

**Sixth 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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Summary record of the 3rd meeting

Held at the Palais des Nations, Geneva, on Tuesday, 13 November 2012, at 10 a.m.

President: Mr. Akram (Pakistan)

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The meeting was called to order at 10.15 a.m.

Report(s) of any subsidiary organ(s) (continued)

Thematic discussion on victim assistance (continued) (CCW/P.V/CONF/2012/6 and Amend.1)

1. **The President** suggested that the Conference should adopt the following subparagraphs of the recommendations, as reworded in the light of the consultations held the previous day: “(e) For High Contracting Parties to continue to promote the Plan of Action on Victim Assistance in the wider CCW community; (f) For High Contracting Parties to informally exchange, if appropriate, experiences and practices of Protocol V with regard to victim assistance with relevant international legal instruments.”

2. *It was so decided.*

Thematic discussion on generic preventive measures (CCW/P.V/CONF/2012/3)

3. **Mr. Amadei** (Italy), speaking as the Coordinator on generic preventive measures, introduced the report that he had prepared on the subject, outlining the essential points contained in the introduction and in paragraphs 4 to 9 of the report, as well as the conclusions set out in paragraph 18 and the recommendations presented in paragraph 19. He welcomed the contributions made by Argentina, Brazil, the Democratic Republic of the Congo, Guatemala, Montenegro, Romania and Switzerland to the meeting of experts held in April 2012 (paras. 10 to 16 of the report) on the specific issue of the safety of storage facilities for explosive ammunition. Thus far, 39 High Contracting Parties had used reporting form G to provide notification that they had taken measures to implement article 9 of the Protocol. All the delegations might wish to consider which theme relating to the generic preventive measures set out in section 3 of the technical annex to Protocol V they would like to discuss in 2013 and to inform him of their preferences.

4. **Ms. Loose** (Implementation Support Unit for the Convention) introduced the section devoted to generic preventive measures, which was available on the website of the United Nations Office at Geneva and was constantly being expanded.

5. **Mr. Loughran** (Mines Advisory Group) said that he welcomed the fact that the security and safety of ammunition storage facilities had been included as a theme for discussion under Protocol V. The explosion of an ammunition storage facility in Brazzaville in March 2012 was a tragic illustration of the impact that such accidents could have, not only in terms of human security but also on infrastructure and livelihoods, not to mention the high cost of the complex clearance and reconstruction programmes required in their aftermath. Hence the need for States, specialized NGOs and international organizations to cooperate closely to provide a swift response at a reasonable cost and for States to increase the funding provided for the destruction of surplus or degraded ammunition and improvements in the safety of storage facilities.

6. **Ms. Marcaillou** (United Nations Mine Action Service) said that since the deployment of a team in Libya in 2011, the United Nations Mine Action Service had located and removed more than 330,000 explosive remnants of war and had enabled 123 schools to reopen just three months after the end of the conflict in that country. One case that illustrated the importance of maintaining secure ammunition storage areas was the looting by the local population of ammunition and scrap metal in the 440 storage facilities hit by the North Atlantic Treaty Organization (NATO) strikes. The proliferation of weapons associated with looting, including in the Sahel region, was a cause of concern. The Mine Action Service had also taken action in Côte d’Ivoire, where it had refurbished 3 very large ammunition storage facilities and 47 weapons and ammunition arsenals, and in the Democratic Republic of the Congo, where it had built a large ammunition arsenal in the

capital city. The persons involved in all those operations had applied the international ammunition technical guidelines and had encouraged the national authorities to follow them as well.

7. **The President** suggested that the Conference should adopt the recommendations contained in paragraph 19 of the report under consideration.

8. *It was so decided.*

Thematic discussion on the clearance, removal or destruction of explosive remnants of war and the article 4 generic electronic template (CCW/P.V/CONF/2012/5)

9. **Mr. Elias** (Germany), speaking as the Coordinator on clearance, removal or destruction of explosive remnants of war under Protocol V and the article 4 generic electronic template, introducing the report that he had prepared on the issue (CCW/P.V/CONF/2012/5), said that, in order to significantly improve the effectiveness of operations to remove explosive remnants of war, the various entities involved must work closely together. Leadership structures in the field must be clearly outlined, a quality control system must be set up, and the relevant national authority must supervise the various stages of the process. Recalling the recommendations contained in subparagraphs (a) and (b) of his report, he added that it was important to look at how progress in the removal of explosive remnants of war was assessed and to consider concentrating in the future on the relevant plans and policies of the countries concerned.

10. With regard to article 4, it should be noted that during many past conflicts, no information had been provided on the locations that had been bombarded or the weapons used, which had forced those responsible for the removal of remnants to conduct complex and costly surveillance operations. According to the data available to the Implementation Support Unit, only 19 High Contracting Parties were implementing article 4. It was therefore clearly necessary for the Parties to redouble their efforts to implement that article, which was designed to facilitate mine clearance. In that regard, reference should be made to the recommendations presented in paragraph 18, subparagraphs (c) and (d), of his report.

11. **Mr. Bolton** (United States of America), outlining the procedures and systems established by the United States to record information on the use and abandonment of explosive ordnance during conflicts, said that, while the primary consideration when planning where to place obstacles on the ground was the accomplishment of a military mission, consideration must also be given to the observance of international law, the operations that must be carried out to remove the obstacles once hostilities had ended, and the impact of the presence of those obstacles on civilians and the environment. A database covering the entire conflict zone was kept up to date so that American Armed Forces, multinational forces and governmental and non-governmental organizations could be informed about the various explosive devices that were known to be located or likely to be located in a given area. Methods for signing, recording and marking minefields should be consistent and well-understood. Operations in Iraq had shown that it was extremely important to continuously track explosive hazards and to establish a system for reporting those data on a daily basis to subordinate commands. During those operations, the objective of data collection had been to enter information on the minefields in a database for analysis and transmission to the relevant parties. The armed forces present on the ground also had access to a daily report that enabled them to locate members of NGOs carrying out humanitarian operations. In Afghanistan, the lessons learned in Iraq and the changing risk landscape had been taken into account, and new database systems had been established.

12. The main challenges in the implementation of article 4 involved the interoperability of communication systems, the rapid and timely declassification of information on the location of hazards, the chain of command in joint operations, the development of what was

known as a common operational picture and the increase in the number of improvised explosive devices.

13. **Mr. Maresca** (International Committee of the Red Cross) said that a meeting had been held very recently on article 4 during which a group of experts had considered technical and practical aspects of its implementation, particularly those relating to the technical annex to Protocol V and the generic electronic template. The experts agreed that, in order to fully implement article 4, tools and procedures must be in place before the emergence of a conflict and that the technical annex contained important information about what data should be recorded. Many countries already recorded some information, but the level of detail varied considerably from one country to another. The electronic template was certainly a valuable tool, but it should be updated to take account of technological developments. The States parties should closely cooperate and coordinate their efforts with the mine action community and should transmit information on explosive devices as quickly as possible.

14. **Mr. Singh Gill** (India), supported by **Mr. Petrosyan** (Russian Federation), said that India approved of the report under consideration and the recommendations contained therein, except for the one set out in subparagraph (d), which should place more emphasis on each Party's obligations and which he therefore proposed should be reworded to read: "To further encourage High Contracting Parties to give effect to their individual obligations to record, retain and transmit information on the use or abandonment of explosive ordnance, including when participating in coalitions or alliances."

15. **Mr. Elias** (Germany) speaking as the Coordinator on clearance, removal or destruction of explosive remnants of war under Protocol V and the article 4 generic electronic template, took note of the request to include the new wording proposed by the representative of India and said that he would arrange informal consultations with India and the Russian Federation, among others, to discuss a suitable way of wording the recommendation.

16. **Mr. Osipchik** (Belarus) said that the Belarusian authorities were concerned by the fact that more and more former theatres of hostilities were being illegally searched by persons seeking to retrieve explosive remnants of war. There was a risk that those weapons and ammunition would be illegally traded and used for purposes of terrorism. Belarus had amended its Code of Administrative Offences to include a ban on searches of former conflict zones by any unauthorized person. That ban constituted an important preventive measure.

17. **Mr. Thammavongsasa** (Lao People's Democratic Republic) said that a number of NGOs and commercial enterprises were currently engaged in mine clearance and the removal of explosive remnants of war in the Lao People's Democratic Republic. Between 1996 and August 2012, 31,000 hectares of land had been made free from explosives. Various techniques to speed up the removal of explosive remnants of war were being explored and tested. His delegation called upon States that were in a position to do so to consider providing the Lao People's Democratic Republic with additional assistance in that area.

18. **Mr. Jolly** (Australia) said that Australia strove to provide information in accordance with the requirements set out in the technical annex, but that the transfer of information was delayed by the information system architecture. Australia supported efforts to develop an open architecture for the rapid transfer of information on explosive hazards and explosive remnants of war. Australia had provided assistance with the clearance, removal and destruction of explosive remnants of war in several States (including the Solomon Islands, Papua New Guinea, Vanuatu, Nauru and Kiribati) and had organized activities to raise awareness about explosive hazards in Thailand. The Australian Defence Force had also

provided training courses on explosive ordnance for Papua New Guinea, New Zealand and Malaysia. The Government intended to continue to offer such technical assistance and training to affected countries.

19. **Ms. Al Laoudhai** (Observer for Yemen) said that the National Mine Clearance Programme had detected and removed a large number of explosive remnants of war in Yemen. Hundreds of thousands of hectares of land had been declared free of mines and explosive remnants of war. Yemen currently had to deal with extremist groups that engaged in terrorist activities on its soil and made use of explosive ordnance and explosive remnants of war. In order to tackle that challenge, the Government needed support from the international community, particularly technical and financial assistance.

20. **Mr. Elias** (Germany) suggested that the Yemeni delegation should hold a bilateral meeting with the Coordinator on cooperation and assistance and requests for assistance to inform that Coordinator about the country's specific needs.

21. **The President** said he took it that the Conference wished to adopt the Coordinator's recommendations as set out in paragraph 18, subparagraphs (a) to (c) of the report.

22. *It was so decided.*

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

23. **The President** suggested that, in accordance with established practice, a paragraph should be included in the final document in which the following recommendations would be made: firstly, that the Secretary-General of the United Nations, in his capacity as depositary of Protocol V, and the President of the Seventh Conference, on behalf of the High Contracting Parties, should strive to promote the goal of universality of Protocol V; secondly, that the President of the Seventh Conference should report to the United Nations General Assembly at its sixty-eighth session on his endeavours; thirdly, that the High Contracting Parties should seek, through their regional and bilateral contacts, to promote wider accession to Protocol V; and, fourthly, that the Implementation Support Unit should assist the President of the Conference and the High Contracting Parties in that regard.

24. *It was so decided.*

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

25. **The President** recalled that the delegations had had the opportunity to express their views on that point during the general exchange of views, and he took it that there was no need to dwell on that agenda item.

26. *It was so decided.*

Preparation for review conferences

27. **The President** said that, since there was no review conference scheduled for the current year, it was not necessary to take up that agenda item.

Other matters

28. **The President** noted that no delegation wished to speak under agenda item 14.

The meeting rose at 12.10 p.m.