

**SECOND CONFERENCE OF THE HIGH
CONTRACTING PARTIES TO PROTOCOL V
ON EXPLOSIVE REMNANTS OF WAR TO
THE CONVENTION ON PROHIBITIONS OR
RESTRICTIONS ON THE USE OF CERTAIN
CONVENTIONAL WEAPONS WHICH MAY BE
DEEMED TO BE EXCESSIVELY INJURIOUS
OR TO HAVE INDISCRIMINATE EFFECTS**

CCW/P.V/CONF/2008/SR.4
25 November 2008

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SUMMARY RECORD OF THE 4th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 11 November 2008, at 3 p.m.

President: Mr. BORISOVAS (Lithuania)

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The meeting was called to order at 4.20 p.m.

REVIEW OF THE STATUS AND OPERATION OF THE PROTOCOL (continued)
(CCW/P.V/CONF/2008/2; non-paper containing amendments to the preceding document, circulated in the meeting room in English only)

Victim assistance

1. The PRESIDENT suggested that the meeting should be suspended to allow the informal consultations on the report on victim assistance (CCW/P.V/CONF/2008/2) submitted by the Coordinator on that topic to continue.

The meeting was suspended at 4.25 p.m. and resumed at 5.15 p.m.

2. Mr. SCHOISWOHL (Austria), speaking as Coordinator on victim assistance, drew attention to the non-paper containing amendments to his report. Intensive discussions had been held on the recommendations set forth in the report and on the plan of action contained in annex II in particular. As a result, a number of changes had been made to paragraphs 5 (iii) and 5 (iv) of the report and to the plan of action to accommodate the concerns expressed by delegations. The changes reflected a true compromise among all the States concerned. He read out several minor drafting changes to the amended text. Lastly, he noted that, under Action 4 in the plan of action, the word “budget” should be replaced with “provision of adequate resources”.

3. Mr. VARMA (India) said that his delegation would welcome the adoption of the plan of action as amended and was grateful to the Coordinator for taking on board a number of its concerns. The outcomes of the meetings and conferences held under the Convention and its Protocols were legally binding on all High Contracting Parties; that was one of the strengths of the CCW process. An exception had been made for the plan of action on victim assistance, a document that was not only voluntary in nature but had also been described as a political tool. India would keep an open mind as to how such a tool fitted into the larger CCW structure. The adoption of the plan of action must not set a precedent. India had agreed to such a step because of the importance it attached to victim assistance. Nevertheless, it considered that the place of victim assistance in the overall CCW framework needed further consideration, and it therefore reserved the right to revert to the issue at future meetings.

4. The PRESIDENT said he took it that the Conference wished to approve the recommendations contained in the report on victim assistance as amended.

5. It was so decided.

6. The PRESIDENT said that the Conference had thus decided to take note of the report on victim assistance; to continue its consideration of victim assistance in the context of the meetings of experts and Conferences of the High Contracting Parties to Protocol V; to invite all Parties that had not yet done so to respond to the questionnaire contained in annex I, in writing or orally at the 2009 meeting of experts; and to adopt the plan of action on victim assistance, which would be annexed to the final document of the Conference, as a political tool for addressing on a voluntary basis the problems of victims of explosive remnants of war. Those decisions were

based on more than 10 years' experience and reflected the latest developments in the concept of victim assistance. They also sent a very clear signal on the determination of the High Contracting Parties to Protocol V to address the problems and needs of victims effectively.

CONSIDERATION AND ADOPTION OF THE FINAL DOCUMENT

(CCW/P.V/CONF/2008/CRP.1; non-paper containing amendments to the preceding document, circulated in the meeting room in English only)

7. The PRESIDENT drew attention to the draft final document of the Second Conference of the High Contracting Parties to Protocol V (CCW/P.V/CONF/2008/CRP.1) and to the non-paper containing amendments thereto and invited the Conference to consider the draft final document paragraph by paragraph prior to adopting the text as a whole.

Paragraphs 1 to 8

8. Paragraphs 1 to 8 were adopted.

Paragraphs 9 to 17

9. The PRESIDENT, said that Chad should be added to the list of States not parties to the Convention that had participated in the work of the Conference as observers in paragraph 14. In addition, "Handicap International (Belgium)" should be replaced with "Handicap International (Switzerland)" in the list of NGO participants in paragraph 17.

10. Paragraphs 9 to 17, as amended, were adopted.

Paragraphs 18 to 30

11. Paragraphs 18 to 30 were adopted.

Paragraphs 31 and 32

12. Mr. VARMA (India) proposed that the subheading should be amended to read "Exchange of information: Article 4 generic electronic template".

13. Paragraphs 31 and 32, as amended, were adopted.

Paragraphs 33 to 40

14. Paragraphs 33 to 40 were adopted.

Paragraphs 41 and 42

15. The PRESIDENT said, in response to a question put by the representative of India, that he took the word "others" in paragraph 41 to refer to materials on generic preventive measures other than documents of the United Nations and the Geneva International Centre for Humanitarian Demining.

16. Paragraphs 41 and 42 were adopted with minor drafting changes.

Paragraph 43

17. The PRESIDENT informed the Conference that the 2009 meeting of experts was scheduled to take place from 22 to 24 April. He took it that the Conference agreed to those dates and wished to amend the paragraph accordingly.

18. It was so decided.

19. Paragraph 43, as amended, was adopted.

Paragraph 44

20. The PRESIDENT announced that, following consultations among the regional groups, Ms. Ališauskienė of Lithuania had been proposed as Coordinator on clearance, removal or destruction of explosive remnants of war; Ms. Robinson of Australia as Coordinator on victim assistance, to be assisted by Ms. Žunec Brandt of Croatia; Mr. Somogyi of Hungary as Coordinator on cooperation and assistance and requests for assistance; and Mr. Markuš of Slovakia as Coordinator on national reporting. A Coordinator on generic preventive measures would be proposed by the Group of Western European and Other States; the name and country of the Coordinator would be included in the final document. On that understanding, if he heard no objection, he would take it that the candidates put forward by the regional groups were acceptable to the Conference and that it wished to amend paragraph 44 accordingly.

21. It was so decided.

22. Paragraph 44, as amended, was adopted.

Paragraphs 45 and 46

23. Paragraphs 45 and 46 were adopted.

Paragraph 47

24. The PRESIDENT announced that, following consultations among the regional groups, it had been decided to nominate Ambassador Hamid Ali Rao of India as President of the Third Conference and representatives of Australia and Slovenia as Vice-Presidents. If he heard no objection, he would take it that the Conference wished to accept those nominations and to amend the paragraph accordingly.

25. It was so decided.

26. Paragraph 47, as amended, was adopted.

Paragraph 48

27. The PRESIDENT said that the cost estimates referred to in paragraph 48 were contained in the non-paper circulated by the secretariat. If he heard no objection, he would take it that the Conference wished to recommend the estimated costs of the Third Conference for adoption at the time of the Conference and to adopt the estimated costs of the 2009 meeting of experts.

28. It was so decided.

29. Paragraph 48 was adopted, subject to minor editorial changes.

Paragraphs 49 and 50

30. Paragraphs 49 and 50 were adopted.

Annexes

31. The PRESIDENT drew attention to the plan of action on victim assistance under Protocol V, to be inserted as annex IV to the final document. The subsequent annexes should be renumbered accordingly.

32. The annexes, as amended, were adopted.

33. The draft final document of the Second Conference of the High Contracting Parties to Protocol V as a whole, as amended, was adopted.

CLOSURE OF THE CONFERENCE

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

The meeting rose at 5.50 p.m.