

**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**

CCW/MSP/2007/SR.4
14 November 2007

Original: ENGLISH

Geneva, 7-13 November 2007

SUMMARY RECORD OF THE 4th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 8 November 2007, at 3 p.m.

Chairperson: Mr. VERROS (Greece)

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MINES OTHER THAN ANTI-PERSONNEL MINES

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The meeting was called to order at 3.40 p.m.

MINES OTHER THAN ANTI-PERSONNEL MINES (agenda item 11)
(CCW/CONF.III/7/Add.2-CCW/GGE/XV/6/Add.2, CCW/GGE/VIII/WG.2/WP.2,
CCW/GGE/XII/WG.2/1/Rev.2, CCW/GGE/XII/WG.2/WP.1)

1. Mr. da ROCHA PARANHOS (Brazil) reviewed the work done on the question of mines other than anti-personnel mines during 2006, as described in the report contained in document CCW/CONF.III/7/Add.2-CCW/GGE/XV/6/Add.2. As Coordinator on that question for the Group of Governmental Experts during 2006, he considered that progress had been made despite the persistence of certain problems, notably the definition of the terms “detectability” and “active life”. The available material constituted a basis on which to continue consultations on the issue and, as Friend of the Chair on mines other than anti-personnel mines, he stood ready to assist in finding language acceptable to all delegations.
2. Mr. PEREIRA GOMES (Portugal), speaking on behalf of the European Union, said that the question of mines other than anti-personnel mines must remain on the CCW agenda. The European Union would maintain a dialogue with States parties that had not yet been able to join consensus on the key elements of a legally binding instrument, namely the questions of detectability and active life.
3. A firm basis had already been laid for a protocol, in particular in the recommendations presented in 2005 and contained in document CCW/GGE/XII/WG.2/1/Rev.2.
4. Mr. Ó CEALLAIGH (Ireland) recalled that his delegation had submitted a proposal in June 2004 concerning mines other than anti-personnel mines laid outside perimeter-marked areas (CCW/GGE/VIII/WG.2/WP.2). That paper had attracted wide support. In addition, the work done by previous coordinators on the topic provided an appropriate basis for further work. He urged States parties to act without delay to negotiate and adopt a protocol that would reduce the humanitarian damage caused by mines other than anti-personnel mines.
5. Mr. CHANG Dong-hee (Republic of Korea) said that the Declaration on Anti-Vehicle Mines made by 25 countries, including the Republic of Korea, in 2006, represented a valuable attempt to keep up the momentum of discussion on the issue. His delegation believed it was still possible to reach a common understanding.
6. Mr. MALOV (Russian Federation) said that, while no one could doubt the need to alleviate the sufferings of the civilian population in territories where military conflicts were taking place, it was necessary to bear in mind that the issue of mines other than anti-personnel mines was one that had direct military, political and financial implications for States’ defence capabilities.
7. The aim was to balance humanitarian concerns and States’ legitimate security interests, but it was not clear to his delegation that, despite the time devoted to the issue in recent years, the discussion had progressed beyond an intensive exchange of views.
8. In the debate on what many delegations saw as the particular humanitarian risks posed by mines other than anti-personnel mines, for example, no serious facts in support of that position had been presented to the Group of Governmental Experts. His own delegation, on the other

hand, had made numerous presentations arguing the view that the humanitarian risks of such munitions was no greater than the risks posed by other types of munitions, and events over the past year had shown that the highest casualty rate was associated with improvised explosive devices. Yet his delegation's view had elicited no substantive response.

9. Likewise, his delegation's presentations on detectability, based on Russian experience with the use of mines for defensive purposes, had not been properly considered.

10. Amended Protocol II adequately regulated the use of landmines. It was difficult to see any value in a new protocol on mines other than anti-personnel mines. Priority should be given to universalization of amended Protocol II and to ensuring its implementation at the national level. That would considerably reduce the humanitarian threat posed by landmines of all types.

11. While much valuable work had been done in the Group of Governmental Experts, the basic positions and approaches formulated thus far were in fact quite contradictory. The failure to reach a common understanding was due, not to any lack of political will but to the difficult and controversial nature of the problem. Nevertheless, given the absence of any practical basis for a common approach, there was no reason to press on with work on mines other than anti-personnel mines in the CCW framework.

12. Ms. RODRÍGUEZ CAMEJO (Cuba) said that, while the debate on the topic of mines other than anti-personnel mines had been a rich one, the existing proposals for a new protocol did not meet her delegation's expectations. Cuba had always been concerned that measures based essentially on technical improvements would be difficult for developing countries to apply effectively and could result in a monopoly on production and export of such munitions that would have important implications for Cuba's national defence.

13. The humanitarian concerns arose from the use, not the design, of mines other than anti-personnel mines and were adequately covered by existing provisions in both the original version of Protocol II and amended Protocol II, and there was no justification for adopting a new legally binding instrument.

14. She recalled that, in 2005, in a spirit of constructive dialogue, Cuba had nevertheless submitted a proposal for a new voluntary protocol prohibiting use of mines other than anti-personnel mines outside the borders of the State (CCW/GGE/XII/WG.2/WP.1). That proposal remained on the table for discussion.

15. Mr. BETTAUER (United States of America) said that the issue of mines other than anti-personnel mines was highly important and expressed support for the European Union's suggestion that it should continue to be included in the agenda. From the discussions thus far, however, it was clear that the positions of States - including his own, as stated in the general debate - had not changed and were in fact unbridgeable. Seeing no utility to further discussion of mines other than anti-personnel mines, he suggested that the Meeting might focus instead on a mandate for cluster munitions.

16. Mr. SHARMA (India) urged all States parties to show flexibility in order to make it possible to adopt a legally binding protocol on mines other than anti-personnel mines. There was also a pressing need for a legal instrument on the irresponsible use of improvised explosive devices, which probably accounted for more casualties than mines other than anti-personnel mines.

17. Mr. BETTAUER (United States of America), supported by Mr. KHOKHER (Pakistan), said that it would be useful to close the discussion and move on to another agenda item. He pointed out that he was not requesting formal closure of debate under rule 27 of the rules of procedure.

18. The CHAIRPERSON announced that discussion of item 11 of the agenda would therefore resume at the following meeting. In the meantime, informal consultations on agenda item 9 would be held.

The meeting was suspended at 4.20 p.m. and resumed at 5.15 p.m.

19. The CHAIRPERSON said that the informal consultations on agenda item 9 had been successfully completed and a decision would be taken at the following meeting.

The meeting rose at 5.20 p.m.