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**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**

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Geneva, 11 November 2008

**Summary record of the 3rd meeting**

Held at the Palais des Nations, Geneva, on Tuesday, 11 November 2008, at 10 a.m.

*President:* Mr. Borisovas.....(Lithuania)

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

### **General exchange of views**

*Thematic discussions: clearance of explosive remnants of war (CCW/P.V/CONF/2008/8)*

1. **The President** recalled that the main purpose of the Conference was to examine ways of minimizing, or even eliminating, the risks and effects of explosive remnants of war. Accordingly, the clearance and destruction of such objects, the exchange of information on the use of weapons that might become explosive remnants of war and assistance for States and victims were among the chief concerns. With regard to the implementation framework, the principal issue was whether it would achieve its primary goal of providing a permanent forum for dialogue between those in need of assistance and those in a position to provide it. The Second Conference should be used to launch the mechanism established in 2007 and engage the key actors in the dialogue. The 2008 meeting of experts on clearance of explosive remnants of war had proved very useful for examining informally the various aspects of the Protocol's implementation. While the website was not yet interactive, it gave access to all the databases, as established by the First Conference. Furthermore, the first requests for assistance had been received.

2. **Ms. Pleština** (Croatia), speaking as Coordinator on clearance, said that the 2008 meeting of experts on clearance of explosive remnants of war — one of the central and most complicated issues related to Protocol V — had focused on two aspects identified as being of particular relevance in the context of the Protocol: the challenge of and the means available for implementing the obligations arising from the instrument, in particular article 3; and the establishment of a forum for the practical application of the cooperation and assistance provisions in order to support the States parties in fulfilling their clearance obligations. The meeting had aimed to establish a clearer picture of the situation with regard to explosive remnants of war in the world; to identify the main challenges related to clearance; and to provide States in need of assistance with a forum to present their national status and priorities in respect of explosive remnants of war, to report on the programmes established and the progress made in their implementation and, most importantly, to appraise their needs for support, so that donor countries could receive relevant, first-hand information. Following the meeting, it had been recommended (CCW/P.V/CONF/2008/8, para. 6) that the Second Conference should continue to consider clearance in the context of the meetings of experts and the conferences of the High Contracting Parties to Protocol V; invite all States parties to share their national experience in dealing with past or current contamination by explosive remnants of war, with a particular focus on the challenges associated with the clearance of specific types of munitions or submunitions; invite all States in need of assistance to bring their case to the attention of the High Contracting Parties to Protocol V, both by ensuring their inclusion in the explosive remnants of war (ERW) database and by using the relevant form to request assistance at the meetings of experts; and invite donor countries to make use of the ERW database to identify all possible sources of support for activities related to explosive remnants of war and to report on their own efforts to provide such support.

3. **The President** invited delegations to share their observations and suggestions, while drawing their attention to article 3 of the Protocol. The article referred to the clearance, removal or destruction of explosive remnants of war: those actions were interrelated and should be considered as a whole. He noted that, in the previous year, the Conference had focused mainly on clearance and suggested that, in future, participants should address all those actions together at meetings of experts or annual conferences.

4. **Ms. Bernadisiute** (Lithuania) said that her country, one of the first States to have ratified the Protocol on Explosive Remnants of War, had begun to fulfil its obligations by taking practical measures to solve the problems caused by the presence of such objects on its territory. To that end, an interministerial working group had been established to assess the threat posed by explosive remnants of war and to propose further action. In April 2007, her Government had adopted a national clearance and prevention programme and a plan of implementing measures for the period 2007–2018, designating the Ministry of National Defence to coordinate the activities undertaken. The aim was to provide a more systematic and coordinated approach to solving the related problems. The primary objective was to detect explosive remnants of war, prevent the potential threat to people and minimize adverse effects on private and public activities. The programme dealt with the widest possible range of explosive remnants resulting from the First and Second World Wars and from the presence of former Soviet military bases.

5. **The President** noted that no other delegation wished to take the floor on the issue. If there was no objection, he would take it that the Conference wished to approve the recommendations contained in Ms. Pleština's report.

6. *It was so decided.*

7. **The President** read out the recommendations, which had been amended to reflect the proposal that operations for the clearance, removal and destruction of explosive remnants of war should be considered as a whole. He said that, as Ms. Pleština was unable to continue to act as coordinator, a replacement would have to be nominated at a later stage.

*Thematic discussions: Generic preventive measures (CCW/P.V/CONF/2008/7 and 9)*

8. **Mr. Mulder** (Netherlands), speaking as Coordinator on generic preventive measures, noted that accidental explosions occurred in munitions storage facilities, on average, 10 times per year, according to freely accessible sources. Such accidents emphasized the importance of prevention.

9. In that regard, the main knowledge and theory for correct handling of ammunition were available. For example, the United Nations and the Geneva International Centre for Humanitarian Demining had issued guidelines and best practice on the subject.

10. In July 2008, at the meeting of experts, the French delegation had explained its view that preventive measures could and should be taken throughout the life cycle of ammunition, i.e. during design, production, storage, handling and training. The delegation had also presented a directly usable checklist. Anyone who might enter into contact with ammunition could and should find out which generic preventive measures could be taken to minimize the occurrence of explosive remnants of war. He asked the High Contracting Parties what measures they were implementing to ensure that all members of their armed forces who handled ammunition were taking all the necessary precautions. He recalled that certain countries, such as the United States of America, offered assistance in that area. To make the theory more accessible, he recommended that a hyperlink should be created in the Protocol V database to facilitate access to the available documents from the United Nations, the Geneva International Centre for Humanitarian Demining and other organizations. In order to improve the applicability of the theory, he recommended that consideration should be given to how existing theory and best practice could be summarized, and that recommendations on possible improvements to preventive technical measures should then be drawn up.

11. The experts had also considered the reports that had been submitted, focusing on form G in particular. Some States had not submitted a report, while others had reported that article 9 was “not applicable”, although they undoubtedly had ammunition stocks. The third and final recommendation of the meeting of experts on generic preventive measures was therefore that form G should be modified in such a way as to improve the guidance given to States, so that they would submit more consistent and detailed reports. He suggested that separate sections should be introduced on the following five subjects: munitions manufacturing management, including tests; munitions management; training; transfer; and future production. Lastly, he indicated that, owing to other obligations, he would be unable to continue to act as coordinator.

12. **Mr. Le Roux** (France) said that his country was particularly committed to identifying measures that could be applied throughout the life cycle of munitions, from their design to their destruction. Several practical measures had been identified during a collective study, conducted over recent years with several High Contracting Parties to the Convention. The measures were intended, on the one hand, to improve the reliability of munitions and, on the other hand, to make them easier to deal with if they became explosive remnants of war. That work had led to the drafting of a directly usable questionnaire, which had been presented at the meeting of experts in July 2008. It was reproduced in document CCW/P.V/CONF/2008/7. France had structured the questionnaire according to the different phases of the life cycle of a munition, such as design, qualification, storage, transport and training. It was intended for both manufacturing and purchasing States, and did not aim to impose technical solutions or procedures, but rather to propose a methodology. It was a starting point, intended to be improved on by the High Contracting Parties in the light of their particular know-how or experience acquired at the national level. His delegation would like the questionnaire to be used as a basis for the work on technical preventive measures which it hoped to see conducted in 2009 and to which it would contribute.

13. **Ms. Bohle** (Geneva International Centre for Humanitarian Demining) said that the Centre had launched on 11 November 2008 a new publication, entitled *A Guide to Ammunition Storage*. The Protocol’s entry into force on 12 November 2006 had provided the international community with an opportunity to strengthen its efforts to reduce the risks posed by abandoned explosive and unexploded ordnance. Nevertheless, undesired explosions continued to occur in ammunition storage areas, with major loss of life. In 2008 alone, explosions in Albania, Bulgaria, the Islamic Republic of Iran, Iraq, Ukraine and Uzbekistan had caused hundreds of casualties and scattered munitions over previously safe land. The Centre’s publication identified and promoted good practice in the safe storage of ammunition but did not attempt to provide specific operating procedures for ammunition storage. It complemented a previous report issued in 2002, entitled *Explosive Remnants of War (ERW) – Undesired Explosive Events in Ammunition Storage Areas*. The publication had been prepared at the request of the Netherlands, and its funding was gratefully acknowledged.

14. **The President** said he took it that the Conference wished to approve the recommendations of the Coordinator on generic preventive measures.

15. *It was so decided.*

16. **The President** said that, to implement that decision, the secretariat would have to establish links between the Protocol V database and the available documentation (United Nations, Geneva International Centre for Humanitarian Demining and others). The coordinator who would be appointed to replace Mr. Mulder would organize open-ended consultations to identify how to make best use of existing theory and practice and to draw

up recommendations for further progress in the field of preventive technical measures. The meeting of experts would examine, in particular, the French proposal on that topic.

17. With the Coordinator on national reporting as Chairperson, the 2009 meeting of experts would consider how to change the reporting format of form G so that States had better guidance in submitting more consistent and detailed reports.

#### **Review of the status and operation of the Protocol** *(continued)*

18. **The President** drew attention to the issue of the universalization of the Protocol. He recalled that significant technical problems had slowed the process of accession, a number of States having been obliged to freeze their national accession procedures for almost two years until the issue of the official Chinese, French, Russian and Spanish language versions of the Protocol had been resolved. Now, the High Contracting Parties must spare no effort to promote wider accession to the instrument. The plan of action to promote the universality of the Convention and its Protocols had been adopted to that end. The fact that 13 new States had become parties to the Protocol in 2008 was very promising. He nevertheless suggested adopting, as part of the final document, a three-point recommendation that the Secretary-General, as depositary of Protocol V, and the President of the Conference, on behalf of the High Contracting Parties, should exercise their authority to achieve the goal of universality of Protocol V; that the President should consider reporting on his endeavours to the General Assembly at its sixty-fourth session; and that the High Contracting Parties should undertake efforts to promote wider accession to Protocol V in their respective regions.

19. Noting that there were no objections to that suggestion, he indicated that a text to that effect would be submitted for consideration and adoption at the following meeting.

#### **Consideration of matters pertaining to national implementation of the Protocol, including national reporting or updating on an annual basis** *(continued)*

20. **The President** said that a quick look at the Protocol V website had shown that most of the High Contracting Parties had met their reporting obligations promptly; some had even submitted their reports early. Ten High Contracting Parties had failed to meet the deadlines established at the First Conference in 2007. He appealed to those States to make an effort and submit their national reports as soon as possible.

#### **Preparation for review conferences**

21. **The President** said that he did not consider agenda item 12 to be relevant at the current juncture. Noting that no delegation wished to take the floor on items 11 or 12, he declared the consideration of the substantive agenda items to be concluded.

#### **Report(s) of any subsidiary organ(s)**

22. **The President** said that, as no subsidiary bodies had been established and the report on the work of the 2008 meeting of experts had been considered at length during the Conference, it did not seem necessary to take up the item.

#### **Other matters**

23. **The President** noted that no delegation wished to take the floor on the item.

*The meeting rose at 11.05 a.m.*