

**THIRD 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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Item 10 of the provisional agenda

Review of the status and operation of the Protocol

REPORT ON THE ARTICLE 4 GENERIC ELECTRONIC TEMPLATE

Submitted by the Coordinator¹ on National reporting, pursuant to Article 10 (2) (b) of the Protocol, and Article 4 Generic Electronic Template

1. The adequacy and the usefulness of the Article 4 generic electronic template as a tool for effective recording and retaining of information pertinent to the implementation of Article 4 of the Protocol was further considered during the 2009 Meeting of Experts of the High Contracting Parties to CCW Protocol V (22-24 April 2009). The Coordinator introduced the subject together with Discussion Paper 2 titled “Elements for Consideration on Article 4 Generic Electronic Template“. The participants benefited from contributions by the United Nations Mine Action Service (UNMAS) on “Recording, retaining and transmission of information” as well as by the International Committee of the Red Cross (ICRC).

2. The ensuing interventions by a number of delegations on the subject have led to the following preliminary findings:

- (a) Some High Contracting Parties to Protocol V shared information on their national systems, regulations and procedures for recording and retaining information pursuant to Article 4 of the Protocol;
- (b) Other High Contracting Parties to Protocol V advised of having introduced the Article 4 Generic Electronic Template as one of the possible tools into their national practice and of having reported this in their national reports;
- (c) A group of High Contracting Parties to Protocol V remained silent on the way they are implementing their obligations under Article 4.

¹ In accordance with the relevant decision of the Second Conference of the High Contracting Parties to Protocol V on Explosive Remnants of War, as contained in paragraph 46 (d) of its Final Document (CCW/P.V/CONF/2008/12) the discussions on National reporting, pursuant to Article 10 (2) (b) of the Protocol and on Article 4 Generic Electronic Template were coordinated by Mr. Henrik Markuš of Slovakia.

3. Consequently, the debate illustrated the highly complex and sensitive nature of the issue, which requires further attention by the High Contracting Parties and other relevant actors in this field. In order to make an immediate progress, the Coordinator has suggested including the thrust of the Discussion Paper 2 on the subject of the Article 4 Generic Electronic Template into the form B of the “**Guide to National Reporting under CCW Protocol V**” to be proposed for adoption by the Third Conference of the High Contracting Parties to Protocol V.

4. During the Meeting of Experts, one observer delegation transmitted on voluntary basis through the CCW Secretariat information pertaining to ERW under Article 4 of the Protocol. In this regard and pursuant to the recommendation by the First Conference that “in a case where another State has not been chosen, the United Nations would be the “mutually agreed third party” referred to in Article 4 (2) of Protocol V”², the issue of identifying the relevant structure of the United Nations that would serve as the focal point for collecting and transmitting information pursuant to Article 4 (2) was raised.

5. It is recommended that the Third Conference of the High Contracting Parties to Protocol V take a decision on the continuation of the work on the implementation of Article 4 within the Meeting of Experts which would include, *inter alia*:

- (a) Action taken by the High Contracting Parties to Protocol V that have not yet established relevant national systems, regulations and procedures for recording and retaining information pursuant to Article 4 of the Protocol; Discussion Paper 2 may continue to serve as a basis for informing on the actions taken in respect to Article 4 Generic Electronic Template as well as for providing their views, comments, suggestions, etc. on this issue.
- (b) Exchange of information on the national procedures and experience in the implementation by the High Contracting Parties to Protocol V of their obligations under Article 4;
- (c) Identification of the relevant UN structure that could serve as the focal point for collecting and transmitting information pursuant to Article 4 (2).

6. It is further recommended to keep under review the adequacy and the usefulness of the Article 4 generic electronic template as a tool for effective recording and retaining of information pertinent to the implementation of Article 4 of the Protocol.

² Paragraph 32 of the Final Document of the First Conference (CCW/P.V/CONF/2007/1).