
**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**

29 November 2012

Original: English

Geneva, 15–16 November 2012

Summary record of the 4th meeting

Held at the Palais des Nations, Geneva, on Friday, 16 November 2012, at 3 p.m.

Chairperson: Mr. Domingo (Philippines)

Contents

Consideration and adoption of the final document

Closure of the Meeting

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Editing Unit, room E.4108, Palais des Nations, Geneva.

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 5 p.m.

Consideration and adoption of the final document (CCW/MSP/2012/CRP.1; and Rev. 1 and 2; non-papers circulated in the meeting room in English only)

1. **The Chairperson** drew attention to the draft final report of the Meeting (CCW/MSP/2012/CRP.1) and to the two non-papers containing paragraphs 35 and 35 bis, all of which were available in English only, and invited participants to consider and adopt them chapter by chapter or, as necessary, paragraph by paragraph, before adopting the draft final report as a whole.

Chapter I (Introduction)

Paragraphs 1–7

2. *Paragraphs 1 to 7 were adopted.*

Chapter II (Organization of the Meeting of the High Contracting Parties)

Paragraphs 8–14

3. **Mr. Duarte** (Portugal) said that his country's name should be added, as it had participated in the work of the Meeting.

4. *Paragraphs 8 to 14, as amended, were adopted.*

Chapters III (Work of the Meeting of the High Contracting Parties) and IV (Conclusions and recommendations)

Paragraphs 15–38

5. **Mr. Hoffmann** (Germany) said that Germany should be added to the list in paragraph 23 of countries which had submitted national annual reports on compliance.

6. **Mr. Grinevich** (Belarus) said that the main body of text contained no references to the provisional agenda of the 2013 Meeting of the High Contracting Parties, referred to in annex I.

7. **Mr. Simon-Michel** (France), supported by **Mr. Townley** (United States of America), observed that some paragraphs currently figuring in chapter IV, entitled Conclusions and recommendations, should be moved to chapter III since they involved statements of facts rather than conclusions or recommendations.

8. **Ms. Loose** (Implementation Support Unit) invited the Meeting to discuss whether the following paragraphs should be moved from chapter IV to chapter III: paragraphs 25, 27, 28, 29, 30 and 31.

9. **Mr. Benítez Verson** (Cuba) warned that it was unclear what criteria were being used to select the paragraphs to move. For example, paragraphs 25 and 27 should be placed in the same chapter, as they both expressed the Meeting's appreciation for reports. In the interest of consistency, he proposed moving paragraph 34 to chapter III as well, as it too expressed the Meeting's appreciation for a report.

10. **Ms. Fogante** (Argentina) proposed keeping the report in its original format since, as in previous years, each paragraph in chapter IV could be understood to refer to a potential action which the Meeting should take.

11. **Mr. Simon-Michel** (France), supported by **Mr. Townley** (United States of America), said that any paragraphs which related the positions of some, but not all,

delegations were out of place in a section entitled conclusions and recommendations. He therefore proposed that paragraphs 30 and 31 should be moved to chapter III.

12. **Mr. Masmejean** (Switzerland) proposed that paragraph 15 bis of document CCW/AP.II/CONF.14/CRP.1/Rev.2, on the participation of NGOs, should appear *mutatis mutandis* in chapter III, and not in chapter IV. The same text had been placed in chapter III of the final document of the Fourteenth Annual Conference of the High Contracting Parties to Amended Protocol II.

13. **Ms. Mehta** (India), supported by **Ms. Kasnakli** (Turkey), proposed, on the model of the final document adopted earlier in the week for amended Protocol II, also adding a paragraph to chapter IV specifying that action would be taken in relation to the newly-inserted paragraph 15 bis.

14. **The Chairperson** said that he took it that the Meeting wished for paragraphs 30, 31 and 35 bis to be moved from chapter IV to chapter III.

15. **Mr. Benítez Verson** (Cuba), supported by **Mr. Grinevich** (Belarus), said that if paragraph 34 remained in chapter IV, the word “welcomed” should be replaced by “took note”, to follow the practice of previous final documents.

16. **Mr. Simon-Michel** (France) said that it would be a discourtesy to the author of the report merely to take note of the report. He proposed “took note with satisfaction”.

17. **Mr. Benítez Verson** (Cuba) said that although his delegation would prefer to keep paragraphs 30 and 31 in chapter IV, it was flexible on the matter. Its priority was to ensure that the chapter was consistent and balanced as a whole. In the same vein, he would accept paragraph 34 in either chapter, but if it remained in chapter IV, it should be cast in neutral terms, with an expression such as “took note”, and not a value judgement such as “took note with satisfaction”.

18. **Ms. Fogante** (Argentina) said that the proposal by the delegation of Cuba was valid. Her delegation’s concern was that all paragraphs referring to reports considered by the Conference should have the same status. Her delegation was prepared to be flexible about the placement of paragraphs 30 and 31. It considered that keeping them in chapter IV would not harm the spirit of the text, as they reflected the various views expressed during the Conference. However, to ensure consistency, the references to all the reports should be in chapter IV.

19. **Mr. Khan** (Pakistan) requested the inclusion of Pakistan in paragraph 23, as it had submitted the relevant national report on compliance.

20. **Mr. Benítez Verson** (Cuba) said that his delegation could not endorse the paragraphs in chapter IV without first knowing the wording contained in paragraph 35.

21. **The Chairperson** noted that the text of paragraph 35 concerning mines other than anti-personnel mines had been circulated as a non-paper. He asked the Conference whether it was in a position to adopt it.

22. **Mr. Grinevich** (Belarus) said that his delegation did not support the text of paragraph 35 as circulated. To avoid ambiguity, he proposed deleting the paragraph altogether.

23. **Mr. Benítez Verson** (Cuba) too called for paragraph 35 to be deleted.

24. **Mr. Malov** (Russian Federation), citing the reference in paragraph 35 to an open-ended meeting of experts on mines other than anti-personnel mines, said that his delegation did not support holding such a meeting.

25. **Mr. Khan** (Pakistan) endorsed the statements made by Belarus, Cuba and the Russian Federation.

The meeting was suspended at 5.55 p.m. and resumed at 6 p.m.

26. **The Chairperson** said that a new version of paragraph 35 had been circulated in the conference room, which read: “The Meeting of the High Contracting Parties decided to keep the issue of mines other than anti-personnel mines (MOTAPMs) under consideration, under the overall responsibility of the Chairperson-designate. The Meeting decided that the Chairperson-designate would conduct consultations in advance of the 2013 Meeting of the High Contracting Parties.”

27. **Mr. Grinevich** (Belarus) said that the new wording of paragraph 35 was not acceptable. Any delegation could place the issue of mines other than anti-personnel mines on the agenda during the forthcoming Meeting of the High Contracting Parties. The paragraph was therefore redundant.

28. **Mr. Malov** (Russian Federation) agreed. The issue of mines other than anti-personnel mines was routinely included in the agenda of the Meeting. It could be taken up at the forthcoming Meeting as well. His delegation was not clear as to the type of consultations that were meant to be conducted in advance of the Meeting.

29. **Ms. Fogante** (Argentina) said that continued discussion of anti-personnel mines within the framework of the Convention was of great importance to her delegation. Holding consultations was the prerogative of every presiding officer, who could put any items on the agenda that he or she deemed appropriate. While her delegation understood some of the concerns over the aspirations involved in holding consultations on such mines, it regretted that the Meeting had not achieved a more ambitious outcome.

30. **The Chairperson** said that as there was no agreement, paragraph 35 would be deleted. Nevertheless, mines other than anti-personnel mines would remain on the agenda of the Meeting. Paragraphs 30, 31, 34 and 35 bis would be moved to chapter III.

31. **Mr. Hoffmann** (Germany), not wishing to take up any more time, referred to the statement that he had made earlier in the week, at the Fourteenth Annual Conference of the High Contracting Parties to Amended Protocol II, concerning the important contribution made by NGOs within the framework of the Convention (CCW/AP.II/CONF.14/SR.2).

32. *Paragraphs 15 to 38, as amended, were adopted.*

Annexes I–III

33. *Annexes I to III were adopted.*

34. *The draft final report of the 2012 Meeting of the High Contracting Parties to the Convention as a whole, as amended, was adopted.*

Closure of the Meeting

35. After the customary exchange of courtesies, **the Chairperson** declared the Meeting closed.

The meeting rose at 6.15 p.m.