

First Conference of the High Contracting Parties to Protocol V on Explosive Remnants of War to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

18 March 2010
English
Original: French

Geneva, 5 November 2007

Summary record of the 1st meeting

Held at the Palais des Nations, Geneva, on Monday, 5 November 2007, at 10 a.m.

Temporary President: Mr. Caughley (Deputy Secretary-General of the Conference on Disarmament and Director of the Geneva Branch of the Office for Disarmament Affairs)

President: Mr. Landman (Netherlands)

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The meeting was called to order at 10.20 a.m.

Opening of the Conference of the High Contracting Parties to Protocol V 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 First Conference of the High Contracting Parties to Protocol V 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. He said that Protocol V, adopted in November 2003, was an important tool that, if implemented faithfully, could significantly reduce the number of victims of explosive remnants of war. It was up to the States parties to make the best possible use of Protocol V and to set up an appropriate framework for international cooperation for the benefit of all.

Report of the Preparatory Committee (item 2 of the provisional agenda)
(CCW/P.V/CONF/2007/PC/3)

2. **The Temporary President** recalled that, in accordance with decision 6 in the Final Declaration of the Third Review Conference of the High Contracting Parties to the Convention (CCW/CONF.III/11 (Part II)), the Preparatory Committee for the First Conference of the High Contracting Parties to Protocol V had met in Geneva on 18 June 2007. The Committee's decisions and recommendations were contained in its procedural report, issued on 22 June 2007 under the symbol CCW/P.V/CONF/2007/PC/3.

Election of the President (item 3 of the provisional agenda)

3. **The Temporary President** recalled that the Preparatory Committee had decided to designate Ambassador Johannes C. Landman of the Netherlands as President of the First Conference of the High Contracting Parties to Protocol V, as indicated in paragraph 25 of its procedural report. He invited delegations to confirm that decision.

4. *It was so decided.*

5. *Mr. Landman (Netherlands) took the Chair.*

Adoption of the agenda (item 4 of the provisional agenda) (CCW/P.V/CONF/2007/PC/3, annex III)

6. **The President** drew attention to the provisional agenda contained in annex III of document CCW/P.V/CONF/2007/PC/3 and pointed out that items 10 to 13 would constitute the bulk of the work of the Conference. He said that he took it that the Conference wished to adopt the provisional agenda.

7. *It was so decided.*

Adoption of the rules of procedure (agenda item 5) (CCW/P.V/CONF/2007/PC/3, annex IV)

8. **The President**, recalling that the Preparatory Committee had agreed, in paragraph 23 of its procedural report, to recommend to the First Conference of the High Contracting Parties to Protocol V the draft rules of procedure contained in annex IV of that report, said he took it that the Conference wished to adopt the draft rules of procedure.

9. *It was so decided.*

Appointment of the Secretary-General of the Conference (agenda item 6)

10. **The President**, recalling that the Preparatory Committee had agreed, in paragraph 26 of its procedural report, to designate Mr. Peter Kolarov, Political Affairs Officer in the Geneva Branch of the Office for Disarmament Affairs, as provisional Secretary-General of the First Conference, said he took it that the Conference wished to appoint Mr. Kolarov to that post.

11. *It was so decided.*

Organization of work including that of any subsidiary bodies of the Conference (agenda item 7)

12. **The President** recalled that the Preparatory Committee had decided that a programme of work would not be needed, owing to the short duration of the First Conference of the High Contracting Parties to Protocol V (procedural report, para. 24). He therefore suggested starting the general exchange of views at the morning plenary meeting, and continuing it at the afternoon meeting, and then taking up the consideration and adoption of the final document of the Conference, leaving open the possibility of proceeding to informal consultations if a particular issue so required. In the absence of any comments from delegations, he would consider that the Conference wished to proceed in that manner.

13. *It was so decided.*

Election of other officers of the Conference (agenda item 8)

14. **The President** recalled that the Preparatory Committee had designated Ambassador Jayant Prasad of India and Ambassador Edvardas Borisovas of Lithuania as Vice-Presidents of the Conference (procedural report, para. 25).

15. *It was so decided.*

Adoption of arrangements for meeting the costs of the Conference (agenda item 9)

16. **The President** recalled that, in paragraph 27 of its procedural report, the Preparatory Committee had approved the estimated costs of the First Conference of the High Contracting Parties, as contained in annex II of that report, and said that, as those amounts had been established on the basis of the volume of work planned, they would be recalculated after the closure of the Conference once the relevant expenditures were counted. He took it that the Conference wished to adopt those arrangements.

17. *It was so decided.*

Message from the Secretary-General of the United Nations

18. **Mr. Caughley** (Deputy Secretary-General of the Conference on Disarmament and Director of the Geneva Branch of the Office for Disarmament Affairs) read out a message from the Secretary-General of the United Nations.

In his message, the Secretary-General sent his greetings to the First Conference of the High Contracting Parties to Protocol V to the Convention on Certain Conventional Weapons.

Explosive remnants of war — munitions that had been abandoned or that had failed to function as intended — were generated in every conflict. Those horrendous and silent hazards posed particular risks to civilians. They continued to endanger lives long after hostilities had ended, and hindered the socio-economic reconstruction of societies struggling to emerge from the ravages of war.

The existence of explosive remnants of war was of no military benefit. It was in the interests of all to ensure that the pernicious hazards they presented to people and the environment were minimized and, where possible, eliminated.

Protocol V was an important tool to address the huge humanitarian and development effects of those deadly threats. The Secretary-General commended the 35 States parties that had acceded to the Protocol to date and urged them to make best use of its provisions and ensure that it became a flexible and stable framework for international cooperation.

The Conference was a unique opportunity for the States parties to advance the implementation of the Protocol. For its implementation to be effective and meaningful, they would have to strongly support the clearance, removal and destruction of explosive remnants of war. They would have to share experiences and information, and cooperate closely with each other. They would also have to mobilize resources and help to provide assistance to victims.

He called on those States that had not yet done so to ratify and implement Protocol V without delay. He also called on them, pending adherence, to apply the Protocol's provisions on a voluntary basis. He reminded all States of their existing obligations to ensure the effective protection of civilian populations in conflicts.

As always, the United Nations stood ready to assist States in ridding the world of explosive remnants of war. In that spirit, he expressed his best wishes for a successful meeting.

General exchange of views (agenda item 10)

19. **The President**, before starting the general exchange of views, called delegations' attention to three conference room papers containing draft decisions (CCW/P.V/CONF/2007/CRP.1), the draft generic electronic template (CCW/P.V/CONF/2007/CRP.2) and the draft reporting formats (CCW/P.V/CONF/2007/CRP.4), and requested them to share their views, particularly on the latter two papers.

20. **Mr. Pereira Gomes** (Observer for Portugal), speaking on behalf of the European Union; the candidate countries Croatia and the former Yugoslav Republic of Macedonia; the stabilization and association process and potential candidate countries Albania, Bosnia and Herzegovina, Montenegro and Serbia; the European Free Trade Association (EFTA) countries member of the European Economic Area Iceland and Liechtenstein; and, in addition, Armenia, Georgia, Moldova and Ukraine, said it was encouraging that 35 States had acceded to Protocol V less than a year after its entry into force. The European Union supported the efforts to achieve the universalization and effective implementation of the instrument, for the benefit of civilians who suffered the effects of explosive remnants of war in the wake of conflicts. It called on States parties to the Convention that had not yet done so to accede to Protocol V without delay and encouraged them to report during the meeting on the status of measures they were taking at the national level to become parties to the Protocol. The European Union welcomed the conclusions and recommendations contained in the Preparatory Committee procedural report (CCW/P.V/CONF/2007/PC/3) and the adjustments agreed ad referendum, and attached particular importance to further developing a mechanism to facilitate consultations, cooperation and assistance.

21. **Ms. Millar** (Australia) said that her country had become a party to Protocol V on 4 July 2007. The Protocol was a significant and practical step forward in reducing the humanitarian risks of explosive remnants of war. The Australian mine action strategy, for which a five-year \$75 million pledge had been made, was aimed at reducing the human suffering and the socio-economic impact associated with landmines and other explosive remnants of war through clearance, risk education, survivor assistance and stockpile

destruction. Australia sought to provide integrated and effective assistance, including through multi-year pledges and the linking of assistance to development programmes. It had therefore allocated \$12 million for landmine and explosive remnants of war clearance in Cambodia and \$1.5 million for assistance to victims of such devices in Viet Nam. It had also committed \$2.5 million for similar operations in Lebanon.

22. The meeting of the Contracting High Parties to the Convention must seize the opportunity to adopt a negotiating mandate on cluster munitions. As universal acceptance and effective implementation of Protocol V would assist greatly in minimizing the risks posed by all forms of explosive remnants of war, including cluster munitions, her delegation urged all States parties to the Convention to accede to the Protocol as soon as possible.

23. **Mr. Sharma** (India), noting India's full commitment to Protocol V, set out the measures taken by his Government to apply the instrument since its entry into force in November 2006, which included the dissemination of information on the Protocol among the armed forces by the following means: seminars and presentations; mandatory classes; brochures and manuals; and exchanges of views and information among officials of various ministries. He said that the generic preventive measures and technical requirements contained in the Protocol were brought to the attention of the persons concerned, and all the necessary measures relating to the safety and protection of munitions were taken. Furthermore, specialists who handled munitions were regularly trained in the latest techniques and methodologies developed in the area.

24. While India was aware of the humanitarian concerns arising from the use of cluster munitions, it could not deny the particular military advantages that those weapons presented in terms of economy of effort and area coverage in combat zones. Their use was legal and legitimate, provided that international humanitarian law was observed by ensuring that civilians were protected. Moreover, the use of more accurate and reliable alternative munitions could increase the cost of those weapons. In addition, India viewed the terminally guided munitions and sensor fused munitions as a new generation of cluster munitions rather than as alternative munitions.

25. In conclusion, his delegation was open to discussing the best means of addressing the humanitarian concerns arising from cluster munitions as long as military necessity was also given consideration. It would share its views on the draft generic electronic template subsequently.

26. **Mr. Bersheda** (Ukraine) recalled that his delegation had associated itself with the statement made on behalf of the European Union. He said that Ukraine considered that the establishment of a separate database was an important element for the implementation of Protocol V, and encouraged the High Contracting Parties to provide data through their national reports. The database could, in particular, promote effective cooperation between States to resolve the problem of explosive remnants of war. Ukraine would welcome the convening of a meeting of the Group of Governmental Experts in 2008 to assess the mechanism for requesting and providing assistance.

27. Ukraine had had to confront an emergency situation at the Novobohdanivka ammunition depot, where missiles and ammunition from the former Soviet Union had been stockpiled in a region inhabited by more than 200,000 persons with several hazardous facilities, including a nuclear power station. The fires that had broken out between 2004 and 2006 had resulted in the detonation of 57,000 to 60,000 tons of ammunition, which had been scattered over a radius of 40 kilometres; the region's economy and the civilian population had suffered considerable material damage. In January 2006, the Government had approved a 2006–2008 programme to deal with the consequences of those accidents for the environment and the health and safety of the local population, and to convert the area

surrounding the depot into a commercial zone in the future. The programme had made it possible to clear more than 125 hectares contaminated by unexploded ordnance and to deactivate and destroy more than 16,100 tons of ammunition while reducing the likelihood of future fires and explosions. Ukraine had benefited from effective assistance provided by donor countries as part of a joint Organization for Security and Co-operation in Europe-Ukraine project, under which Ukrainian specialists working at the depot received modern equipment quickly, thus increasing staff safety. In the light of those positive results, Ukraine would like to continue to cooperate with the international community in order to clear its territory of unexploded ordnance and remnants of past wars.

28. Between 2005 and 2007 alone, Ukraine had removed and destroyed more than 220,400 items of unexploded ordnance. Some territories surrounding Kyiv, Kerch and Sevastopol, and the waters of the Black Sea and Sea of Azov, were among the areas most severely contaminated by the ordnance. Ukraine was not able to meet the challenge of emergency prevention within a reasonable period on its own. The ambitious goals of Protocol V could be achieved if all States genuinely concerted their efforts.

29. Decommissioned conventional armaments and ammunition remained an acute problem and a cause of serious humanitarian, environmental, economic and development concerns. Millions of tons of conventional ammunition inherited from the Soviet Union constituted a direct threat to health and the environment not only in Ukraine but also in neighbouring countries. Ukraine stood ready to step up its cooperation with the international community in that area in order to resolve the problem completely.

30. **Mr. Koshelev** (Observer for the Russian Federation) said that his delegation supported the recommendation made by the Preparatory Committee concerning the establishment of a database on the implementation of Protocol V at the national level and the provision stipulating the restriction of access to sensitive information and its transmission only to the High Contracting Parties.

31. With respect to the submission of national reports, the Russian Federation had included certain items relating to the application of Protocol V in its report on the implementation of the Convention and all its annexed Protocols.

32. The idea concerning the establishment of a mechanism for consultation and cooperation consisting of informal meetings of experts required further clarification. It was essential to implement the decision on a compliance mechanism applicable to the Convention adopted at the Third Review Conference in November 2006.

33. The Russian Federation was preparing to ratify Protocol V. In practice, it was already fully complying with all its provisions. Thus, tens of thousands of different explosive remnants of war were deactivated each year in the Russian Federation, and the population was informed regularly about the dangers of those munitions. An adequate legislative framework was being studied. A range of measures to implement the provisions set out in the technical annex to the Protocol was being organized for Russian military personnel.

34. The Russian Federation was ready to provide assistance for international humanitarian demining and explosive remnants of war deactivation operations, including by using resources from the Ministry for Emergency Situations, and to train experts in that area.

35. Vast territories where battles had taken place during the Second World War were still contaminated by explosive devices, which constituted a real threat for the population. The complete clearing of those areas required considerable financial and human resources. In that connection, the Russian Federation supported the establishment of international cooperation, above all with neighbouring countries. The Ministry for Emergency Situations

had already obtained positive results in carrying out, in conjunction with the Swedish Rescue Services Agency, the explosive device removal project on the island of Bolshoy Tyuters, located near the Swedish border. It might also be possible to develop an international project to remove explosive devices from the Valaam archipelago, a holy place in the Russian Federation.

36. The Protocol was called on to play an increasing role in the light of the great number of regional conflicts. His delegation was therefore in favour of its reinforcement and universalization.

37. **Mr. Sočanac** (Croatia) recalled that his delegation associated itself with the statement made on behalf of the European Union. He said that Croatia had been affected by the scourge of explosive remnants of war, owing to the conflict that had taken place in the early 1990s. There had been 237 confirmed casualties of cluster munitions, 206 occurring during the bombing itself (9 dead and 197 wounded). However, it was likely that the actual number of casualties was considerably higher, as casualty records did not cover the period in which cluster munitions had been used most or the period immediately following the contamination by those munitions. The number of items of unexploded ordnance removed during the demining of Croatian territory (about 44,000) was twice as high as the number of anti-personnel mines removed (about 17,000).

38. While Croatia recognized the Protocol's great merit, it would have preferred its provisions to be worded more strongly and precisely.

39. Concerning the establishment of a database, Croatia attached particular importance to comprehensive reporting and proper storage of information on the clearance, removal and destruction of explosive remnants of war, to recording and transmission of data, to cooperation and assistance, and to generic preventive measures, all of which were essential elements underpinning the Protocol and forming the basis for its implementation. Croatia would certainly submit its national report before the agreed date. Croatia welcomed in particular the efforts made by the United Nations Mine Action Service to draft a generic electronic template that would allow for the effective recording and retaining of information on the implementation of article 4 of the Protocol. That tool would assist the High Contracting Parties in the rapid marking, removal, clearance and destruction of explosive remnants of war, in risk education and in the provision of the relevant information to authorities in control of a territory and to the civilian population. It would also promote peace and reconciliation after the cessation of hostilities.

40. The separate database on explosive remnants of war would strengthen the right of each High Contracting Party to request and receive assistance. It should also help to build bridges between recipient and donor countries. His delegation hoped that that tool would create fresh opportunities for the care and rehabilitation of victims of explosive remnants of war and their social and economic reintegration. Croatia supported the idea of holding open-ended informal meetings of governmental experts that would be presided over by coordinators and would seek to assess the functioning of the database and the reporting mechanism and serve as a forum for consultation and cooperation. Such meetings would contribute to improving the implementation of the Protocol.

41. **Mr. Streuli** (Switzerland) said that Protocol V was the first multilateral instrument dealing specifically with the problem of explosive remnants of war. Therefore, Switzerland, which had ratified the Protocol, welcomed the holding of the First Conference of the High Contracting Parties, which would consider for the first time the implementation and functioning of Protocol V from the perspective of the protection of the civilian population and the economic and social development of the affected States.

42. Nevertheless, there were major challenges to overcome. First, effective measures would have to be taken to allow for the implementation of Protocol V and its application on

the ground, in order to improve, in a sustained manner, the protection of civilian populations affected by the scourge of explosive remnants of war. Second, efforts must be made towards the universalization of Protocol V, which had currently been ratified by 35 States. Switzerland hoped that the number of new accessions would increase substantially in the months to come and called on States parties to the Convention that had not yet ratified Protocol V to do so.

43. Lastly, Switzerland was ready to provide cooperation and assistance, both bilaterally and multilaterally, in accordance with articles 7 and 8 of Protocol V.

44. **Mr. Petritsch** (Observer for Austria) said that Austria fully supported the statement made by the representative of Portugal on behalf of the European Union. Austria considered that Protocol V in particular would become a key instrument for solving the problem of explosive remnants of war. Contrary to the other protocols annexed to the Convention, it contained specific provisions with respect to assistance to victims of explosive remnants of armed conflicts, which highlighted the humanitarian aspect of the Protocol.

45. Austria had ratified the Convention on certain Conventional Weapons and Protocols, I, II, III and IV annexed thereto. Furthermore, on 1 October 2007, it had notified the Secretary-General of the United Nations, the depositary of the Convention, of its consent to be bound by Protocol V on Explosive Remnants of War.

46. **Mr. Laassel** (Observer for Morocco) recalled that the Kingdom of Morocco, a fervent defender of the principles of international law, particularly in the area of disarmament and international humanitarian law, had been one of the first signatories to the Convention and Protocols II and IV thereto and that it followed with interest the implementation of Protocol V, which had entered into force only a year previously and which had a broader scope than the other Protocols.

47. Morocco was very mindful of the humanitarian goals referred to in the provisions of the Convention and the Protocols thereto. His delegation therefore wished to take the opportunity to announce Morocco's intention to accede to Protocols I, III and V. The legislative ratification procedure had been initiated by the competent Moroccan authorities.

48. Morocco also welcomed the decision taken by the Review Conference to harmonize the format of the national reports provided for under Protocols II and V, which should ease the burden on the States called on in recent years to submit a significant number of national reports, including in the area of disarmament.

49. **Mr. Heinemann** (United States of America) said that his Government was eager to ratify the Protocol, whose provisions it was already applying within the framework of its interventions in post-conflict situations. The United States considered that it was better to adopt a comprehensive approach to the impact of explosive remnants of war and meet the needs of populations than to link assistance to the elimination of certain kinds of ordnance. For that purpose, it provided vast resources for mine action, the restoration of infrastructure and the clearing of agricultural land in post-conflict situations. Since September 2006, the country had also spent some \$83.7 million on humanitarian mine action.

50. He proposed a number of editorial changes to the conference room paper on draft decisions (CCW/P.V/CONF/2007/CRP.1) to be considered at the following meeting and invited the parties concerned to hold a side meeting so that an absolutely clear document could be adopted in the afternoon.

51. **Mr. Borisovas** (Lithuania) said that his Government fully supported the statement made by the representative of Portugal on behalf of the European Union. Protocol V on Explosive Remnants of War having entered into force, there was a need to reach agreement on the modalities for its implementation and begin without delay to apply its provisions.

52. Lithuania supported the draft conclusions and recommendations outlined in document CCW/P.V/CONF/2007/PC/3, particularly the recommendations to develop a mechanism for consultation and cooperation under articles 7 and 8 of the Protocol and to establish two databases, one consisting of specific information submitted in initial and national annual reports and the other of information on existing explosive remnants of war, including requests for assistance made in accordance with articles 7 and 8.

53. Lithuania had already begun to implement the Protocol at the national level. The national commission responsible for the implementation of international humanitarian law had established an inter-institutional working group whose main tasks were to assess the adequacy of national legislation on weapons procurement, stockpiling, storage and destruction, the contamination of the national territory by explosive remnants of war and the relevant legislation.

54. Lithuania considered that explosive remnants of war clearance, as defined in Protocol V, must be integrated into the general framework of mine action.

55. **Mr. Li Song** (China) said that China welcomed the entry into force of Protocol V on Explosive Remnants of War and the rise in the number of States that were acceding or wished to accede to the Protocol. China had participated actively in the negotiations on the Protocol and supported the declaration on the occasion of the entry into force of the Protocol, adopted at the Third Conference of the High Contracting Parties to the Convention. It would continue to work with the international community to achieve the purposes and objectives of the Convention and the Protocol and to enhance the Protocol's universality and effectiveness. The Government would continue to promote actively the domestic legal procedures for ratification of the Protocol with a view to acceding to it at an early date.

56. China considered that the Protocol, a comprehensive and viable international legal instrument adopted on the basis of consensus, struck a balance between military needs and humanitarian concerns and showed in that respect the success of the Convention process. All States parties should fulfil their obligations under the Protocol, including those concerning generic preventive measures, and promote international assistance and cooperation actively for the purpose of preventing and eliminating the harm caused to civilians by explosive remnants of war.

57. China believed that the Protocol would play an important role in resolving the problems posed by anti-vehicle landmines and cluster munitions that might become explosive remnants of war. It was ready to enhance exchanges of views and cooperation with other States parties in that regard.

58. **Mr. Chang Dong-hee** (Republic of Korea) said that the entry into force of Protocol V in November 2006 had been a landmark in protecting civilians and in dealing with the inhumane consequences of weapons such as explosive remnants of war. The Republic of Korea had nearly completed its domestic ratification procedures and hoped that it would soon join the first 35 States parties to the Protocol.

59. **Mr. Pereira Gomes** (Observer for Portugal) said that Portugal had also completed its domestic ratification procedures and would notify the Secretary-General in the coming days that it accepted the binding obligations arising from Protocol V.

60. **Mr. Laurie** (United Nations Mine Action Service) said that if Protocol V had already been in force for the parties to recent armed conflicts, pertinent information on the use or abandonment of explosives and munitions would already have been recorded, maintained and shared by many mine action operators in charge of undertaking risk education, marking, fencing and clearance. Much suffering could have thus been prevented. When Protocol V was implemented widely and in good faith, it would undoubtedly

increase the safety of civilian populations and humanitarian missions in post-conflict situations.

61. The United Nations Mine Action Service congratulated the 35 States that had expressed their consent to be bound by Protocol V and commended the efforts made by the Preparatory Committee in June 2007 to start discussions on ways and means to facilitate the effective implementation of the treaty and the recommendations that it had put forward for the First Conference of the High Contracting Parties. The national annual reports on the implementation of the main provisions of Protocol V and the establishment under the auspices of the Office for Disarmament Affairs of a website containing those reports constituted important confidence-building and transparency measures.

62. While it fully respected the fact that each High Contracting Party was responsible for the implementation of Protocol V, the Mine Action Service believed that a database designed to receive requests for assistance would facilitate the implementation of articles 7 and 8 of the Protocol. It appreciated the fact that the High Contracting Parties to the Protocol had welcomed the generic electronic template prepared by the Service to facilitate the implementation of article 4 at the national level and stood ready to help to improve that tool and its application. The establishment of an informal mechanism for consultation and cooperation, such as open-ended meetings of experts on various aspects of the treaty, would facilitate the exchange of views on the effective implementation of Protocol V.

63. The Service would continue to promote universal adherence to and compliance with the Convention and all its Protocols through capacity-building measures, technical cooperation and assistance at the national and regional level.

64. **Mr. Herby** (International Committee of the Red Cross) said that the First Conference was an opportunity to follow up on the efforts begun by the international community more than seven years previously to end the suffering caused by explosive remnants of war, which had culminated in the adoption in November 2003 of Protocol V. Currently binding on 35 States parties, the Protocol strengthened the Convention: it was no doubt the most ambitious project undertaken to date by the States parties to the Convention. Work could now begin to make it a more effective instrument on the ground. The recommendations of the Preparatory Committee and the papers prepared by the President of the Conference contained proposals that could facilitate that objective. National reporting requirements, recommendations on the exchange of information and the creation of a database on explosive remnants of war would be helpful in promoting and evaluating the implementation of Protocol V. ICRC especially welcomed the possible convening of informal meetings of experts to consider operational aspects of the Protocol. Such meetings would be useful, in particular, for highlighting the specific national measures required to ensure that a State involved in an armed conflict was in a position to meet its obligations under the Protocol. They could also be an opportunity to address what was perhaps the single most important issue in the short term — existing explosive remnants of war — and to tackle the needs and assistance priorities of the affected countries. If effective, those meetings could also convince States that had not yet acceded to the Protocol, or, more generally, to the Convention, to do so.

65. In conclusion, the decisions that would be taken at the First Conference would establish a framework for future action on explosive remnants of war and send a strong signal to the affected countries, particularly their civilian populations. ICRC urged all States that were not yet bound by the Protocol, above all those that had been involved in negotiating it, to adhere to the instrument as a matter of urgency.

66. **Mr. Orifici** (Geneva International Centre for Humanitarian Demining) said that the Centre, whose mission was to work for the elimination of anti-personnel mines and mitigate the humanitarian impact of other landmines and explosive remnants of war, had been

working for several years on all kinds of explosive remnants of war and their consequences. It had provided independent technical assistance and direct support for the efforts made by the international community in that respect, and would continue to do so. The Centre had also submitted specific studies to the Dutch Coordinator in November 2003. Now that Protocol V had entered into force and the States parties would start to examine how best to implement it, the Centre would put its tools and experience at their disposal. The Centre's Information Management System for Mine Action (IMSMA) software and experience with International Mine Action Standards could be particularly useful.

67. The Centre was pleased to distribute to all delegations a draft of a new study entitled, *Mine Action and the Implementation of CCW Protocol V on Explosive Remnants of War*. Funded by the Netherlands, the document provided practical information for professionals in the sector and was based on best practices and lessons learned from the past 15 years of work on the ground. The study should be finalized by early 2008, with consideration being given to the results of the current Conference, and be available by mid-2008.

68. **The President** thanked the Geneva International Centre for Humanitarian Demining for the draft study, which he had already read and found very useful.

69. **Mr. Goose** (Human Rights Watch) said that Protocol V would serve to raise awareness about the need for prompt clearance of explosive remnants of war and the special responsibilities of users of weapons that became explosive remnants of war, including in territories not under their control. However, it was not clear from the statements made since the opening of the Conference that any new steps were being taken to implement the Protocol. The Protocol would not make a real difference unless States increased resources for clearance, risk education and victim assistance and provided the necessary information and assistance to facilitate explosive remnants of war clearance.

70. Protocol V was part of a tapestry of instruments for the protection of civilians in armed conflict and post-conflict situations. However, as had become clear over the past year, it would not have any impact on the use, production, stockpiling or transfer of cluster munitions. That issue was gaining worldwide recognition, as demonstrated by the fact that 5 November 2007 had been declared the Global Day of Action to Ban Cluster Bombs in at least 40 countries, under the auspices of the Cluster Munition Coalition. For the time being, the Oslo process alone seemed capable of addressing those concerns and bringing about the prohibition of the use, production, stockpiling and transfer of those weapons. Spurred by the Oslo process, some States were prepared to return to negotiations within the framework of the Convention on Certain Conventional Weapons. The only means of ensuring that that did not lead to unproductive talks, as had happened with anti-vehicle mines, would be to negotiate on a legally binding instrument containing an appropriate prohibition. There must be a deadline to complete such negotiations, which should be the end of 2008. Otherwise, NGOs and the public would consider the exercise a failure.

71. **Mr. Lazovic** (Observer for Serbia) said that Serbia was among the countries that suffered greatly from the damage caused to the civilian population by explosive remnants of war. It had hosted a conference on States affected by cluster munitions, co-organized with Norway and the United Nations Development Programme, which had been held on 3 and 4 October 2007 and had gathered 23 of the 26 affected countries. As the Minister for Foreign Affairs had announced at the conference, Serbia intended to adopt and ratify Protocol V in the near future and looked forward to being in a position to contribute further to human security.

Review of the status and operation of the Protocol (agenda item 11)

72. **The President** recalled that a number of States had been obliged to freeze their national accession procedures for almost two years because of technical problems involving the translation of the Protocol into Chinese, French, Russian and Spanish. As those problems had been resolved, participants must now spare no effort to foster the universalization of the instrument at the earliest opportunity, in line with the political commitment made with the adoption of the Plan of Action to promote the universality of the Convention and its Protocols. In that spirit, he suggested that the Conference should adopt as part of the final document a recommendation along the following lines: first, that the Secretary-General of the United Nations and the President of the Conference should exercise their authority to achieve the goal of universality of Protocol V; second, that the President should submit a report to the United Nations General Assembly at its sixty-third session; and, third, that the High Contracting Parties should undertake efforts to promote wider adherence to Protocol V in their respective regions.

73. As there was no objection, a text along those lines would be distributed for consideration and adoption at the forthcoming meeting.

Consideration of matters pertaining to national implementation of the Protocol, including national reporting or updating on an annual basis (agenda item 12)**Preparation for review conferences** (agenda item 13)

74. **The President** said that no delegation wished to take the floor under agenda items 12 and 13. Noting that the electronic templates would be considered at an informal meeting of experts and should be approved at the Second Conference, he said that consideration of the substantive agenda items had thus been concluded.

The meeting rose at 12.25 p.m.