

**MEETING OF THE STATES 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**

CCW/MSP/2003/CRP.2  
28 November 2003

ENGLISH ONLY

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2003 Session  
Geneva, 27-28 November 2003  
Item 11 of the agenda

**DRAFT REPORT**

1. The Meeting of the States 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 (CCW) held at Geneva from 12 to 13 December 2002 in its Report decided to commission follow-up work under the oversight of the Chairman-designate of a Meeting of the States Parties to the Convention to be held from 27 to 28 November 2003 at Geneva, in conjunction with the Fifth Annual Conference of the States Parties to Amended Protocol II. For that purpose the Meeting of the States Parties to the Convention decided that the Group of Governmental Experts continue its work in the year 2003.
2. The Meeting of the States Parties decided that the Working Group on Explosive Remnants of War would continue its work in the year 2003 with the following mandate:
  - (a) (i) To negotiate an instrument on post-conflict remedial measures of a generic nature which would reduce the risks of ERW. These measures would be based on a broad definition covering most types of explosive munitions, with the exception of mines. Abandoned munitions would have to be included. In these negotiations, questions need to be considered regarding, inter alia, responsibility for clearance, existing ERW, the provision of information to facilitate clearance and risk education, warnings to civilian populations, assistance & co-operation, and a framework for regular consultations of High Contracting Parties. These negotiations would have to establish the scope of this instrument consistent with Article I of the Convention as amended at its Second Review Conference.
  - (a) (ii) To explore and determine whether these negotiations could successfully address preventive generic measures for improving the reliability of munitions that fall within the agreed broad definition, through voluntary best practices concerning the management of manufacturing, quality control, handling and storage of munitions. Exchange of information, assistance and co-operation would be important elements of such best practices.
  - (b) Separate from the negotiations under (a): to continue to consider the implementation of existing principles of International Humanitarian Law and to further study, on an open ended basis, possible preventive measures aimed at improving the design of certain specific types of munitions, including sub-munitions, with a view to minimise the

humanitarian risk of these munitions becoming ERW. Exchange of information, assistance and co-operation would be part of this work.

- (c) In the context of the activities described above, meetings of military experts can be conducted to provide advice in support of these activities.

3. The Meeting of the States Parties decided that the Working Group on Mines Other Than Anti-Personnel Mines would continue its work in the year 2003 with the following mandate:

- (a) To continue to explore the issue of mines other than anti-personnel mines. The group shall consider the most appropriate way to reduce the risks posed by the irresponsible use of mines other than anti-personnel mines, including the possibility to conclude a negotiating mandate for a new instrument and other appropriate measures. The Group of Governmental Experts shall take into account:
  - the necessity to strike the right balance between humanitarian concerns and military utility of MOTAPM;
  - existing restrictions on such mines in Amended Protocol II to the CCW;
  - technical and other measures aimed at minimizing the humanitarian risks posed by such mines as well as the modalities for their effective implementation, such as international cooperation and assistance, transition periods etc.;
  - questions involving the use of MOTAPM by non-state actors;
  - any question involving other aspects of such mines.
- (b) In the context of the activities described above, meetings of military experts can be conducted to provide advice in support of these activities.

4. The Meeting of the States Parties decided that the Chairman-designate shall undertake consultations during the intersessional period on possible options to promote compliance with the Convention and its annexed Protocols, taking into account proposals put forward, and shall submit a report, adopted by consensus, to the States Parties.

5. Without prejudice to the generally accepted principle of rotation, the Meeting States Parties decided to re-designate Ambassador Rakesh Sood of India as Chairman of the Meeting of the States Parties to be held in the year 2003, and reappointed the two Coordinators for the Group of Governmental Experts: Ambassador Chris Sanders of the Netherlands on Explosive Remnants of War, and Minister Counsellor Peter Kolarov of Bulgaria on Mines Other Than Anti-Personnel Mines.

6. The Group of Governmental Experts held three sessions during 2003. The deliberations and activities of all three sessions of the Group are reflected in CCW/GGE/IV/2 of 19 March 2003, CCW/GGE/V/3 of 8 July 2003 and CCW/GGE/VI/2 of 27 November 2003, respectively.

7. The Meeting of the States Parties to the Convention was held at Geneva from 27 to 28 November 2003.
8. On 27 November 2003, the Meeting was opened by the Director-General of the United Nations Office at Geneva and Secretary-General of the Conference on Disarmament, Mr. Sergei Ordzhonikidze.
9. At the same meeting, the Meeting of the States Parties confirmed by acclamation the nomination of Ambassador Rakesh Sood of India as Chairman of the Meeting.
10. At its first plenary meeting, on 27 November 2003, the Meeting of the States Parties adopted its agenda with oral amendments as contained in Annex I.
11. At the same meeting, the Meeting of the States Parties adopted the Rules of Procedure as adopted and used by the Second Review Conference (CCW/CONF.II/PC.1/1 with oral amendments) and financial arrangements for the Meeting as contained in Annex II of the Report of the Meeting of the States Parties to the Convention (CCW/MSP/2002/2).
12. At the same plenary meeting, the Meeting of the States Parties unanimously confirmed the nomination of Mr. Vladimir Bogomolov, Political Affairs Officer, Department for Disarmament Affairs, Geneva Branch, as Secretary-General of the Meeting. He was assisted by Mr. Bantan Nugroho, Political Affairs Officer, as Secretary of the Meeting.
13. At the same plenary meeting, the Meeting of the States Parties agreed in the context of the short duration of the Meeting to have a streamlined bureau consisting of the Chairman, Group Coordinators and Working Group Coordinators, on the understanding that this does not constitute a precedent for future meetings of States Parties.
14. At the same plenary meeting, the Meeting of the States Parties, in accordance with Rule 6 of the Rules of Procedure, agreed to establish a Credentials Committee and elected Ambassador Christian Faessler of Switzerland as Chairman and Mrs. Cornelia Nontombi Makupula of South Africa as its Vice-Chairperson. In accordance with Rule 4 of the Rules of Procedure, the Meeting of the States Parties appointed the following States Parties as members of the Committee: China, The Former Yugoslav Republic of Macedonia and Senegal. Mr. Bantan Nugroho, Political Affairs Officer, served as Secretary of the Committee.
15. At its first plenary meeting on 27 November, the Meeting of the States Parties received a message from the Secretary-General of the United Nations, which was delivered by the Director-General of the United Nations Office at Geneva and Secretary-General of the Conference on Disarmament, Mr. Sergei Ordzhonikidze.
16. The following States Parties to the Convention participated in the work of the Meeting of the States Parties: Argentina, Australia, Austria, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Cambodia, Canada, Chile, China, Colombia, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Holy See, Hungary, India, Ireland, Israel, Italy, Japan, Kazakhstan, Latvia, Lithuania, Malta, Mexico, Monaco, Mongolia, Morocco, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian

Federation, Senegal, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, The Former Yugoslav Republic of Macedonia, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America.

17. The following Signatory States also participated in the work of the Meeting: Egypt, Iceland, Nigeria, and Sudan.

18. The following States not parties to the Convention participated as observers: Azerbaijan, Barbados, Burkina Faso, Dominican Republic, Kuwait, Libyan Arab Jamahiriya, Madagascar, Malaysia, Qatar, Saudi Arabia, Thailand, Venezuela and Yemen.

19. The representatives of the United Nations Children's Fund (UNICEF), the United Nations Institute for Disarmament Research (UNIDIR) and the United Nations Mine Action Service (UNMAS) took part in the work of the Meeting.

20. The representatives of the following organisations also took part in the work of the Meeting: The International Committee of the Red Cross (ICRC), the Geneva International Centre for Humanitarian Demining (GICHD), the Organization of the Islamic Conference, the American Bar Association, Human Rights Watch, the International Campaign to Ban Landmines (ICBL), Landmine Action UK, Mines Action Canada, Handicap International, Pax Christi, and the Quaker United Nations Office (QUNO).

21. The Meeting of the States Parties held ..... plenary meetings.

22. The Chairman of the Meeting of the States Parties, Ambassador Rakesh Sood of India, submitted the Report of the Sixth Session of the Group of Governmental Experts (CCW/GGE/VI/2) to the Meeting of the States Parties for its consideration, which is attached to this Report as Annex IV.

23. The following States participated in the general exchange of views: .....  
Representatives of ..... also participated in the general exchange of views.

24. The Credentials Committee held ..... meetings and submitted its report to the Meeting of the States Parties at its final plenary meeting on 28 November 2003. At the same plenary meeting, the States Parties approved the report of the Committee.

25. Following the recommendations of the Group of Governmental Experts, the Meeting of the States Parties decided to adopt the Protocol on Explosive Remnants of War, which is contained in Annex II attached to the Procedural Report of the Sixth Session of the Group of Governmental Experts (CCW/GGE/VI/2), annexed to this Report as Annex IV.

26. Following the recommendations of the Group of Governmental Experts, the Meeting of the States Parties decided that the Working Group on Explosive Remnants of War would continue its work in the year 2004 with the mandate contained in Annex III attached to the Procedural Report of the Sixth Session of the Group of Governmental Experts (CCW/GGE/VI/2), annexed to this Report as Annex IV.

27. Following the recommendations of the Group of Governmental Experts, the Meeting of the States Parties decided that the Working Group on Mines Other Than Anti-Personnel Mines would continue its work in the year 2004 with the mandate contained in Annex IV attached to the Procedural Report of the Sixth Session of the Group of Governmental Experts (CCW/GGE/VI/2), annexed to this Report as Annex IV.

28. The Meeting of the States Parties decided that the Chairman-designate shall undertake consultations during the intersessional period on possible options to promote compliance with the Convention and its annexed Protocols, taking into account proposals put forward, and shall submit a report, adopted by consensus, to the States Parties.

29. At its third plenary meeting, on 28 November 2003, the Meeting of the States Parties decided to commission follow-up work under the oversight of the Chairman-designate of a Meeting of the States Parties to the Convention to be held on ..... 2004 at Geneva in conjunction with the Sixth Annual Conference of the States Parties to Amended Protocol II.

30. At the same plenary meeting, the Meeting of the States Parties decided that the intersessional work of the Group of Governmental Experts will be undertaken in three sessions at Geneva during 2004:

- ..... to ..... 2004
- ..... to ..... 2004
- ..... to ..... 2004

31. The Meeting of the States Parties addressed the issue of the dates and duration of the Sixth Annual Conference of the States Parties to Amended Protocol II and decided that it be held on ..... 2004 in Geneva.

32. The States Parties decided to designate ..... of ..... as Chairman of the Meeting of the States Parties to be held in 2004, and appointed ..... of ..... as Coordinator on Explosive Remnants of War, and .....of .....as Coordinator on Mines Other Than Anti-Personnel Mines.

33. At the final plenary meeting, the Meeting of the States Parties adopted its report, as contained in document CCW/MSP/2003/CRP.2, as orally amended, which is being issued as document CCW/MSP/2003/2 and the cost estimates of the three sessions of the Group of Governmental Experts, of the Sixth Annual Conference of the High Contracting Parties to Amended Protocol II and of the Meeting of the States Parties to the Convention to be held in 2004.

Annex I

Agenda

as orally amended at its first plenary meeting on 27 November 2003

1. Opening of the Meeting
2. Confirmation of the nomination of the Chairman of the Meeting
3. Adoption of the Agenda
4. Confirmation of the Rules of Procedure
5. Confirmation of the nomination of the Secretary-General of the Meeting
6. Election of Vice-Chairpersons
7. Election of Chairman and Vice-Chairman of the Credentials Committee and Appointment of the Credentials Committee
8. Message from the Secretary-General of the United Nations
9. Adoption of financial arrangements for the Meeting
10. Report of the work of the Group of Governmental Experts of the States Parties to the CCW
11. Consideration of the report of the work of the Group of Governmental Experts and general exchange of views
12. Report of the Credentials Committee
13. Adoption of the report
14. Other matters

Annex II

ESTIMATED COSTS OF THE 2004 MEETING OF THE STATES 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

[To be completed by the Secretariat]

Annex III

ESTIMATED COSTS OF THE THREE SESSIONS IN 2004 OF THE GROUP OF  
GOVERNMENTAL EXPERTS OF THE STATES 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

[To be completed by the Secretariat]



Annex IV

**PROCEDURAL REPORT  
OF THE GROUP OF GOVERNMENTAL EXPERTS OF THE STATES PARTIES TO  
THE CONVENTION ON PROHIBITIONS OR RESTRICTIONS ON THE USE OF  
CERTAIN CONVENTIONAL WEAPONS WHICH MAY BE DEEMED TO BE  
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[To be completed by the Secretariat]

Annex V

**LIST OF PARTICIPANTS**

[To be completed by the Secretariat]

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