

# **Fifth 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, 9–10 November 2011**

## **Summary record of the 1st meeting**

Held at the Palais des Nations, Geneva, on Wednesday, 9 November 2011, at 10 a.m.

*Temporary President:* Mr. Woolcott (President of the Fourth Conference)

*President:* Mr. Khvostov ..... (Belarus)

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\* Items which the Conference has decided to consider together.

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Any corrections to the records of the meetings of this Conference will be consolidated in a single corrigendum, to be issued shortly after the end of the Conference.

*The meeting was called to order at 10.10 a.m.*

### **Opening of the Conference**

1. **The Temporary President**, speaking on behalf of the Secretary-General of the United Nations, declared open the Fifth 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. He said that it was gratifying to see that 76 countries had notified their consent to be bound by Protocol V. He called on those States that had not yet done so to consider such action as soon as possible and warmly welcomed Argentina, Brazil, Cameroon, Panama, Poland and Saint Vincent and the Grenadines, which had become Parties to the Convention after the previous Conference. Noting that the Convention offered many advantages for developing and developed countries, countries affected by explosive remnants of war and those not affected, he said that he looked forward greatly to the outcome of the Conference and trusted that States parties would make every effort to ensure that Protocol V remained a dynamic and forward looking instrument.

### **Confirmation of the President-designate**

2. **The Temporary President** recalled that, at the Fourth Conference of the High Contracting Parties to Protocol V, it had been decided to nominate Ambassador Mikhail Khvostov of Ukraine as President-designate of the Fifth Conference, as indicated in paragraph 47 of the final document of the Fourth Conference (CCW/P.V/CONF/2010/11). He took it that the Conference wished to confirm the nomination.

3. *It was so decided.*

4. *Mr. Khvostov (Ukraine) took the Chair.*

### **Adoption of the agenda**

5. **The President** drew attention to the provisional agenda for the Fifth Conference, contained in document CCW/P.V/CONF/2011/1. He took it that the Conference wished to adopt the provisional agenda.

6. *It was so decided.*

### **Confirmation of the rules of procedure**

7. **The President** recalled that the rules of procedure for conferences of the High Contracting Parties to Protocol V had been adopted at the First Conference on the recommendation of its Preparatory Committee, as indicated in paragraph 17 of the final document of the First Conference (CCW/P.V/CONF/2007/1). He took it that the Conference wished to confirm the rules of procedure.

8. *It was so decided.*

### **Appointment of the Secretary-General of the Conference**

9. **The President** said that rule 10 of the rules of procedure made provision for the nomination of the Secretary-General of the Conference. Mr. Bantan Nugroho, Chief of the Implementation Support Unit for the Convention, had been nominated by the Secretary-General of the United Nations to serve as Secretary-General of the Conference. He took it that the Conference wished to appoint Mr. Nugroho to that office.

10. *It was so decided.*

### **Organization of work including that of any subsidiary bodies of the Conference**

11. **The President** drew attention to the provisional programme of work (CCW/P.V/CONF/2011/2), which was intended to be flexible. He invited delegations to include in their statements under agenda item 9 (General exchange of views) any comments they might wish to make on the substantive items, including items 10 and 11. After the general exchange of views, each Coordinator would introduce a report on the meeting of experts held from 6 to 8 April 2011 and the resulting recommendations. At the end of each thematic discussion, for which the topics were — cooperation and assistance and requests for assistance; the web-based information system for Protocol V (WISP.V); clearance of explosive remnants of war and the recording and transmission of unexploded and abandoned ordnance; national reporting; generic preventive measures; and victim assistance — the approval of the Conference would be sought on the recommendations made in the relevant report. The recommendations, once approved, would be included in the final document of the Conference and would serve as a road map for the implementation of Protocol V in 2012.

12. In the absence of any comments, he would take it that the Conference wished to proceed according to the scenario he had outlined and to adopt the provisional programme of work.

13. *It was so decided.*

### **Election of other officers of the Conference**

14. **The President** said that there appeared to be agreement to elect Ambassador Gerard Corr of Ireland as Vice-President of the Fifth Conference. He took it that the Conference wished to confirm that nomination.

15. *It was so decided.*

16. **The President** said that in the absence of nominations, the second post of Vice-President had not been filled, leaving agenda item 7 unfinished. He proposed to revert to it later if a candidate should come forward, and if not, to apply rule 43 of the rules of procedure, which stated that the rules of procedure could be amended by decision of the Conference based on a recommendation from the officers of the Conference. He took it that the Conference wished to proceed in that manner.

17. *It was so decided.*

### **Adoption of arrangements for meeting the costs of the Conference**

18. The President recalled that the cost estimates for the Fifth Conference had been considered at the Fourth Conference and recommended for adoption, as indicated in paragraph 48 of the final document of the Fourth Conference (CCW/P.V/CONF/2010/11). He took it that the Conference wished to adopt those financial arrangements.

19. *It was so decided.*

### **Message from the Secretary-General of the United Nations**

20. **Mr. Tokayev** (Director-General of the United Nations Office at Geneva) read out a message from the Secretary-General of the United Nations.

21. In his message, the Secretary-General said that Protocol V, a centrepiece of the Convention on Certain Conventional Weapons, had broken new ground by requiring that once hostilities had ended, explosive remnants of war must be cleared and the civilian population protected. It was rooted in the understanding that while some conflicts might be unavoidable, the long-term suffering of civilians caused by explosive remnants of war was

not. Protocol V's greatest potential was to be found in article 4. The requirement set out therein, whereby information on the use of explosive ordnance or the abandonment of explosive ordnance must be recorded, retained and shared, could accelerate the work of clearance. That meant that, in the aftermath of a conflict, communities could more quickly reclaim their land, livelihoods and security.

22. The Secretary-General commended the innovative spirit of States parties, for example with respect to the web-based information system for Protocol V, and the work done to address the needs of States parties that had requested assistance and to promote best practices on victim assistance. Universalization would be crucial to strengthening adherence to and implementation of the norms set out in Protocol V. He urged all States parties to do their part in promoting Protocol V and assured them that the United Nations stood ready to support the implementation of that crucially important legal instrument. He wished them all the best in determining the road map for 2012.

### **General exchange of views**

#### **Review of the status and operation of the Protocol**

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

23. **Mr. Nimchynskyi** (Ukraine) said that despite all the progress made so far, much remained to be done to achieve the universality of Protocol V; he therefore urged all States that had not yet done so to consider ratifying or acceding to that instrument. Acknowledging the importance of national implementation to the fullest extent possible, which was still a challenge for many States, Ukraine called on States parties to comply with the guide to national reporting under Protocol V, annexed to the Convention on Certain Conventional Weapons (CCW/P.V/CONF/2009/4/Add.1 and Corr.1), and to consider the possibility of enhancing procedures for exchanging information. Clearance of explosive remnants of war, cooperation and assistance and requests for assistance were issues that Ukraine believed to be a priority for meetings of experts and conferences in the year to come.

24. As a country heavily affected by explosive remnants of war, Ukraine continued to grapple with the problems of obsolete ammunition, contamination and massive stockpiles inherited from the Soviet era. The Government of Ukraine was doing its utmost to lessen the threat through programmes on ensuring public safety, preventing illicit diversion of ammunition and explosives to fuel local or international conflicts, averting environmental contamination and clearing areas contaminated with explosive objects, activities in which Ukraine would be grateful for cooperation with international organizations. His delegation welcomed the efforts made by the United Nations Mine Action Service, one of the latest achievements of which was a technical visit to Ukraine by one of its experts, from 18 to 29 September 2011, aimed at elaborating further areas for technical cooperation.

25. **Mr. Woolcott** said that Australia welcomed the strong growth in the number of States parties to Protocol V, which now totalled 76. However, much remained to be done to achieve universalization. Australia had been active over the past year in promoting signature of the Protocol and would continue to do so, particularly in the underrepresented region of Asia and the Pacific.

26. The Australian Defence Force had revised its doctrine on explosive ordnance so as to incorporate the provisions of Protocol V. Australia remained committed to implementing generic preventive measures and maintained a robust ordnance management regime (ordnance stocks inspected and tested regularly). It was equally committed to fulfilling its obligations under Protocol V, including those in article 8 on cooperation and assistance.

Australia's Mine Action Strategy 2010–2014, budgeted at 100 million Australian dollars, had assisted in reducing the humanitarian suffering and socioeconomic impact of landmines, cluster munitions and other explosive remnants of war. Australia had recently delivered support to 15 countries in Africa, the Middle East and Asia and the Pacific. It also supported a number of countries in rehabilitating and reintegrating people with disabilities, including victims of explosive remnants of war, and worked in partnership with civil society to ensure that victims understood and exercised their right to greater inclusion in social and economic activities.

27. **Ms. Lendenmann** (Switzerland), referring to the meeting of experts held in April 2011, said that by illustrating the cross-cutting nature of Protocol V, it had laid the groundwork for in-depth discussions and significant results. Intensified coordination, together with transparency and a degree of discipline in the submission of reports, were decisive factors in securing tangible results. National reports constituted a primary resource for international cooperation and assistance in that they enabled the requests of States affected by explosive remnants of war to be much more effectively coordinated with the offers of donor States. They likewise facilitated the development of local capacity in a durable and direct manner. In that connection, Switzerland welcomed the implementation of the Guide to National Reporting (CCW/P.V/CONF/2009/4/Add.1 and Corr.1) and emphasized the importance of the plan of action on victim assistance (CCW/P.V/CONF/2008/12, annex IV), a cornerstone of the non-discriminatory, comprehensive and gender-blind approach. The guide for the implementation of part 3 of the technical annex (generic preventive measures) (CCW/P.V/CONF/2010/6/Add.1 and Corr.1) facilitated efforts aimed at minimizing the catastrophic humanitarian consequences of explosive remnants of war.

28. **Mr. Manirakiza** (Observer for Burundi), recalling that his country had signed the Convention on 10 October 2008, announced that on 4 November 2011, Burundi had notified the Secretary-General of the United Nations of its consent to be bound by Protocols II and V. He paid a tribute to the many efforts made by States parties to the Convention to achieve its objective and thanked them for their support in enabling Burundi to become a party to that instrument. Lastly, he urged participants in the Fifth Conference of the High Contracting Parties to Protocol V to provide Burundi with the cooperation and technical assistance required for the effective implementation of the Protocol.

29. **Mr. Benevides** (Brazil) said that Protocol V had entered into force for his country on 30 May 2011 and that Brazil was accordingly bound by all the protocols annexed to the Convention, something that attested to its firm commitment to international humanitarian law and to the protection of life and dignity in situations of armed conflict. While it was encouraging that six new States had ratified Protocol V over the past year, much remained to be done to achieve the universality of that instrument. Brazil was not affected by explosive remnants of war but was conscious of the grave humanitarian concerns they created after conflicts and of the need for generic preventive measures aimed at minimizing their emergence and for action in the affected areas.

30. His delegation welcomed the efforts being made to apply the decisions adopted at the Fourth Conference and considered the substantive discussions at the meeting of experts in April 2011 to have been extremely useful. Brazil endorsed the idea of pursuing, at a meeting of experts in 2012, the consideration of questions relating to clearance of explosive remnants of war; the recording and transmission of information on ordnance; generic preventive measures; victim assistance; cooperation and assistance, national reporting; and the web-based information system. In particular, Brazil encouraged all the High Contracting Parties to consider providing assistance in response to requests submitted under article 7 of the Protocol or to needs expressed through other means by States afflicted by explosive remnants of war. While cooperation among developing countries and States

affected by explosive remnants of war should be encouraged, it must not be viewed as a substitute for the active involvement of the developed countries that had the resources necessary to offer such assistance. Lastly, his delegation looked forward to the official launching of the web-based information system for Protocol V.

31. **Mr. Malov** (Russian Federation) said that his Government attached great importance to Protocol V, which made the Convention more applicable in practice, enhancing its status by demonstrating that new humanitarian challenges could be met. The result of a complex compromise and intensive debate, Protocol V could serve as a model for the elaboration of future agreements, even when participants had conflicting positions. It incorporated the underlying principles of the Convention, which struck a balance among humanitarian, military and economic imperatives. Its implementation was quite feasible in practice and, if done fully and in good faith, could help to resolve a range of humanitarian issues raised by explosive remnants of war, including those arising from the use of cluster munitions.

32. His Government complied fully with the provisions of Protocol V by deactivating tens of thousands of explosive remnants of war each year, organizing regular public awareness-raising campaigns, tightening up the legislative framework and carrying out a range of measures with respect to its Armed Forces. It stood ready to contribute to international demining and deactivation operations and the training of specialists. The Russian Federation's national report contained detailed information on the Protocol's implementation, including on some very important post-conflict measures and on activities aimed at ensuring appropriate handling of munitions.

33. The preparations for the Fourth Conference appeared satisfactory to his Government, which unreservedly supported the idea of having a permanent database on the implementation of Protocol V at the national level. It welcomed the results of the meeting of experts in 2011, including the recommendations developed, which would make a useful contribution to the writing of national reports and facilitate transparency in the implementation of the Protocol and its technical annex. Protocol V would play a growing role in the future, owing to the large number of regional conflicts. For that reason, his Government was in favour of its universalization and continuous reinforcement.

34. **Ms. Mehta** (India) said that India fully subscribed to the Convention on Certain Conventional Weapons and to the humanitarian principles that it enshrined. Ever since Protocol V had entered into force for India, it had been taking all the necessary steps to ensure its full implementation, as its national reports demonstrated. It was encouraging to see that the number of High Contracting Parties to the Protocol had grown to 76 and that the Protocol had entered into force for 6 new States in 2011 alone. Universalization must remain a priority in the years to come, as should the implementation of all the obligations set out in the Protocol. It was by pursuing its efforts in those two areas that the international community would succeed in counteracting the humanitarian impact of explosive remnants of war.

35. The meetings of experts held in 2009, 2010 and 2011 had given States parties a better understanding of various aspects of the implementation of the Protocol, including clearance, removal and destruction of explosive remnants of war, victim assistance, cooperation and assistance and requests for assistance, recording, retaining and transmission of information, national reporting and generic preventive measures. In the context of requests for assistance, she informed the Conference that in fulfilment of articles 7 and 8 of the Protocol, the Indian Government had decided to assist Belarus in the clearance of explosive remnants of war through the provision of equipment. She was grateful to the six Coordinators for having organized the discussions on important issues concerning the Protocol's implementation. The reports that they had submitted to the Fifth

Conference contained useful ideas for the future. The Implementation Support Unit for the Convention and the Protocols had also done an excellent job.

36. **Ms. Žunec Brandt** (Croatia) said that Croatia valued Protocol V very highly: her country was fully aware of the enormous challenges posed by explosive remnants of war in humanitarian terms and in respect of development when countries were attempting reconstruction after conflicts. Croatia had amassed and was still acquiring a great deal of experience in that area that it was prepared to share with the international community. She welcomed the six States that had recently become parties to Protocol V and looked forward to cooperating successfully with them in the work underway. Her delegation was prepared to continue helping to coordinate the work on victim assistance in 2012.

37. **Mr. Ponomarev** (Belarus) said that, thanks to the recommendations made by meetings of experts and adopted at the annual conferences of the High Contracting Parties, steady progress had been made in applying the provisions of Protocol V, attesting to the importance of that instrument in terms of international humanitarian law. While noting with satisfaction the signature of six States in 2011, he urged States parties to work tirelessly towards universalization of Protocol V, focusing their efforts on regions with low rates of signature and war-torn regions. Belarus, for its part, planned to advocate the Protocol to the members of the Commonwealth of Independent States.

38. Belarus was well acquainted with the problem of explosive remnants of war: millions of explosive remnants left in its territory, chiefly since the Second World War, continued to claim civilian victims every year. During the relevant thematic discussions, his country would describe the efforts it made domestically to overcome the problem. Belarus was especially aware of the fact that Protocol V was aimed not only at preventing the emplacement of explosive remnants of war in future but also at promoting cooperation and assistance in clearing ordnance that had become explosive before the instrument had entered into force. Cooperation based on the Protocol would only enhance its authoritative standing and facilitate its universalization.

39. **Mr. Jian** (China) noted with satisfaction that since Protocol V had entered into force in 2006, its universality had been growing and its implementation constantly progressing, owing to an increase in international exchanges and assistance and cooperation activities. Protocol V offered a practical framework to enable the international community to limit the use of certain weapons while improving its capacity to resolve the humanitarian problems caused by such weapons.

40. China itself was affected by the problem of explosive remnants of war and well understood the difficulties faced by other countries. It had always maintained that the international community must institute the “polluter pays” principle in order to facilitate the elimination of explosive remnants of war and induce countries to behave more responsibly and with greater restraint in the purchase and sale of the weapons involved. Clearly, explosive remnants of war created several problems that could not be overcome at once: sustained and long-term efforts would need to be made on all sides for that to be achieved. Protocol V had entered into force for China in December 2010, and his country planned henceforth to work alongside other parties to enhance the implementation of the Protocol’s provisions, to achieve its universalization and to solve the problems raised by explosive remnants of war.

41. **Mr. Bilal** (Pakistan) said that his country remained firmly committed to fulfilling all its obligations under Protocol V. It had participated actively in all the meetings held in connection with that instrument since its accession thereto and had submitted all the requisite reports, including the one for 2011. Pakistan had also contributed to the work of the Coordinator on victim assistance by replying to the questionnaire addressed to States parties.

42. Although there were no explosive remnants of war in Pakistan, the Government had taken steps to deal with any such problems: it had included in the standard operating procedures for its Armed Forces instructions that corresponded to Protocol V on the clearance, removal and destruction of explosive remnants of war, the recording and marking of all types of mines and ordnance and the storage and, where necessary, destruction of ordnance. The instructions also set out all the precautions to be taken so that explosive ordnance found on military bases and installations was correctly marked, guarded and monitored.

43. The Pakistani Armed Forces, for their part, had participated actively in demining operations in various parts of the world, including in Sudan; under the authority of the United Nations, they had provided technical assistance with the clearance of explosive remnants of war in Liberia, Darfur and Côte d'Ivoire.

44. **Mr. Pelaez** (Observer for Argentina) said that on 7 October 2010, Argentina had notified the Secretary-General of the United Nations of its consent to be bound by Protocol V, which would enter into force for it on 7 April 2012. Argentina would then be a party to all the Protocols annexed to the Convention on Certain Conventional Weapons. At the time of notification, his country had indicated that there were explosive remnants of war in Argentine territory in the Falkland Islands (Malvinas) that Argentina would be incapable of removing and destroying as long as it lacked access to the territory that was illegally occupied by the United Kingdom of Great Britain and Northern Ireland. At its twentieth session, the General Assembly of the United Nations had recognized that the Falkland Islands (Malvinas), South Georgia and South Sandwich Island were the subject of a dispute on sovereignty. Ever since, together with the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, the General Assembly had been urging the parties to the dispute to resume negotiations with a view to arriving at a peaceful and lasting solution.

45. His country had already implemented several provisions of Protocol V and the Minister for Defence and the army's chief of staff were developing guidelines for bringing the doctrine of the Argentine Armed Forces into conformity with the Protocol. Specifically, procedures were already in place with respect to the storage, transport and handling of ordnance. As early as in 2005, Argentina had submitted to the Group of Governmental Experts set up under the Convention a working paper outlining the measures it had adopted for the handling of outdated munitions, measures that were in full conformity with the provisions of article 9 of the Protocol and part 3 of the technical annex. Lastly, the Argentine Armed Forces were planning to train specialists in handling unexploded ordnance and had participated in United Nations peacekeeping operations by detailing for that purpose specialists in the problems posed by explosive remnants of war. Argentina remained committed to the purposes and principles of the Convention, in particular Protocol V, and hoped that that commitment would be emulated by other States parties to the Convention.

46. **Mr. Thammayongsa** (Observer for the Lao People's Democratic Republic) said that as a State heavily affected by explosive remnants of war, his country supported the Protocol. Currently in the final stages of completing domestic procedures for ratification, the Lao People's Democratic Republic expected to deposit its instrument of consent to be bound by the Protocol in the next few months. It looked forward to cooperating with others in the implementation of the Protocol.

47. **Mr. Henczel** (Observer for Poland) said that on 1 July 2011, the President of the Republic of Poland had ratified Protocol V on explosive remnants of war and that Poland had submitted its instrument of ratification to the Secretary-General of the United Nations on 26 September 2011. Protocol V would enter into force for Poland in March 2012.

48. **Mr. Spector** (United States of America) said that for many years, his country's humanitarian mine action assistance programmes had addressed both explosive remnants of war and landmines. The assistance had recently been expanded to include the destruction and security of excess and at-risk stockpiles of small arms and light weapons and conventional munitions. Since 1993, the United States had allocated more than US\$ 1.9 billion for conventional weapons destruction programmes in over 80 countries. In 2011, the Department of State had provided US\$ 142 million in assistance to 34 countries. An important element of such assistance was the Quick Reaction Force, a deployable team of conventional weapons destruction experts that worked in concert with United States embassies and host nations throughout the world to respond to critical risks posed by explosive remnants of war.

49. The United States had also provided substantial assistance to survivors around the world. All such assistance was needs-based: it was not predicated on the type of munition or its origin. His country was continuing to expand its public-private partnership programme. Its 61 partner organizations worked to raise awareness and resources for mine action. They educated civilians on the risks of explosive remnants of war and assisted survivors of accidents caused by explosive remnants of war and landmines with rehabilitation and reintegration into society. They also assisted in removing and destroying landmines and explosive remnants of war.

50. With regard to generic preventive measures, he said that the Department of Defense carried out a robust physical security and stockpile management programme for all national munitions that included regular surveillance to ensure effective weapons performance. The United States also offered advice to help States improve their stockpile management.

51. **Ms. Gebremariam** (Observer for Ethiopia) said that while Ethiopia was not yet a party to the Convention on Certain Conventional Weapons or to its Protocols, it supported their aims and was committed to international efforts to make the world safer and more stable, thereby creating a conducive environment for development.

52. In 2004, Ethiopia had demonstrated that commitment by ratifying the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction. It had been complying with its provisions through the Ethiopian Mine Action Office. The task of destroying and stockpiling anti-personnel landmines had been successfully completed before the 2009 deadline. Landmine clearance and mine risk education activities were being implemented vigorously in order to meet the deadline of 2015. In the context of the Nairobi Protocol for the Prevention, Control and Reduction of Small Arms and Light Weapons in the Great Lakes Region and the Horn of Africa, Ethiopia had destroyed thousands of illegal small arms. Lastly, the Ministry of Labour and Social Affairs was implementing a national plan of action for people with disabilities, including victims of anti-personnel landmines.

53. **Mr. Laurie** (United Nations Mine Action Team) said that the United Nations Mine Action Team supported the recommendations by the Coordinators on continued intersessional work by the parties to Protocol V in 2012, including with a view to strengthening a culture of reporting and recording of the use and abandonment of explosive ordnance. The United Nations continued to accord particular attention to the need to develop a solid national practice of recording the use and abandonment of explosive ordnance. It urged all High Contracting Parties, in particular those that had been involved in armed conflict, to comply with their obligations under article 4. The United Nations also reiterated its commitment to facilitating the implementation of the Protocol's obligations. Members of the United Nations Mine Action Team, including the United Nations Mine Action Service, the United Nations Development Programme (UNDP) and the United Nations Children's Fund (UNICEF), remained ready to support States parties in need of assistance.

54. **Mr. Maresca** (International Committee of the Red Cross (ICRC)) said that ICRC welcomed the ongoing focus on victim assistance and the engagement with assistance specialists and survivors of explosive remnants of war. The discussion in the Group of Governmental Experts had highlighted the synergies and benefits of closer coordination of the work under Protocol V and other instruments in the area of victim assistance. The extension of the plan of action on victim assistance under Protocol V to other instruments under the Convention, in particular amended Protocol II, would be welcome recognition of the needs of mine victims.

55. According to one analysis, although a range of large and small States had taken steps to fully meet their obligations under article 4 of Protocol V and part 1 of the technical annex, much remained to be done. ICRC noted with satisfaction the work done on that issue at the meeting of experts, welcomed the sharing by States parties of information on their implementation methodologies and encouraged them to carry out the provisions of article 4 and part 1 of the technical annex as a matter of urgency. ICRC welcomed the fact that the proportion of High Contracting Parties that submitted annual reports had increased.

56. The framework for assistance and cooperation offered by Protocol V remained one of the strengths of that instrument. More than 30 States parties had provided assistance to parties affected by explosive remnants of war. Much attention had been paid in recent years to the specific humanitarian problems caused by cluster munitions. However, it was important not to lose sight of the fact that in many ways, the problem of cluster munitions was merely part of the broader problem of explosive remnants of war, which was comprehensively addressed in Protocol V.

57. **Mr. de Carvalho** (Guinea-Bissau) said that in 2008, Guinea-Bissau had ratified the Convention and all five Protocols annexed to it. Clearance activities had started in the country in 2001. In 2010, all military facilities had been visited in order to identify munitions in bad condition. Their destruction was planned for 2012, with the support of the United Nations Mine Action Service. Guinea-Bissau thanked the Service, UNDP, Australia, the United States, Germany, Turkey and Norway for their technical and financial support.

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

##### *Thematic discussion on cooperation and assistance and on requests for assistance (CCW/P.V/CONF/2011/4)*

58. **The President** invited Mr. O'Shea, Coordinator on cooperation and assistance and requests for assistance, to introduce his report, contained in document CCW/P.V/CONF/2011/4.

59. **Mr. O'Shea** (Coordinator on cooperation and assistance and requests for assistance), highlighting some of the main points contained in his report, said that a great many activities were under way in the area of cooperation and assistance. The assistance took many forms, the providers of assistance were many and varied, cooperation among countries providing assistance could maximize its effect and national capacity-building could form an important part of cooperation and assistance activities. It might be worthwhile to explore further the benefits of various types of cooperation, for example among States affected by explosive remnants of war; among developing States; among providers of assistance in general, including international organizations; and triangular cooperation. In any event, practically every State was in a position to engage in international cooperation and to provide assistance in one form or other. All States should consider their possibilities in that regard.

60. Three States had recently submitted requests for assistance under the Protocol and had provided updates to the meeting of experts held in April 2011. In addition, India had decided to provide assistance to Belarus at the latter's request.

61. He recommended that: cooperation and assistance and requests for assistance should continue to be given priority; particular attention should be paid in 2012 to the potential for cooperation among developing countries, States affected by explosive remnants of war and providers of assistance; the provision of assistance should be promoted in general; and States that had submitted requests for assistance should be encouraged to continue to provide regular updates on the status of those requests.

62. **Mr. Voinov** (Belarus) said that his country had established cooperation with a number of countries in identifying and destroying explosive ordnance. Since 2010, representatives of the Belarusian Armed Forces had been able to visit demining facilities in the Russian Federation. In August 2011, at the invitation of Poland, Belarusian experts had gone to demining centres in that country. In October 2011, a visit to a centre in Ukraine had been organized. All those visits had provided an understanding of the various methods used to neutralize explosive ordnance. Such valuable assistance would be helpful in setting standards for and in increasing the efficacy of demining operations in Belarus. In May 2010, Belarus had posted a request for assistance on the Internet. In October 2011, it had been officially informed that India was prepared to furnish it with technical assistance, and the relevant plans had already been made.

63. **Ms. Wazir** (United States of America) said that the Mine Action Support Group, established in 1998, endeavoured to coordinate the mine action programmes of the world's major donor States, to set priorities among those programmes and to increase donor support for mine action where it was most needed. The Group currently comprised 28 donors, and certain international organizations had participated in its activities. The Group met once a year, either in New York or in Geneva.

64. **Mr. Nimchynskyi** (Ukraine) said that the Ukrainian Ministry for Emergency Situations carried out demining activities and participated actively in international efforts in that field. Such efforts were mobilized with the support of the Organization for Security and Cooperation in Europe (OSCE) and the United Nations Mine Action Service. In Ukraine, demining called for major material resources and could not be undertaken without assistance.

65. **Mr. Zvekič** (Observer for Serbia), providing an update, said that in areas affected by the military operations in 1999 of the North Atlantic Treaty Organization (NATO), nine projects had been carried out, financed by donations of the United States, Norway and Ireland through the International Trust Fund for Demining and Mine Victims Assistance. Approximately 1.5 million square metres of land had been cleared and 50 cluster munitions and 23 other explosive remnants of war had been found and destroyed. Another project, financed by Serbia, had enabled an unexploded aerial bomb, type Mk-84, weight one tonne, to be discovered in the outskirts of Kragujevac, near the main entrance to the Fiat car factory. Two other projects, financed by the Russian Federation, had allowed 500,000 square metres to be cleared and 374 items of unexploded ordnance to be destroyed, including aircraft bombs weighing 50 kilos dating from the Second World War. According to civilian reports, 1,248 items of unexploded ordnance, 576 initiators and detonators, 2,190 items of small arms ammunition and 27 kilograms of explosives had been found and destroyed through operations carried out by specialized teams of the Ministry of the Interior's Department for Emergency Situations. Serbia's priorities for demining and clearance of explosive remnants of war remained the same in 2012 as in 2011, and on behalf of his Government, he thanked the donor countries for the assistance they had provided.

66. **Mr. Dewaegheneire** (Belgium) said that in its efforts to help countries affected by the explosive remnants of war, his country had always viewed alleviating the suffering inflicted on human beings, a cornerstone of the Protocol, as having top priority – a priority

reflected in the projects mentioned in Belgium's national report, which were chiefly geared to the development of national capacity and assistance to victims.

67. For several years, the Belgian Armed Forces had been furnishing experience and know-how, providing practical assistance to countries affected by explosive remnants of war. In five years, 13,000 items of ordnance had been destroyed through demining operations in southern Lebanon; military demining staff was currently deployed in Afghanistan; and the Belgian demining team providing technical assistance in Cambodia had facilitated the translation into the Khmer language of a demining manual.

68. Belgium also financed projects carried out by third parties, such as one organized by the mine action group to help an Afghan NGO, the Organization for Mine Clearance and Afghan Rehabilitation, to become more self-sufficient. Belgium also financed a number of bilateral and multilateral projects for victims' assistance. Handicap International Belgique was endeavouring to help the Colombian Government improve its ability to care for civilian victims of anti-personnel mines; the Belgian Ministry of Foreign Affairs had funded a study on the evolution over time of assistance to victims and the progress made; in the run-up to the Second Review Conference of the Ottawa Convention Banning Anti-Personnel Landmines, Belgium had supported a project of the International Campaign to Ban Land Mines intended to prevent accidents caused by landmines and cluster munitions.

69. Lastly, Belgium had helped to finance two risk awareness projects carried out by the mine action group in Cambodia and Colombia, respectively. It had made a substantial voluntary contribution to ICRC for mine action and had contributed to international scientific research projects, the Royal Military Academy having taken part in several programmes dealing primarily with satellite reconnaissance of contaminated areas.

70. **Ms. Luts** (Estonia), giving a PowerPoint presentation on a project to enhance national capacity for clearance of explosive remnants of war and related rehabilitation efforts, said that the project was being financed by a trust fund under a NATO Partnership for Peace in which the Czech Republic, Lithuania and Estonia were participating. It was being carried out in Georgia, which had suffered over 400 serious casualties from unexploded ordnance.

71. The project, currently budgeted at 1.8 million euros, had started on 21 October 2010, following a request to NATO from Georgia in August 2008. It focused on the training of local personnel and the provision of equipment to enable Georgia to conduct humanitarian demining, battle area clearance and large-scale ordnance disposal as part of international operations. It was also intended to provide assistance to military personnel and civilians wounded by explosive remnants of war.

72. As part of the project, some 66 soldiers from the Georgian military engineering brigade had undergone a course on demining techniques and neutralization of explosives and ordnance at the Azerbaijan National Agency for Mine Action (ANAMA) and in Tbilisi. Due to delays in equipment procurement and delivery, the mentoring phase was likely to be extended through 2012. In addition to such work on unexploded ordnance disposal, a physical rehabilitation centre with a capacity of 50 patients was being set up within the Gori Military Hospital. The initial medical equipment deliveries had been carried out and training was to be provided for medical staff.

73. Lastly, she said that despite the initial delays, the project had been a success and was expected to be completed in early 2012. Some additional funding of around 500,000 euros would be needed for that purpose.

74. **Mr. Kimpton** (Australia), noting that international cooperation and assistance was central to the fulfilment of Protocol V's objectives, said that Australia was committed to working, together with its partners, in States affected by explosive remnants of war to clear

land, assist survivors and build national capacities. Its assistance projects were outlined in its national report.

75. Australia's experience had shown that the impact of assistance could be maximized by taking a long-term, integrated and comprehensive approach to mine action, risk education and victim assistance, thereby removing the impediments to development inflicted on communities by explosive remnants of war. Helping countries to develop their own well-coordinated and well-managed mine action programmes likewise improved the effectiveness and sustainability of the assistance. Lastly, an approach inclusive of age and gender considerations and comprehensively covering victims and persons with disabilities improved outcomes for all affected community members.

76. As a donor country, Australia encouraged affected States to utilize all available methods for the clearance of explosive remnants of war in order rapidly, and with a reasonable degree of confidence, to release areas suspected of being contaminated. Through multi-year funding, Australia had been able to enhance the predictability and flexibility of the support it provided and to reduce administrative burdens and costs. It urged all its partners to consider doing likewise.

77. The effective mobilization and coordination of international assistance was an ongoing challenge for the mine action community. Many benefits flowed from more coordinated activities, including more effective matching and channelling of resources and the development of analytical and innovative approaches to mine action. His country had found that coordination efforts were most effective at the country level, and to that end, it would continue to support nationally owned and coordinated mine action programmes. At the global level, Australia saw an opportunity for more strategic partnerships within the donor community that would better assist States to advance their mine action priorities.

78. Australia welcomed the recommendations made by the Coordinator (CCW/P.V/CONF/2011/4, para. 19), especially recommendation (b), which highlighted the importance of cooperation among providers of assistance. As the incoming Chair of the Mine Action Support Group, Australia wished to encourage cooperation and coordination among donors at the international level and close cooperation with affected States.

79. More generally, his country welcomed the information provided in the Coordinator's report on the numerous cooperation and assistance activities being carried out. Such activities played a key role in the universalization of Protocol V: by joining the Protocol, States that currently found that clearing their territory of explosive remnants of war was costly and difficult could benefit from articles 7 and 8 on cooperation and assistance.

80. **Mr. Brady** (Mine Action Support Group (MASG)), giving a PowerPoint demonstration on the role of the United Nations Mine Action Team, with particular reference to clearance of explosive remnants of war, said that the Team consisted of participants from various United Nations departments, programmes, funds and agencies, principal among which were UNDP, UNICEF, the Office for the Coordination of Humanitarian Affairs (OCHA), the Office of the United Nations High Commissioner for Refugees (UNHCR), the World Food Programme (WFP) and the United Nations Office for Disarmament Affairs.

81. United Nations mine action activities were grounded in several General Assembly resolutions on assistance in mine action and recent resolutions on problems arising from the accumulation of conventional ammunition stockpiles; United Nations policy and inter-agency mine action strategy; and the International Mine Actions Standards (IMAS). They were also informed by the relevant international instruments, such as the Convention on Cluster Munitions, the Anti-Personnel Mine Ban Convention, the Convention on Certain Conventional Weapons, particularly Protocol V and amended Protocol II, and the Convention on the Rights of Persons with Disabilities.

82. Turning to the financing of mine action, he said that as indicated in the Secretary-General's report for 2011 on assistance in mine action, from August 2009 to July 2011, contributions to the United Nations Voluntary Trust Fund for Assistance in Mine Action had totalled US\$ 172 million, benefiting 21 affected States and regions. Funds allocated to peacekeeping activities for the period from July 2009 to June 2011 had exceeded US\$ 161 million. Contributions to the UNDP Thematic Trust Fund for Crisis Prevention and Recovery from 2009 to 2010, totalling US\$ 80 million, had underpinned 29 national mine action programmes. In the same period, over US\$ 25 million had been allocated to UNICEF for mine action support in several countries and regions.

83. Requests for assistance could be submitted through the senior official of the United Nations in the country concerned or through its Permanent Mission to the United Nations. States parties to Protocol V could also submit requests for international assistance and cooperation according to the format recommended by the Second Conference of High Contracting Parties. Lastly, pursuant to articles 4, 7, and 8 of the Protocol, the United Nations Mine Action Team stood ready to support affected States parties, particularly with respect to the transmission of data on unexploded and abandoned ordnance. In that connection, he thanked NATO for having announced that it would soon provide information on the operations it had carried out pursuant to the Security Council resolution on Libya.

84. **Mr. O'Shea** (Ireland), speaking as Coordinator, emphasized that cooperation, not assistance, was the focus of activities under the Protocol and that it was up to the High Contracting Parties to work jointly towards the achievement of the Protocol's objectives. He thanked all States represented at the Conference for their constructive commitment and spirit of cooperation.

85. **The President** said that if he heard no objection, he would take it that the Conference wished to endorse the recommendations set out in paragraph 19 of the report of the Coordinator (CCW/P.V/CONF/2011/4).

86. *It was so decided.*

*The meeting rose at 12.50 p.m.*