

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

13 September 2013

Original: English

2013 Session

Geneva, 14–15 November 2013

Item 12 of the provisional agenda

Consideration of the report of the
Implementation Support Unit

Report CCW Implementation Support Unit

Submitted by the CCW Implementation Support Unit

Summary

This report gives an account of the activities of the Implementation Support Unit (ISU) in 2013 to implement the mandate given to it by the 2009 Meeting of the High Contracting Parties. Particular areas of focus of the ISU's work in 2013 were promoting universalization of the Convention and its Protocols, organisation of the Sponsorship Programme, follow-up with sponsored delegates, and supporting the High Contracting Parties in the implementation of the Convention, including the Amended Protocol II and Protocol V. At last year's Meeting the High Contracting Parties requested the Implementation Support Unit to continue to report annually on its activities, including on its estimated costs and actual costs. In response to calls on the need to be more transparent about the estimated costs and the final expenditures, the Unit made greater effort to ensure that the breakdown of costs are made clearer both in the estimates and in the final expenditures of the previous year's activities.

A. Introduction

1. Support for the implementation of the Convention and its Protocols continued in 2013, and the Unit worked in accordance with the mandate agreed to by the High Contracting Parties at its 2009 Meeting. The Implementation Support Unit was mandated to

“operate in the most efficient way and [...] perform the following tasks:

(a) Provide administrative support to and prepare documentation for meetings agreed by the meetings of the High Contracting Parties to the CCW, Amended Protocol II and Protocol V;

(b) Facilitate communications among High Contracting Parties and, upon request, with international organizations;

(c) Serve as a focal point for submission of information by and to the High Contracting Parties related to the Convention and its annexed Protocols; develop and maintain the CCW website and the CCW databases as directed by the annual Meetings of the High Contracting Parties; convey

(d) Support the High Contracting Parties, on request, in the implementation of the CCW and its Protocols and assist the Secretary-General of the United Nations in the discharge of his/her responsibilities pursuant to Article 11(2) of Protocol V, Article 14(4) of Amended Protocol II and the CCW Compliance mechanism;

(e) Contribute to the promotion of the universalization of the CCW and its annexed Protocols and support the High Contracting Parties in the implementation of the CCW Plan of Action for the Universalization of the CCW and its Protocols and the CCW Sponsorship Programme; and

(f) Perform any other duty as mandated by the High Contracting Parties of the CCW or its Protocols.”¹

2. This report is also based on the decision of the Fourth Review Conference, at which the High Contracting Parties decided to request “the Implementation Support Unit to provide a comprehensive report in time for consideration by the High Contracting Parties.”²

3. The Implementation Support Unit is based in the Geneva Branch of the United Nations Office for Disarmament Affairs, which provides administrative facilities for the Unit. It became fully functional in May 2011 with the recruitment of its second member. The Unit has two staff members: Mr. Bantan Nugroho, Head of the Unit, and Ms. Hine-Wai Loose, Political Affairs Officer.³

B. Promotion and universalization of the Convention and its Protocols

4. Universalization continued to be one of the priority matters for the Implementation Support Unit in 2013. This is in accordance with the decision of the High Contracting Parties at the Fourth Review Conference on an “Accelerated plan of action on the universalization of the Convention and its annexed Protocols” which calls on the Unit to “assist High Contracting Parties efforts to promote universalization, gather information on States not party and work towards the objective of universal adherence to the Convention and its Protocols.”⁴

5. The Implementation Support Unit focused on supporting the efforts of the officeholders to promote universalization. This included drafting and facilitating the sending of official messages from the officeholders, providing background papers and briefs on joining the CCW and organizing bilateral meetings.

¹ Final report of the Meeting of the High Contracting Parties in 2009, CCW/MSP/2009/5, paragraphs 34 to 37

² CCW/CONF.IV/4 Add.1, decision 5, paragraph 3

³ Mr. Nugroho is responsible for the management of the Unit, financial and budgetary matters, Amended Protocol II, annual Meeting of the High Contracting Parties, Compliance and reporting, and universalization. Ms. Loose is responsible for mines other than anti-personnel mines, Protocol V, CCW Sponsorship Programme and universalization.

⁴ CCW/CONF.IV/4/Add.1, annex I, paragraph 8

6. The Implementation Support Unit has followed up with individual States and regional groups to explain the background to and procedures for joining the CCW. This included attending a regional seminar of the Association of Southeast Asian Nations (ASEAN) countries in Manila, the Philippines, during July 2013; drafting and facilitating the messages of the United Nations Secretary-General; briefing visiting delegations to the United Nations Office at Geneva; providing detailed briefs to States not yet party to the CCW; following up with all Pacific Island countries which have not yet joined the CCW; and coordinating with the Office of Legal Affairs and other United Nations departments on the process of drafting and submitting instruments of accession.

7. An on-going issue is the submission of instruments of accession that do not clearly set out which Protocols a State wishes to be bound by. The Implementation Support Unit has tried to more clearly address this matter in its universalization materials, and is constantly available to assist States on such matters.

8. The Unit has organized and dispatched a joint message from the President-designate of the 2013 Meeting of the High Contracting Parties to the Convention, the President-designate of the Fifteenth Annual Conference on Amended Protocol II and President-designate of the Seventh Conference on Protocol V addressed to the Foreign Ministers of States not yet party to the Convention. To complement the joint message, France as President-designate of the CCW Meeting of the High Contracting Parties and Sweden as President-designate of the Protocol V Seventh Conference, supported by the ICRC, carried out demarches in the capitals of States not yet party to the Convention. In addition to these universalization efforts, the Unit also assisted in dispatching a letter by the UN Secretary-General urging the Ministers of Foreign Affairs of non-States parties to the Convention to join.

9. In support of the work under Amended Protocol II, the Implementation Support Unit facilitated 16 bilateral meetings between the President-designate of the Amended Protocol II Conference and the States not yet party to the Protocol. A majority of the representatives of those States were represented in Geneva.

10. The ISU wishes to acknowledge the actions done by the CCW Sponsorship Programme on universalization. During the 2012 CCW conferences of the High Contracting Parties and this year's Amended Protocol II and Protocol V Meetings of Experts, the Sponsorship Programme has made possible the attendance of one representative each from the following States not yet party to the Convention: Armenia, Democratic Republic of the Congo, Ghana, Indonesia, Lesotho, Nigeria, Uganda and Yemen. During this year's Meetings of Experts the Sponsorship Programme organized a briefing on universalization at which each participant was requested to share information on the prospects of their country joining the CCW. This was followed-up by the Coordinator of the Steering Committee for the Sponsorship Programme, Mr. Artūras Gailiūnas of Lithuania, writing to the sponsored delegates to seek their views on progress towards joining the CCW. Furthermore, Mr. Gailiūnas has followed up individually with potential candidates for universalization and shared the results of this work with the Implementation Support Unit. The Steering Committee held a brainstorming session on CCW universalization and as a result tasked the Unit to produce a booklet on universalization. This task has been completed and the booklet will be published in 2014.

11. The Implementation Support Unit continued to use all opportunities to promote the CCW and disseminate information on its objectives to institutions that want to learn about the regime. For example, the Unit has made presentations to numerous groups of students and professionals visiting the United Nations. As previously mentioned, the Unit was

invited to make a presentation on the CCW and its implementation at a regional workshop in Manila, Philippines.⁵ During the regional event the Unit conducted separate bilateral meetings to discuss CCW universalization with each representative of the ASEAN member States that were present. Although two of the 10 member States of ASEAN did not participate in the forum, this nevertheless provided an important opportunity to work with the representatives individually as there remains a low level of adherence to the CCW in the region. As mandated by the Fourth Review Conference, the Unit prepared the report on “Promoting universality of the Convention and its Protocols”.

C. Support for the meetings of experts and conferences on Amended Protocol II and Protocol V

12. The Group of Experts on Amended Protocol II met from 8 to 9 April 2013. The Implementation Support Unit organised and supported the work undertaken throughout the duration of the meeting. The Unit assisted with the preparation and communication of the intentions of the Co-coordinators for the Group of Experts, and prepared briefings and statements for the President-designate, who is also responsible for the issue on the Operation and Status of the Protocol. The Unit assisted with the preparation of the reports and carried out an analysis of form C of the national annual reports concerning technical requirements and relevant information. The Unit also assisted the Co-coordinators on Improvised Explosive Devices (IEDs) in implementing their mandate, as well as maintaining the Compilation of existing guidelines, best practices and other recommendations aiming at addressing the diversion or illicit use of materials which can be used for IEDs currently posted on the CCW website.

13. In preparation for the Meeting of Experts on Protocol V, which took place from 10 to 12 April 2013, the Implementation Support Unit was involved in assisting the Coordinators in preparing for the substantive discussions focusing on all the thematic issues i.e. on clearance and article 4, cooperation and assistance, generic preventive measures, national reporting, and victim assistance. The ISU also assisted in communicating the objectives of the meeting of experts to States parties, prepared briefings and statements for the President-designate and the thematic coordinators.

D. Conferences on the CCW, Amended Protocol II and Protocol V

14. At the time of the submission of the present report, the Implementation Support Unit was in the process of organising this year’s annual Conferences on the CCW, Amended Protocol II and Protocol V, including setting up informal briefings, drafting reports, and preparing briefings for the office holders and coordinators. The Unit has circulated the registration details to all delegations and has organized a briefing for delegations in preparation for the annual conferences.

⁵ Regional workshop on International Humanitarian Law Development, Manila, Philippines, 9–12 July 2013

E. Work to support the implementation of Protocol V on Explosive Remnants of War

15. On the implementation of Article 4 on Recording, retaining and transmission of information, the Implementation Support Unit presented a new assessment of the progress made by the High Contracting Parties in implementing the Article 4. The Unit also organised a meeting of military experts for Protocol V on the type of information required by clearance organisations under Article 4, and dispatched a message addressed to the clearance community and organisations on Article 4.

16. On Generic preventive measures, based on the mandate of the Sixth Conference, the Unit supported the Coordinator in following-up with those High Contracting Parties which have not reported on their implementation of generic preventive measures. Article 9 and Part III of the Technical Annex to prevent munitions from becoming ERW is considered as one of the qualities that stand out in Protocol V due to its comprehensive approach to addressing explosive remnants of war. In this regard, the topic on generic preventive measures is one particular area under Protocol V which needs to be maintained and strengthened in the future.

17. On Cooperation and Assistance and requests for assistance, the Implementation Support Unit assisted the Coordinator in organizing a small group meeting among affected countries and invited several donor States to discuss the importance of national plans and ownership of clearance and victim assistance programmes at the community and national levels.

18. On National reporting and in the context of improving the quality of reporting and ways to assist States in this area, the Implementation Support Unit prepared and presented a paper titled “Making the most of national reporting”⁶ at the meeting of experts. The aim of the paper was to help High Contracting Parties in completing their national annual reports. The ISU also assisted the Coordinator on national reporting in dispatching a message to High Contracting Parties on Protocol V national reporting. The Unit also assisted the Victim Assistance Coordinators on cooperation with other international instruments, advancing social and economic development and advocacy of victim assistance across all CCW instruments.

F. Communications amongst the High Contracting Parties

19. At the beginning of the year the ISU sent notes verbales to High Contracting Parties requesting updates on contact details to ensure that all High Contracting Parties receive the Implementation Support Unit’s communications. Official letters, e-mail messages and the CCW website are the main means of communicating information to High Contracting Parties, international organisations and non-governmental organisations. There has been a constant and continuous effort to update and improve the CCW website (www.unog.ch/ccw). An area of ongoing work which is yet to be completed is uploading the official documents, written statements and audio files of past meetings on to the website.

⁶ CCW/P.V/CONF/2013/6, paragraph 4

G. Compliance and reporting

20. The Fourth Review Conference agreed to strengthen the implementation of the Compliance Mechanism for the Convention and its annexed Protocols, and the High Contracting Parties were called on to submit national annual Compliance reports. The submission deadline was set at 31 March of each year. The Unit has organized and dispatched two sets of letters by the Chairperson-designate of the Meeting of the High Contracting Parties to the Convention addressed to the heads of the Permanent Missions of States: (1) that have never submitted their annual reports on compliance since becoming party to the Convention; and (2) that have not submitted their reports of the current year. The High Contracting Parties were encouraged to obtain higher rates of compliance reporting. The CCW Compliance Report is separate and different from the national annual report under CCW Amended Protocol II on Mines, Booby-Traps and Other Devices or CCW Protocol V on Explosive Remnants of War.

21. Of the 116 States parties to the Convention, the ISU noted that at the time of the submission of the present report there were 33 States that had submitted their compliance reports; 27 States parties have not submitted their reports for this year; and 56 States parties have never submitted their compliance reports ever since becoming parties.

H. Work to support the implementation of the Convention

22. The ISU assisted the Chairperson-designate of the Meeting of the High Contracting Parties to the Convention in organising a lunchtime seminar on Autonomous Weapons on 3 September 2013. Given the rapid progress of technology in the sphere of robotics and its potential application to weapons systems, these issues have recently become the focus of public debate. A discourse on this topic was relevant in the CCW context as it pertains to the challenges such weapons could pose to international humanitarian law and future armed conflicts. The purpose of the seminar was to further explore these issues, specifically on what fully autonomous weapons systems are; how “autonomous” was defined; the challenges such weapons posed to international humanitarian law; and what action States could take in response to developments in this area.

23. At the time of the submission of the present report, the Implementation Support Unit was in the process of assisting the delegation of Finland in organising a lunchtime seminar in the periphery of the Meeting of the High Contracting Parties on 14 November 2013. The theme of the side event is “Directed energy, electroshock and acoustic weapons”, which would essentially focus on anti-personnel directed energy, electroshock and acoustic weapons and dazzling laser weapons, and the challenges these weapons pose for international humanitarian law and the CCW. The purpose of the discussion was to find out whether there would be any relevance of these weapons to the CCW and whether the issue would merit further examination in the CCW context.

I. CCW Sponsorship Programme

24. The Implementation Support Unit continued to assist in organising the work of the Steering Committee of the Sponsorship Programme, which met three times in 2013. The Committee had an opportunity to discuss efforts on how to move forward on progressing universalization of the CCW and its Protocols. The Steering Committee tasked the Implementation Support Unit with producing a booklet on the CCW including background to the Convention and its Protocols, how to join the regime and why States should join. As mentioned, the booklet is presently available on the CCW website. Moreover, the Unit was

also tasked to produce a list of States that were considered to be close to joining the CCW and, therefore, should be prioritized for sponsorship. The Steering Committee members have received the list hence in the future the Committee will be looking to more closely linking sponsorship to the potential of a particular country to join the CCW. As mandated by the Fourth Review Conference, the ISU assisted the Steering Committee in preparing the report on the “CCW Sponsorship Programme”.

J. Costs estimates and final expenditures of CCW meetings in 2012

25. The Meeting of the High Contracting Parties last year requested the Implementation Support Unit “to continue to report annually on its activities, including on its estimated costs and actual costs.”⁷ In response to calls on the need to be more transparent about the estimated costs and the final expenditures, the Unit made a greater effort this year to ensure that the breakdown of costs are made clearer both in the costs estimates and in the final expenditures of the previous year’s activities. Below are the tables containing the breakdown of the estimated costs compared to the final expenditures of all the meetings held last year.

Meeting of Experts on Mines other than anti-personnel mines (Geneva, 2 – 4 April 2012)

	<i>Cost estimates⁸</i>	<i>Final Expenditures</i>
	<i>USD</i>	<i>USD</i>
<u>Conference-servicing items</u>		
Interpretation and meeting servicing	71,300	50,517.00
Support Services requirements	2,900	-
Other requirements	12,300	10,362.50
Sub-total conference-servicing requirements	86,500	60,879.50
<i>(inclusive of 13% programme support costs)</i>		
Grand total	86,500	60,879.50

⁷ Final report of the Meeting of the High Contracting Parties to the Convention, CCW/MSP/2012/9, paragraph 33

⁸ CCW/CONF.IV/L.3

Group of Experts on Amended Protocol II (Geneva, 23 – 24 April 2012)

	<i>Cost estimates⁹</i>	<i>Final Expenditures</i>
	<i>USD</i>	<i>USD</i>
<u>Conference-servicing items</u>		
Interpretation and meeting servicing	34,300	33,228.00
Support Services requirements	2,200	-
Other requirements	2,600	1,798.89
Sub-total conference-servicing requirements	39,100	35,026.89
<i>(inclusive of 13% programme support costs)</i>		
Grand total	39,100	35,026.89

Meeting of Experts on Protocol V (Geneva, 25 – 27 April 2012)

	<i>Cost estimates¹⁰</i>	<i>Final Expenditures</i>
	<i>USD</i>	<i>USD</i>
<u>Conference-servicing items</u>		
Interpretation and meeting servicing	72,300	59,704.00
Support Services requirements	2,900	-
Other requirements	5,200	3,692.47
Sub-total conference-servicing requirements	80,400	63,396.47
<i>(inclusive of 13% programme support costs)</i>		
Grand total	80,400	63,396.47

⁹ CCW/AP.II/CONF.13/4 and CCW/AP.II/CONF.13/4/Corr.1

¹⁰ CCW/P.V/CONF/2011/11 and CCW/P.V/CONF/2011/11/Corr.1

**Sixth Conference of the High Contracting Parties to Protocol V
(Geneva, 12 – 13 November 2012)**

	<i>Cost estimates¹¹</i>	<i>Final Expenditures</i>
	<i>USD</i>	<i>USD</i>
<u>Conference-servicing items</u>		
Interpretation and meeting servicing	34,300	25,535.00
Translation of documentation	180,000	136,492.00
Support Services requirements	3,000	-
Other requirements	32,100	23,634.74
Sub-total conference-servicing requirements	249,400	185,661.74
<i>(inclusive of 13% programme support costs)</i>		
<u>Non-conference servicing requirements</u>		
One P-3 staff for six months	104,200	72,970.90
One General Service staff for three months	36,000	33,914.89
Equipment and Supplies	2,000	1,727.23
Sub-total non-conference servicing requirements	142,200	108,613.02
Programme support costs @ 13% of non-conference servicing requirements	18,500	14,119.69
Exchange rate gain	-	-
Sub-total non-conference servicing requirements	160,700	122,732.71
<i>(inclusive of 13% programme support costs)</i>		
Grand total	410,100	308,394.45

¹¹ CCW/P.V/CONF/2011/10

**Fourteenth Annual Conference of the High Contracting Parties to
Amended Protocol II (Geneva, 14 November 2012)**

	<i>Cost estimates¹²</i>	<i>Final Expenditures</i>
	<i>USD</i>	<i>USD</i>
<u>Conference-servicing items</u>		
Interpretation and meeting servicing	17,400	16,989.00
Translation of documentation	105,200	89,902.00
Support Services requirements	1,100	-
Other requirements	22,500	17,745.80
Sub-total conference-servicing requirements	146,200	124,636.80
<i>(inclusive of 13% programme support costs)</i>		
<u>Non-conference servicing requirements</u>		
One P-3 staff for six months	104,200	77,689.27
One General Service staff for three months	36,000	34,628.01
Equipment and Supplies	2,000	2,000.00
Sub-total non-conference servicing requirements	142,200	114,317.28
Programme support costs @ 13% of non-conference-servicing requirements	18,500	14,861.25
Exchange rate gain	-	-
Sub-total non-conference servicing requirements	160,700	129,178.53
<i>(inclusive of 13% programme support costs)</i>		
Grand total	306,900	253,815.33

¹² CCW/AP.II/CONF.13/5 and CCW/AP.II/CONF.13/5/Corr.1

2012 Meeting of the High Contracting Parties to the Convention on Certain Conventional Weapons (CCW) (Geneva, 15 – 16 November 2012)

	<i>Cost estimates¹³</i>	<i>Final Expenditures</i>
	<i>USD</i>	<i>USD</i>
<u>Conference-servicing items</u>		
Interpretation and meeting servicing	34,300	32,200.00
Translation of documentation	222,100	175,574.00
Support Services requirements	2,100	-
Other requirements	41,800	32,842.50
Sub-total conference-servicing requirements	300,300	240,616.50
<i>(inclusive of 13% programme support costs)</i>		
<u>Non-conference servicing requirements</u>		
One P-4 staff for 12 months	249,500	219,307.75
Travel	10,000	7,316.98
Equipment and Supplies	2,000	1,999.79
Sub-total non-conference servicing requirements	261,500	228,624.52
Programme support costs @ 13% of non-conference-servicing requirements	34,000	29,721.19
Exchange rate gain	-	0.53
Sub-total non-conference servicing requirements	295,500	258,346.24
<i>(inclusive of 13% programme support costs)</i>		
Grand total	595,800	498,962.74

K. Conclusions

26. In entering its third year of operation, the Implementation Support Unit continued to work in accordance with its mandate and made further progress on its key aspects. The ISU has carried out a transparent account of the breakdown of the estimated costs and the final expenditures of the CCW meetings held in 2012 as requested by the High Contracting Parties. The ISU has endeavoured to assist the High Contracting Parties in expanding the scope of understanding on the limits of international humanitarian law through interactive discussions on autonomous weapons and new weapons technologies, while maintaining the importance of fulfilling the needs of High Contracting Parties in servicing two meetings of experts, preparing for three annual conferences, promoting universalization, and implementing the Convention and its Protocols. In 2014 the ISU will continue to pursue the

¹³ CCW/CONF.IV/L.2

goals set out in its mandate, as well as any additional tasks mandated to it by the High Contracting Parties.
