

2004 session

Geneva, 18 and 19 November 2004

SUMMARY RECORD OF THE 3rd MEETING

Held at the Palais des Nations, Geneva,
on 19 November 2004, at 10.30 a.m.

Chairperson: Mr. MARKOTIĆ (Croatia)

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The meeting was called to order at 11.07 a.m.

ADOPTION OF THE REPORT (agenda item 12) (CCW/MSP/2004/CRP.1)

1. The CHAIRPERSON introduced the draft report of the Meeting (CCW/MSP/2004/CRP.1) and invited the participants to consider it paragraph by paragraph.

Paragraphs 1 to 7

2. Paragraphs 1 to 7 were adopted.

Paragraphs 8 to 11

3. The CHAIRPERSON invited the delegations to indicate to the officers any error or omission in the lists of States in the paragraphs in question.

4. Paragraphs 8 to 11 were adopted.

Paragraphs 12 to 31

5. Paragraphs 12 to 31 were adopted.

Paragraph 32

6. The CHAIRPERSON invited the groups of States parties represented at the Meeting to propose candidates for the posts of Chairperson-designate of the 2005 Meeting of the States Parties, Coordinator on explosive remnants of war and Coordinator on mines other than anti-personnel mines.

7. Ms. JURCAN (Romania), speaking on behalf of the Group of Eastern European States, said that those States, having assessed the progress made during the 2004 session of the Group of Governmental Experts, and aware of the consensus which had emerged concerning the continuation of work in 2005, suggested that Mr. Markotić, Mr. Prasad and Mr. Reimaa should be reconfirmed in their posts of Chairperson-designate of the 2005 Meeting of the States Parties, Coordinator on explosive remnants of war and Coordinator on mines other than anti-personnel mines, in order to guarantee continuity and effectiveness in the work of the Group of Governmental Experts.

8. Ms. MAKUPULA (South Africa), speaking on behalf of the Group of Non-Aligned and Other States, said that that group, which was very happy with the way in which the Chairperson and the two coordinators had guided the work of the States parties in 2004, had unanimously agreed to suggest reconfirmation of those persons in their posts for 2005.

9. Mr. HEINSBERG (Germany), speaking on behalf of the Western Group, said that the position of the States of that group was absolutely identical to that of the States in the two other groups. They had full confidence in the abilities of Mr. Markotić, Mr. Prasad and Mr. Reimaa, who had been nominated as Chairperson and coordinators respectively for 2004.

10. The CHAIRPERSON said he had been informed that the representative of China supported the proposal for reconfirmation of the current Chairperson and coordinators in their posts for 2005.

11. The proposal was adopted.

12. The CHAIRPERSON said that, in view of the decision just taken, paragraph 32 should read as follows:

“The States parties decided to designate the Ambassador of Croatia, Mr. Gordan Markotić, as Chairperson of the Meeting of the States Parties to be held in 2005, and appointed the Ambassador of India, Mr. Jayant Prasad, as Coordinator on explosive remnants of war and the Ambassador of Finland, Mr. Markku Reimaa, as Coordinator on mines other than anti-personnel mines, thereby reconfirming those persons in their posts.”

13. Paragraph 32, as amended, was adopted.

Paragraph 33

14. Paragraph 33 was adopted.

Paragraph 34

Estimated costs of the 2005 Meeting of the States Parties (CCW/MSP/2004/L.1) and of the three 2005 sessions of the Group of Governmental Experts (CCW/MSP/2004/L.2)

15. The CHAIRPERSON invited the delegations to express their views on the cost estimates for the 2005 Meeting of the States Parties and the three sessions to be held by the Group of Governmental Experts in 2005, which had been issued in documents CCW/MSP/2004/L.1 and L.2 respectively, and which would appear in annexes II and III of the report of the Meeting. If he heard no objection, he would take it that the delegations accepted the estimates.

16. It was so decided.

17. Paragraph 34 was adopted.

18. The draft report as a whole, as amended, was adopted.

OTHER MATTERS (agenda item 13)

19. The CHAIRPERSON noted that no delegations wished to take the floor on item 13.

CLOSURE OF THE MEETING

20. The CHAIRPERSON expressed satisfaction at the progress made in 2004, and thanked all the delegations for their contributions to the success of the Meeting. The two coordinators and the Chairperson would do their best to maintain the same spirit of cooperation, flexibility and understanding to ensure the success of the work. In that connection, he recalled the words of encouragement conveyed by the United Nations Secretary-General in his message to the Meeting.

21. Mr. HEINSBERG (Germany) thanked the Chairperson, the two coordinators, the Secretary-General of the Meeting and the members of the secretariat who had spared no effort to secure the results which had been achieved in 2004. The Western Group, of which he was the coordinator, welcomed the prospect of further work in 2005 with the Chairperson and his two coordinators, Mr. Markotić, Mr. Prasad and Mr. Reimaa, and would give them their full support.

22. Mr. PARDESHI (India) thanked the delegations for their continued confidence in the Ambassador of India, Mr. Prasad, whom they had reconfirmed in his post of Coordinator on explosive remnants of war. He assured them that the delegation of India would spare no effort to move the work forward in 2005.

23. Mr. REIMAA (Finland) thanked all the delegations for the genuine support they had provided to him as Coordinator on mines other than anti-personnel mines. He was convinced that in 2005 the work would proceed in a constructive spirit.

24. Mr. NASH (Mines Action Canada), speaking on behalf of the 147 members of the Cluster Munition Coalition, thanked the Chairperson and the coordinators for the efforts they had made to ensure the participation of non-governmental organizations in the work carried out by the States parties to protect civilians from certain conventional weapons.

25. He pointed out that, in the statement made on its behalf at the beginning of the ninth session of the Group of Governmental Experts, the Coalition had put four broad questions to the States parties: What were Governments doing to ensure that indiscriminate attacks using cluster munitions were not carried out in or near densely populated areas? How would Governments ensure that civilians did not suffer casualties from unexploded submunitions after conflicts had ceased? Were they sure that technical measures would be sufficient to achieve that purpose? Lastly, what were Governments doing to halt transfers and destroy stockpiles of cluster munitions which had had an unacceptable humanitarian impact in the past? States had not answered those questions, and there was nothing to suggest that they were working to do so in the context of the Convention on Certain Conventional Weapons. Yet the States parties had decided at the 2001 Review Conference to address the specific impact of cluster munitions. It was true that they had addressed one aspect of the problems posed by submunitions by adopting the Protocol on explosive remnants of war, whose provisions they must immediately begin to implement and which they should ratify without delay. However, that should not prevent them from redoubling their efforts to curb all aspects of the humanitarian impact of cluster munitions, including submunitions which exploded on impact, as well as

submunitions which become explosive remnants of war. The Coalition urged the States parties to redouble their efforts to that end, since the credibility of the work carried out in the Convention process was in question. The Coalition proceeded from the principle that the mandate assigned to the Group of Governmental Experts by the States parties covered all the aspects of the issue, and in particular the use of cluster munitions in areas of civilian concentration. In view of the slow pace of such work, States might possibly have to seek other tracks which were more likely to lead to the goal of protecting civilians from conventional weapons, and in particular the clear and unique threat of cluster munitions.

26. Mr. GOOSE (Human Rights Watch) also thanked the Chairperson and the coordinators for their efforts to ensure that non-governmental organizations could participate in the States parties' discussions. He endorsed the statement made on behalf of the Cluster Munition Coalition.

27. Once again, the promise of the Convention on Certain Conventional Weapons, a highly important international instrument, had not been fulfilled, since no practical progress had been made in 2004. The situation was particularly worrying with regard to cluster munitions, and there might be no advances in that respect in 2005, as the States parties were to focus on the problem of mines other than anti-personnel mines. Yet recent conflicts had shown that it was cluster munitions which posed the greatest risks to civilians during and after hostilities. Some States parties, it seemed, wished to ignore that fact, and remained deaf to calls from civil society for urgent action. In contrast, others seemed to be preoccupied by the need to impose real restrictions on the use of cluster munitions before they caused a global humanitarian crisis similar to the one provoked by landmines. Human Rights Watch urged those States to ensure that delegations paid due attention to the issue of cluster munitions in 2005, with the aim of agreeing on a negotiating mandate. Moreover, the organization urged States parties to take the necessary steps at the national level to adopt best practices in relation to cluster munitions, in particular so as to ban the transfer of munitions with an extremely high failure rate, prohibit their use in populated areas and destroy stockpiles. In the near future, States' actual commitment in that regard would have to be gauged in terms of their national policies and practices.

28. Following the customary exchange of courtesies, the CHAIRPERSON declared the Meeting closed.

The meeting rose at 11.55 a.m.