
**Meeting of the High Contracting Parties 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 Friday, 26 November 2010, at 10 a.m.

Chairperson: Mr. Ganev(Bulgaria)

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The meeting was called to order at 10.35 a.m.

Plan of action to promote the universality of the Convention, including the implementation of the CCW Sponsorship Programme (CCW/MSP/2010/3 and 4)

1. **The Chairperson** drew attention to the report on promoting the universality of the Convention and its annexed Protocols (CCW/MSP/2010/4), which had been submitted by the Secretariat and reflected available information on efforts and initiatives undertaken over the past year to implement the plan of action to promote the universality of the Convention (CCW/CONF.III/11 (Part II), annex III).
2. As mandated, letters had been addressed to the Ministers for Foreign Affairs of States not party, inviting them to consider accession of their respective countries to the Convention and its Protocols. The letters had been co-signed by the Chairperson of the 2009 Meeting of the High Contracting Parties to the Convention, the President of the Eleventh Annual Conference of the High Contracting Parties to Amended Protocol II and the President of the Third Conference of the High Contracting Parties to Protocol V. Similar letters had been addressed to High Contracting Parties inviting them to review their participation in the CCW framework. Letters to Heads of State or Government of States not yet party had also been sent by the Secretary-General of the United Nations.
3. Promoting the universality of the Convention in African countries was particularly important. At its Fifteenth Ordinary Session, held on 27 July 2010, the Assembly of the African Union had called on all African States that had not yet done so to become parties to the Convention and its Protocols as soon as possible, endorsing the call by the African Union Summit for “massive” accession to those instruments.
4. **Mr. Van Donkersgoed** (Netherlands), speaking as Coordinator of the Steering Committee of the CCW Sponsorship Programme, introduced his report (CCW/MSP/2010/3), drawing attention to information on the background to and purposes of the Sponsorship Programme and on the role of its Steering Committee, set out in paragraphs 1 to 4 of the report.
5. On the basis of the Guidelines for the CCW Sponsorship Fund Administration, the Steering Committee had continued to consider a number of issues, notably relating to the operation of the Programme, including applicable procedures, criteria for sponsorship and its evaluation. Further details on the activities of the Sponsorship Programme and on the decisions taken by the Steering Committee were contained in paragraphs 6 to 13 of the report. A comprehensive report on those topics would be submitted to the Fourth Review Conference.
6. The report before the Meeting covered the period from 1 November 2009 to 31 October 2010. As at 31 October 2010, the total amount available in the Sponsorship Programme Fund was 191,600 Swiss francs. The breakdown of that amount was given in annex I, which contained the report by the Geneva International Centre for Humanitarian Demining (GICHD) on the administration of the Sponsorship Programme. A total of 28 delegates and experts had benefited from the Programme during the reporting period.
7. He wished to convey his gratitude to the Parties that had contributed so generously to the Sponsorship Programme, as listed in paragraph 15 of the report. With their financial support, the Programme was functioning well and had helped enhance cooperation, exchange of information and consultations among the Parties and States not party on many issues relating to universal observance of the principles enshrined in the Convention and its Protocols. He invited all Parties to consider supporting the Programme. A voluntary contribution allowed a donor country to become a member of the Steering Committee, thus enabling it to participate in shaping the Programme’s future activities.

8. **The Chairperson** welcomed the new Parties to the Convention, Antigua and Barbuda, the Dominican Republic and Qatar.

Mines other than anti-personnel mines

9. **The Chairperson** recalled that the 2009 Meeting had decided to keep the issue of mines other than anti-personnel mines (MOTAPMs) under consideration under the overall responsibility of the Chairperson-designate. On the basis of the consultations he had conducted, there appeared to be a general understanding that the issue should remain on the agenda of the Review Conference also. He invited delegations to state their views on the matter.

10. **Ms. Choighigh** (Ireland) said that following the Second Review Conference, successive groups of governmental experts had been entrusted with the task of examining problems arising from the use of MOTAPMs and of making recommendations that would minimize their humanitarian impact. The High Contracting Parties had heard overwhelming evidence of the damage such mines caused to human life and to social and economic activities. The majority of Parties had expressed the view that there was a need for an additional protocol to regulate their use. Concerns at the humanitarian impact of MOTAPMs had also been expressed by the International Committee of the Red Cross (ICRC), the Secretary-General of the United Nations and the United Nations Mine Action Team.

11. Since most casualties were due to mines laid outside perimeter-marked areas, in 2002 and 2004 her delegation had presented proposals to ensure that the use of persistent mines would be restricted to perimeter-marked areas and that, regardless of the method of delivery, only mines with a limited active life could be laid outside such areas. Those proposals and the proposal by the United States and Denmark on detectability and on the active life of remotely delivered mines had attracted wide support. The Irish proposals concerned the use of mines during armed conflict and did not seek to impose numerical technical specifications that might create difficulties for less developed States. They required only that all non-persistent mines laid outside perimeter-marked areas should be equipped with a self-deactivating feature, in addition to either a self-destruction or self-neutralization mechanism.

12. Much excellent work had been accomplished on MOTAPMs between 2002 and 2006 under the leadership of various coordinators. In that connection, her delegation believed that the paper submitted by Ambassador Reimma of Finland in 2005 would provide an appropriate basis for further work. It trusted that the Parties would take advantage of the forthcoming Review Conference to conclude and adopt without delay a legally binding protocol that would reduce the humanitarian damage caused by MOTAPMs.

13. **Mr. Hoffmann** (Germany) said that the Parties should consider whether the time had come to renew the negotiations towards establishing legally binding commitments on the detectability, active life and legal transfer of MOTAPMs. Such commitments would strengthen international humanitarian law by providing added value to the Convention's existing Protocols. Negotiations on a protocol on MOTAPMs could resume in 2011 and continue to be based on the mandate established in 2006 in document CCW/CONF.III/7/Add.2. Germany's national policy on MOTAPMs was based on the principle that all such mines used by the German Armed Forces must be detectable and equipped with a mechanism to ensure a limited active life. Furthermore, the same requirements of detectability and limitation of active life had to be met by any third States to which Germany transferred MOTAPMs.

14. **Mr. Quintanilla Román** (Cuba) said that Cuba fully shared the legitimate humanitarian concerns about the indiscriminate and irresponsible use of anti-personnel mines. Having been subject to a policy of hostility and aggression for five decades from a military super-Power, however, Cuba could not renounce the use of such weapons as they were needed for defence purposes. Cuba had therefore not become a party to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction.

15. For the same reason, Cuba opposed the adoption of a protocol on MOTAPMs or the creation of a mandate to negotiate an instrument that limited their use or established technical parameters that only developed countries could meet. In 2005, however, Cuba had submitted a proposal to prohibit States from deploying MOTAPMs beyond their own borders. Cuba would continue to support efforts to maintain the necessary balance between humanitarian and security concerns with a view to mitigating the terrible impact of mines on civilians and economies. All States in a position to do so should provide resources for assisting with demining activities and the social and economic rehabilitation of victims.

16. **Ms. Lendenmann** (Switzerland) said that MOTAPMs and anti-vehicle mines caused unnecessary and therefore unacceptable harm and remained a serious obstacle to post-conflict socio-economic development. Switzerland therefore welcomed the German proposal to bring the topic back into focus. The work on a protocol on such weapons had already come a long way, and Switzerland remained convinced that tangible results could be achieved within the CCW framework. The Fourth Review Conference might provide an ideal forum for considering future work on the issue of MOTAPMs.

Preparation for the Fourth Review Conference

17. The Chairperson said that the meeting would be suspended to allow informal consultations to be held on the Fourth Review Conference.

The meeting was suspended at 11.35 a.m. and resumed at 12.45 p.m.

18. **The Chairperson** said that the Meeting could not move ahead with agenda item 12 (Preparation for the Fourth Review Conference) because it was closely linked to the issue of the renewal of the mandate of the Group of Governmental Experts and that, despite extensive bilateral and multilateral consultations, no agreement had been reached on the latter topic. He had circulated informally in the meeting room a text reflecting the outcome of the consultations thus far. He suggested that the meeting should be adjourned to allow for further informal consultations on the basis of his text.

19. *It was so decided.*

The meeting rose at 12.50 p.m.