from delegations, he would take it that the Conference accepted his proposal.

36. It was so decided.

REVIEW OF THE OPERATION AND STATUS OF THE PROTOCOL (agenda item 8)

37. The PRESIDENT said that the extended Bureau intended to propose that the Conference should reaffirm, with some modifications, the Declaration adopted at the first Annual Conference of the States Parties to the Amended Protocol II, which could be found in annex V of the final document (CCW/AP.II/CONF.1/2 (PART I)). Twelve States had notified the Depositary of their consent to be bound by Amended Protocol II, thereby bringing the number of States that had ratified the Protocol to 57. Given that, of those 57 States, only 22 had submitted national annual reports in accordance with article 13, paragraph 4, the reaffirmation of the Declaration would accelerate and broaden the ratification process. The extended Bureau's proposal would be considered at a later stage under agenda item 14, "Consideration and adoption of the final document".

The meeting rose at 4.20 p.m.

**SECOND ANNUAL CONFERENCE OF THE STATES PARTIES
TO THE 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**

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SUMMARY RECORD OF THE 3rd MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 12 December, at 3 p.m.

President: Mr. PETÖCZ (Slovakia)

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PROTOCOL II

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CIVILIANS AGAINST INDISCRIMINATE EFFECTS OF MINES

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TO THE CCW (continued)

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GE.00-64850 (E)

The meeting was called to order at 3.25 p.m.

GENERAL EXCHANGE OF VIEWS (agenda item 7) (continued)

1. Mr. ELLAHI (Pakistan) said that the Amended Protocol II 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 (CCW) was an important instrument in more than one way, as it covered not only anti-personnel mines but also anti-tank mines and other devices. Its adoption represented a significant improvement over the restrictions and proscriptions of the previous CCW regime. A conference of the High Contracting Parties was held every year to review its operation and status, and it provided for the review and strengthening of cooperation measures affecting, in particular, mine-clearance technologies and technical assistance.
2. At the First Annual Conference, his delegation had explained in detail his Government's position on the issue of anti-personnel mines and the concrete steps it had taken to fulfil its obligations. Its latest annual report contained up-to-date information on steps taken since then. It was especially noteworthy that Pakistan had adopted a law totally banning the export of anti-personnel mines and giving legal effect to the long-standing moratorium in that field. In addition, Pakistan's considerable expertise in mine clearance had been made available to several United Nations peacekeeping operations and it had offered to use certain nuclear techniques to locate and identify buried landmines.
3. The two priority areas on which the Conference should focus its efforts were the universal acceptance of Amended Protocol II and the implementation of mine-clearance and victim-assistance programmes. His delegation did not think there was any need to revise the Protocol again, as that would only cause problems in its implementation and, more importantly, make its universal acceptance unlikely.
4. It was regrettable that not more States had acceded to the CCW, which covered a very wide range of weapons and strengthened the rules designed to avoid unnecessary human suffering and protect combatants and civilians in conflict situations. Having recently agreed to be bound by the Protocol on Blinding Laser Weapons (Protocol IV), Pakistan was now bound by the CCW and all its Protocols, and trusted that States parties, in the preparations for the Review Conference in 2001, would find new ways to promote universal acceptance of those instruments.
5. His delegation believed that exchanges and cooperation must be strengthened if the use of anti-personnel mines was eventually to be banned completely, and welcomed the adoption by States parties at the First Annual Conference of recommendation H of the Group of Experts, on the need for more structured discussions on those issues. The mandate of the Group of Experts, which made a valuable contribution to the work of the States parties, including between annual conferences, should be strengthened.
6. Pakistan's prompt accession to the CCW and its Protocols confirmed its traditional commitment to the fundamental principles of restraint and responsible behaviour in times of armed conflict. It was true that Pakistan had itself used, and neutralized, a very large number of mines but, in doing so, it had never created a humanitarian crisis, thanks to its scrupulous

compliance with the rules governing the use of those weapons. His delegation rejected the false assertions made about his country on the day before and remained committed to continue cooperating with the vast majority of participants in the Conference.

7. Ms. DO VALLE PEREIRA (Brazil) recalled that it had been the changes in the nature of armed conflicts after the end of the cold war, together with the humanitarian objectives of the CCW, that had led to the decision by States parties in 1995 to amend Protocol II in order to further restrict the use of the landmines covered by that instrument. Brazil had accepted Amended Protocol II in October 1999 and had submitted an annual report in accordance with article 13 of that instrument.

8. However, the changes introduced in Amended Protocol II had not met the expectations of all States and a large section of civil society, and so, as soon as the Protocol had been adopted, the international community had started the negotiations leading to the Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction. Brazil was one of the States that believed it was no longer enough to impose restrictions on the use of anti-personnel mines and that the heavy loss of life inflicted by those weapons justified a total ban on their use. She therefore called on all States that had not yet done so to ratify the Ottawa Convention. Although the provisions of Amended Protocol II and the Ottawa Convention overlapped to some extent, the latter could not replace the Protocol, as the scope of the Protocol was not limited to anti-personnel mines.

9. It had been proposed that new provisions should be adopted to strengthen Amended Protocol II. Her Government was prepared to study those proposals during the preparatory work for the 2001 Review Conference, but believed that there was a risk of delaying the implementation and universal acceptance of Amended Protocol II if it was repeatedly revised. The international community should display greater political will and make more sustained diplomatic efforts to strengthen the CCW as a whole, including by adopting new protocols to cover situations not yet dealt with by existing instruments and to cover weapons whose effects were similar to those of anti-personnel mines, and by prohibiting, as a preventive measure, the use of certain new weapons, as had been done with Protocol IV.

10. Given the particular importance of Amended Protocol II, the Conference had a duty to urge States that had not yet done so to agree as soon as possible to be bound by the Protocol. Brazil had always been committed to peace and disarmament, and had acceded to all the relevant international instruments, both on weapons of mass destruction and on conventional weapons. It was also worth noting that the region to which Brazil belonged - the least armed region in the world - had just confirmed its commitment to a more secure world, with the decision taken by the Heads of State concerned in September 2000 in Brasilia to establish a zone of peace in South America.

11. Mr. OSNACH (Ukraine) said that the annual conferences of the States parties to Amended Protocol II gave the international community an opportunity to consider the serious problems posed by anti-personnel mines and other devices and to consider further restrictions or bans on the most dangerous of those weapons.

12. Amended Protocol II, which partly prohibited the use of landmines, was part of the step-by-step approach taken to gradually resolve the complex problems posed by those weapons, and its adoption had been the starting point for new initiatives, including the Ottawa process. The Protocol's greatest merit was that it committed States parties which were traditionally major producers, exporters, users or stockpilers of landmines to mitigating the effects of those insidious weapons on people's daily lives.

13. Ukraine had accepted Amended Protocol II in 2000. Although the Protocol did not so require, his Government had decided to eventually eliminate its large stockpiles of anti-personnel mines. To do that, and to eliminate other kinds of munitions, it needed far more resources, including financial resources, than were available to it at the moment, and took the opportunity provided by the Annual Conference to launch an appeal to countries for support in that undertaking.

14. As a result of the reform process under way at the national level, the Ukrainian armed forces had become aware of the need to comply strictly with the norms of international humanitarian law, including those embodied in Amended Protocol II. Ukraine had taken part in United Nations-backed mine-clearance operations, including in southern Lebanon, and would continue to make the skills and experience of its experts available to the international community, in order to contribute to peace-building and an effective return to normal life in countries in the wake of conflicts.

15. Mr. CHOWDHURY (Bangladesh) said that his delegation was taking part in the Annual Conference for the first time since Bangladesh, where the principle of complete and general disarmament was embodied in the Constitution, had become a party to Amended Protocol II. Bangladesh had ratified the Comprehensive Nuclear Test-Ban Treaty and the Ottawa Convention, as well as the CCW and its four Protocols. Those decisions had been motivated partly by a desire to strike a balance between humanitarian and national defence requirements. His Government was aware not only of the tragic consequences of the use of the weapons covered by Amended Protocol II but also of the fact that those weapons killed and injured more innocent civilians than combatants. Bangladesh also took part in international mine-clearance operations carried out under the auspices of the United Nations.

16. The number of countries which had consented to be bound by the Protocol had risen during the previous year, but it was important to continue promoting universal acceptance of that instrument as long as some countries continued to use landmines indiscriminately and unrestrictedly. An effective mechanism should be set up to monitor the implementation of the Protocol and international action against landmines should be better coordinated. Ways should be found to cooperate in the transfer of affordable mine-clearance techniques and to provide mine-clearance assistance, especially to the developing countries, and help for victims. States which had deployed mines and other devices covered by the Protocol in the territory of other countries should do the lion's share of mine-clearance work. The capacity of the United Nations mine-clearance programme should be enhanced by providing it with adequate funding.

17. A sizeable number of landmines were currently used by armed opposition groups, which were not required to comply with the provisions of the relevant legal instruments because they were not States. At the least, moral pressure should be brought to bear on those groups to persuade them to change their ways. That might appear a rather ambitious goal, but it was worth pursuing.

18. The landmines issue was increasingly the centre of international attention, thanks largely to the tireless efforts of the International Committee of the Red Cross, the International Campaign to Ban Landmines and the Geneva International Centre for Humanitarian Demining. It should be stressed that Amended Protocol II and the Ottawa Convention were complementary and that the partial restrictions in the Protocol were important steps along the way to the complete elimination of anti-personnel mines.

REVIEW OF THE OPERATION AND STATUS OF THE PROTOCOL (agenda item 8)
(continued) (CCW/AP.II/CONF.2/CRP.4)

19. The PRESIDENT drew delegates' attention to the draft declaration in conference room paper CCW/AP.II/CONF.2/CRP.4. The text was an updated version of the declaration made at the First Annual Conference and its main purpose was to promote the universal ratification of the Protocol; it would be submitted to the Conference for adoption under agenda item 14.

CONSIDERATION OF MATTERS ARISING FROM REPORTS BY HIGH CONTRACTING PARTIES ACCORDING TO PARAGRAPH 4 OF ARTICLE 13 OF THE AMENDED PROTOCOL II (agenda item 9)

CONSIDERATION OF THE DEVELOPMENT OF TECHNOLOGIES TO PROTECT CIVILIANS AGAINST INDISCRIMINATE EFFECTS OF MINES (agenda item 10)

20. The PRESIDENT proposed that the Group of Experts should meet at the end of the current plenary to consider the draft report to be submitted to it by its chairman, Mr. Dahinden.

21. It was so decided.

PREPARATION FOR THE SECOND REVIEW CONFERENCE OF THE STATES PARTIES TO THE CCW (agenda item 11) (continued) (CCW/AP.II/CONF.2/WP.1 and WP.2)

22. Mr. CUMMINGS (United States of America) recalled the general principle of the protection of the civilian population against the effects of hostilities set forth in the second preambular paragraph of the CCW. All the delegations present supported that principle, so that the question was not whether that protection could be enhanced, but how to go about doing so.

23. In that respect, it was vital to make the Protocol universal and to strengthen it, and the chances of success would be greater if the instrument was adapted to emerging issues. The fears expressed by some that further changes to Protocol II would discourage States from accepting it

or even from acceding to the CCW appeared unfounded, since more than 30 States had ratified the CCW during or after the negotiations on Amended Protocol II and 12 additional States had given notification of their consent to be bound by the Protocol after the First Annual Conference. Of the 109 States parties to the Ottawa Convention, 59 were not parties to Protocol II. His delegation believed that the addition to the Protocol of reasonable restrictions on the class of landmines that were outside the scope of the Ottawa Convention would encourage those States to accept the Protocol, not discourage them.

24. His delegation wished to make a number of proposals, for consideration at the 2001 Review Conference, to strengthen the Protocol. The first was to extend the provisions on the detectability of anti-personnel mines to other mines (anti-vehicle mines); the second was to require that all remotely-delivered anti-vehicle mines should be equipped with a self-destruction device with a back-up self-deactivation feature; and the third was to require that all remotely-delivered anti-personnel mines should be equipped with a self-destruction device that would ensure that 95 per cent of them (not 90 per cent as was currently the case) would self-destruct within 30 days of delivery, as well as a back-up self-deactivation device that would ensure, in combination with the self-destruction device, that at least 99.99 per cent (rather than 99.9 per cent) of them no longer functioned as mines within 120 days of delivery. By implementing those measures, States would significantly reduce the risk to civilians, peacekeepers and humanitarian missions, whose work was often hindered and thus made far more expensive by the presence of mines, as well as the risk to their own troops and those from friendly countries, while having little if any impact on the effectiveness of those weapons in, for example, blocking, turning or channelling enemy mechanized forces. It should be noted in that context that the current Protocol already imposed a number of restrictions on landmines, including anti-vehicle and anti-tank mines, which dealt with anti-handling or anti-detection devices in particular, as well as restrictions on the use of remotely-delivered mines.

25. His delegation also wished to propose setting up a rational and balanced procedure to review allegations of non-compliance with the provisions of Amended Protocol II. The procedure would be defined in an annex to the Protocol and would have a limited scope and be non-intrusive. It would be devised in such a way as to counter abuse and to accommodate national-security and constitutional concerns. It should be pointed out that no State party would be bound by the annex unless it had expressly consented to be bound by it. Moreover, the annex would deal only with the use of mines, booby-traps and other devices, and not, for instance, with stockpiles of such weapons.

26. He understood the concerns of some delegations about making further amendments to the Protocol, but pointed out that his delegation's proposals would not affect the substance of the instrument. With the sole exception of increasing technical specifications for self-destruction and self-deactivation, they would actually supplement the Protocol in areas not currently regulated by it. The second part of the technical annex and the compliance annex would be separate from the Protocol and would be understood without reference to it.

27. He did not think there was any risk of "overloading" the CCW, which was structured in such a way as to accommodate improvements like the ones proposed. The need to continue the codification and progressive development of the rules of international law applicable in armed conflict had been reaffirmed in the preamble to the CCW, article 8 of which explained in detail how to go about revising or amending it.

28. With regard to the scope of the CCW as a whole, his delegation would be submitting a proposal on extending the provisions of the instrument to non-international armed conflicts to the Preparatory Committee of the Second Review Conference. The proposal was in line with the objectives and principles set forth in the CCW.

29. Mr. NENE (South Africa), speaking on behalf of the Movement of Non-Aligned Countries and other countries that were parties to Amended Protocol II, welcomed the fact that 57 States had so far notified the Depositary of their consent to be bound by the Protocol. Many other States were considering accepting the instrument.

30. In order to achieve the widest possible accession to the Protocol, while bearing in mind the obligations of States that were also parties to other instruments dealing with anti-personnel mines, no further changes should be made to the Protocol. Such changes would lead to a multiplicity of instruments dealing with mines, booby-traps and other devices, which would be detrimental to fulfilment of the obligations set forth in Amended Protocol II.

31. Mr. FU Zhigang (China) said that his delegation was grateful for the proposals submitted by the delegation of the United States, but it was necessary to take into account the current status of Amended Protocol II and States' differing levels of technological capacity before deciding whether it should be further amended. The Protocol, in its current form, was the outcome of much hard work by the Parties. When its provisions were observed, it minimized the harm inflicted on civilians by landmines. It established a balance between humanitarian concerns and security concerns. To amend the text again would not be very useful.

32. What were, in fact, the most pressing tasks? To make the Protocol more effective and universally accepted or to renegotiate it? In his view, the first step should be to take practical measures to implement the Protocol and to encourage more States, including States parties to the Ottawa Convention, to give notification of their consent to be bound by the instrument.

33. Would further amendments to the Protocol help make it more widely accepted? Some delegations believed they would, but his delegation thought they might have the opposite effect, since the authoritativeness of the Protocol had not yet been fully established, only 57 States had become parties to it, and the introduction of amendments so soon after the previous ones might discourage other countries from accepting the Protocol in its current form or in a new form and might compromise the steps already taken by some States to comply with their obligations under the Protocol.

34. The idea expressed in some quarters whereby certain States could implement, without being obliged to do so, the new technical norms and monitoring procedures proposed by the

delegation of the United States seemed a non-starter, as it would result in the creation of two categories of States parties to the Protocol, confusion in its implementation and a reduction of its effectiveness. The countries with the most advanced technology should take the first step by unilaterally adopting measures similar to those proposed by the delegation of the United States and by transferring that technology to other countries in accordance with article 11 of the Protocol.

35. As things stood, his delegation would find it difficult to accept any further amendments to the Protocol. For that reason, it had associated itself with the statement by the representative of South Africa on behalf of the Movement of Non-Aligned Countries and other States parties to the Protocol.

The meeting rose at 4.35 p.m.

SECOND ANNUAL CONFERENCE OF THE STATES PARTIES
TO THE 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

Distr.
GENERAL

CCW/AP.II/CONF.2/SR.4
14 December 2000

Original: ENGLISH

SUMMARY RECORD OF THE 4th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 13 December 2000, at 10 a.m.

President: Mr. PETÖCZ (Slovakia)

CONTENTS

REPORT(S) OF ANY SUBSIDIARY ORGAN(S)

This record is subject to correction.

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Any corrections to the records of the meetings of this Conference will be consolidated in a single corrigendum, to be issued shortly after the end of the Conference.

GE.00-64842 (E)

The meeting was called to order at 10.50 a.m.

REPORT(S) OF ANY SUBSIDIARY ORGAN(S) (agenda item 12)

1. The PRESIDENT said that a suspension of the meeting had been requested to enable the group of experts established under rule 30 of the rules of procedure to complete its report for consideration by the Conference.

The meeting was suspended at 10.55 a.m. and resumed at 12.50 p.m.

2. Mr. DAHINDEN (Switzerland), introducing the draft report (CCW/AP.II/CONF.2/CRP.6) of the group of experts established by the Conference to consider agenda items 9 and 10, said that the group of experts, which he had chaired, had held three meetings on 12 and 13 December 2000.

3. He drew attention to two corrections to the text of the draft report: in paragraph 14, the word "might" should be replaced by "may", and in paragraph 21, "chairperson" should be replaced by "chairman".

4. The group of experts had noted with satisfaction that 29 High Contracting Parties had submitted national annual reports pursuant to article 13 (4) of Amended Protocol II. A synopsis of the reports was contained in Appendix A and would be submitted to the next plenary. However, the Group had expressed concern that half of the High Contracting Parties had not submitted reports, and had recommended in consequence that the President of the Conference should take the necessary steps to remind High Contracting Parties of their obligation to submit national annual reports prior to the convening of annual conferences. The group had also agreed that the national annual reports should be made available to all other interested parties and entities.

5. The group had discussed the formats for national reports and had concluded that the standardized formats used on a voluntary basis suited the practical requirements of national authorities. It had welcomed the proposal by Austria to make available a guide to formats with a view to promoting a standardized annual information exchange and facilitating the exchange process. It was understood that the guide would serve as a tool to be used at the discretion of High Contracting Parties and that it had no legal status. The group had concluded that the guide might help to increase the number of reports submitted and had recommended that it should be made available and distributed to the competent national authorities in charge of the implementation of Amended Protocol II, for use by the High Contracting Parties, at their discretion, when filling out national annual reports.

6. With regard to the development of technologies to protect civilians against indiscriminate effects of mines, agenda item 10, the group had been informed by several delegations of their efforts to develop technologies to protect civilians against the indiscriminate effects of anti-personnel mines as well as their national demining activities. Regarding international technical information exchange and technical cooperation and assistance, the group had noted

the need for further work to be done pursuant to recommendation H contained in the group's report to the First Annual Conference (CCW/AP.II/CONF.1/2 (Part I)). In that connection, the group had emphasized the relevance of the implementation by the High Contracting Parties of the provisions contained in article 13 of the Protocol.

7. The group had been informed about the information provided by the Secretariat in document CCW/AP.II/CONF.2/CRP.3 concerning the feasibility of establishing a database for the Protocol, and had agreed to bring that document to the attention of the Annual Conference. The group had also been informed that the planning for a technical demonstration in the context of the Review Conference of the CCW would be finalized in accordance with the decisions reached by the Preparatory Committee for the Review Conference.

The meeting rose at 1 p.m.

SECOND ANNUAL CONFERENCE OF THE STATES PARTIES
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INDISCRIMINATE EFFECTS

Distr.
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CCW/AP.II/CONF.2/SR.5
22 January 2001

ENGLISH
Original: FRENCH

Geneva, 11-13 December 2000

SUMMARY RECORD OF THE 5th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 13 December 2000, at 3 p.m.

President: Mr. PETÖCZ (Slovakia)

CONTENTS

REPORT(S) OF ANY SUBSIDIARY ORGAN(S) (continued)

OTHER MATTERS (continued)

CONSIDERATION AND ADOPTION OF THE FINAL DOCUMENTS (continued)

CLOSURE OF THE CONFERENCE

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Any corrections to the records of the meetings of this Conference will be consolidated in a single corrigendum, to be issued shortly after the end of the Conference.

GE.00-64857 (E)

The meeting was called to order at 3.25 p.m.

REPORT(S) OF ANY SUBSIDIARY ORGAN(S) (agenda item 12) (continued)

Draft report of the Group of Experts (CCW/AP.II/CONF.2/CRP.6)

1. The PRESIDENT said that the Conference had before it the draft report of the Group of Experts established to consider agenda items 9 and 10 (CCW/AP.II/CONF.2/CRP.6).
2. If he saw no objection from delegations, he would take it that the Conference wished to adopt the draft report of the Group of Experts and annex it to the final report of the second Annual Conference.
3. It was so decided.

OTHER MATTERS (agenda item 13) (continued)

Third Annual Conference of the States Parties to Amended Protocol II

4. The PRESIDENT said that, in accordance with United Nations General Assembly resolution 55/37, the Conference was required to take a decision on the holding of the third Annual Conference of States Parties to Amended Protocol II in 2001. The extended Bureau had been requested by the Conference to consider the issue and had taken into account the various time constraints imposed by, inter alia, the need to prepare and organize the second Review Conference of the States Parties to the Convention on Certain Conventional Weapons the same year. The Bureau therefore suggested that the States parties should decide to hold their third Annual Conference over a single day, 10 December 2001, in Geneva, with no preparatory meeting; that proposal was contained in the draft report of the second Annual Conference (CCW/AP.II/CONF.2/CRP.7, para. 20).
5. If he saw no objection, he would take it that the Conference accepted that proposal concerning the holding of the third Annual Conference.
6. It was so decided.
7. The PRESIDENT said he took it that the States parties agreed to use the agenda of the second Annual Conference (CCW/AP.II/CONF.1/2 (Part I), annex VI), mutatis mutandis, as the provisional agenda of the third Annual Conference.
8. It was so decided.
9. The PRESIDENT said that the document on the estimated costs of the third Annual Conference would be distributed to the Conference shortly and submitted for States parties' approval at the same time as paragraph 20 of the draft report of the second Annual Conference.

Note from the Secretariat - feasibility of establishing a database for Amended Protocol II
(CCW/AP.II/CONF.2/CRP.3) (English only)

10. The PRESIDENT suggested that the States parties should take note of the note from the Secretariat, subject to its consideration at the third Annual Conference in 2001.

11. It was so decided.

CONSIDERATION AND ADOPTION OF THE FINAL DOCUMENTS (agenda item 14)
(continued)

12. The PRESIDENT drew attention to the draft report of the second Annual Conference of the States Parties to Amended Protocol II (CCW/AP.II/CONF.2/CRP.7 - English only), and invited the Conference to consider it paragraph by paragraph.

Paragraphs 1-7

13. Paragraphs 1-7 were adopted.

Paragraph 8

14. The PRESIDENT said that the Republic of Korea and Slovenia would be listed among the States mentioned in paragraph 8 as observers.

15. Paragraph 8, as amended, was adopted.

Paragraph 9

16. Paragraph 9 was adopted.

Paragraph 10

17. The PRESIDENT said that the words "including several member organizations" should be inserted after the word "Landmines" in the first line.

18. Paragraph 10, as amended, was adopted.

Paragraphs 11-13

19. Paragraphs 11-13 were adopted.

Paragraph 14

20. The PRESIDENT said that the first sentence should begin: "At its fourth plenary meeting, on 13 December 2000".

21. Paragraph 14, as amended, was adopted.

Paragraph 15

22. The PRESIDENT said that Israel should be included among the States participating in the general exchange of views.

23. Paragraph 15, as amended, was adopted.

Paragraph 16

24. Mr. ELLAHI (Pakistan) suggested, in the interests of precision, replacing the word "addressed" in the second line by "discussed", and deleting the words "and ideas". In addition, he suggested replacing the words "to be" by "which could be". He also suggested deleting the second sentence stating that the delegation of the United States of America had made a statement introducing two proposals contained in working papers under the symbols given. It would be better to provide an annex to the final report listing all the working papers.

25. Mr. LOMBARD (South Africa) said he fully agreed with the suggestions and comments made by Pakistan. If the Pakistani delegation's suggestion was adopted, the statement made by South Africa on behalf of the Non-Aligned Group and other States, on the preparations for the second Review Conference of States Parties to the Convention on Certain Conventional Weapons, should also be included among the working papers annexed to the report of the second Annual Conference.

26. Mr. SOLOMON (United States of America) said that his delegation was quite prepared to consider the suggestions of the delegation of Pakistan. He suggested replacing the words "the Conference addressed proposals and ideas to be considered by the Second Review Conference" by "the Conference discussed proposals made in preparation for the Second Review Conference ...". That formulation would better reflect the facts and be more faithful to the spirit of the provisions of article 13, paragraph 3 (c) of Amended Protocol II on the preparation of the review conferences, under which his delegation had submitted the proposals referred to in paragraph 16.

27. Mr. ELLAHI (Pakistan) said that the amendments proposed by the representative of the United States of America were acceptable, but that he would suggest "proposals made in the context of preparation for the Second Review Conference ...".

28. Mr. SOLOMON (United States of America) said he accepted that suggestion. With regard to the second sentence of paragraph 16, he would prefer it to be retained; he would not be opposed to mention also being made, in a third sentence, of the statement made by the representative of South Africa on behalf of the Non-Aligned Group and other States, or to making it a working paper of the Conference.

29. Mr. ELLAHI (Pakistan) and Mr. LOMBARD (South Africa) said they accepted that solution.

30. The PRESIDENT said that, if he saw no objection, he would take it that delegations approved the proposals accepted by the delegations of Pakistan, South Africa and the United States of America.

31. Paragraph 16. as amended. was adopted.

Paragraph 17

32. Paragraph 17 was adopted.

Paragraph 18

33. The PRESIDENT said that the paragraph should begin: "At its fourth meeting, on 13 December 2000".

34. Paragraph 18. as amended. was adopted.

Paragraph 19

35. Paragraph 19 was adopted.

The meeting was suspended at 4.05 p.m. and resumed at 4.15 p.m.

OTHER MATTERS (agenda item 13) (continued)

Third Annual Conference of the States Parties to Amended Protocol II

36. The PRESIDENT drew attention to the estimated costs for the third Annual Conference, which had been submitted to States parties while the meeting had been suspended and which would be published as document CCW/AP.II/CONF.2/CRP.9. That was the estimate referred to in paragraph 20 of the draft report of the second Annual Conference. He said he took it that the States parties wished to approve the estimated costs for the third Annual Conference.

37. It was so decided.

CONSIDERATION AND ADOPTION OF THE FINAL DOCUMENTS (agenda item 14)
(continued)

38. The PRESIDENT invited the Conference to resume its consideration of the draft report of the second Annual Conference (CCW/AP.II/CONF.2/CRP.7). He noted that the annexes would need to be renumbered: the United States proposals would become annex IV; the statement made by South Africa on behalf of the Non-Aligned Group and other States parties to Amended Protocol II, annex V; the final declaration, annex VI; the provisional agenda for the third Annual Conference, annex VII; and the estimated costs for the third Annual Conference, annex VIII.

Paragraph 20

39. Paragraph 20 was adopted.

Paragraph 21

40. Paragraph 21 was adopted.

41. The draft report of the second Annual Conference (CCW/AP.II/CONF.2/CRP.7), as amended orally, was adopted.

CLOSURE OF THE CONFERENCE

42. After the customary exchange of courtesies, the PRESIDENT declared the second Annual Conference of the States Parties to Amended Protocol II closed.

The meeting rose at 4.20 p.m.

**SECOND ANNUAL CONFERENCE OF STATES PARTIES
TO THE 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**

CCW/AP.II/CONF.2/CRP.3
6 December 2000

ENGLISH only

Geneva, 11 - 13 December 2000

NOTE FROM THE SECRETARIAT

Feasibility of establishing a database for Amended Protocol II

1. At the First Annual Conference of the States Parties to the Amended Protocol II to the CCW held on 15-17 December 1999, the Group of Experts made the following recommendation: "... the Depositary is requested to consider the feasibility of establishing a database for storage and dissemination of National Annual Reports required under the provisions under paragraph 4 of Article 13 of the Amended Protocol II and in accordance with the recommendation of the First Annual Conference of the States Parties to this Protocol as well as paragraph 2 of Article 11 of the same Protocol."

2. Such a project can be viewed in two broad aspects: (a) establishment (requisite hardware and software, design, development and implementation) and (b) operation.

3. The Department for Disarmament Affairs is currently planning to expand its information technology (IT) capabilities in the expectation that it will face fairly soon growing demands for more databases and more sophistication in implementing IT.

4. In these circumstances, the design, development and implementation of a database for the storage and dissemination of National Annual reports under Amended Protocol II can be considered as part of the plan for further IT expansion within the Department, the first stage of which will have to be implemented from Headquarters. Thus the establishment of the database will incur no additional cost.

5. In the interest of ensuring efficiency and cost-effectiveness in day-to-day operations, the proposed database under Amended Protocol II should be seen in conjunction with the existing database on article 7 of the Mine-Ban Convention. As statistics on hits and feedback from the mine action community show, the latter database now requires additional efforts to keep it up to date, widely accessible and increasingly user-friendly. At this point, the Department is not in a position to sustain continuous updating of these two databases. Thus it would be grateful if the States parties to the two legal instruments dealing with mines would consider if they could finance one G5/G6 post for an initial period of 18 months. Such a post would entail a total cost of \$90,000.

**SECOND ANNUAL CONFERENCE OF THE STATES PARTIES
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CCW/AP.II/CONF.2/INF.2
13 December 2000

ENGLISH/FRENCH/SPANISH
ONLY

Geneva, 11 - 13 December 2000

LIST OF PARTICIPANTS

**A. STATES PARTIES WHICH HAVE NOTIFIED THE DEPOSITORY
OF THEIR CONSENT TO BE BOUND BY THE AMENDED PROTOCOL II**

ARGENTINA

Sr. D. Pablo Chelia

Consejero, Misión Permanente, Ginebra

AUSTRALIA

Ms. Penelope Burt

Chargé d'Affaires a.i.
Head of Delegation

Ms. Philippa King

Second Secretary
Delegation to the Conference on Disarmament
Geneva

Mr. Todd Mercer

Conventional and Nuclear Disarmament Unit
International Security Division
Department of Foreign Affairs and Trade, Canberra

Mr. Ric Casagrande

Department of Defence, Canberra

Ms. Myriam Baxter

Delegation to the Conference on Disarmament, Geneva

AUSTRIA

H.E. Mr. Harald Kreid

Ambassador, Permanent Representative, Geneva
Head of Delegation from 11-12 December 2000

Mr. Wernfried Köffler	Minister Head of Department Federal Ministry for Foreign Affairs, Vienna Head of Delegation from 13-14 December 2000
Mr. Alexander Kmentt	Counsellor, Permanent Mission, Geneva Deputy Head of Delegation
Mr. Peter Grabner	Brigadier General, Military Adviser Permanent Mission, Geneva
Lt.Col. Hans Hamberger	Technical Expert, Federal Ministry of Defence MOD Military Division

BANGLADESH

H.E. Dr. Iftekhar Ahmed Chowdhury	Ambassador, Permanent Representative, Geneva Leader
Ms. Ismat Jahan	Counsellor, Permanent Mission, Geneva

BELGIUM

S.E. M. Jean Lint	Ambassadeur, Représentant permanent auprès de la Conférence du Désarmement, Genève Chef de la délégation
M. Damien Angelet	Adjoint du Représentant permanent auprès de la Conférence du Désarmement, Genève Suppléant
Lt.Col. Baudouin Briot	Ministère de la Défense
Major Dominique Jones	Ministère de la Défense
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INDISCRIMINATE EFFECTS**

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13 December 2000

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Geneva, 11 - 13 December 2000

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