

**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.10
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SUMMARY RECORD OF THE 10th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 13 November 2007, at 3 p.m.

Chairperson: Mr. VERROS (Greece)

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The meeting was called to order at 5.10 p.m.

CONSIDERATION AND ADOPTION OF THE FINAL DOCUMENT (agenda item 12)
(CCW/MSP/2007/CRP.4; non-paper containing amendments to CCW/MSP/2007/CRP.4,
circulated in the meeting room in English only)

1. The CHAIRPERSON drew attention to the draft report of the Meeting (CCW/MSP/2007/CRP.4) and to the non-paper containing proposed amendments to the draft report and invited the participants to consider them paragraph by paragraph before adopting the report as a whole.

Paragraphs 1 to 11

2. Paragraphs 1 to 11 were adopted.

Paragraphs 12 to 18

3. Paragraphs 12 to 18 were adopted.

Paragraphs 19 to 27

4. Mr. BETTAUER (United States of America) said that the programme of work had never been formally adopted. He suggested that, in paragraph 21, the words “and adopted its Programme of Work, as contained in Annex II” should be deleted.

5. Paragraph 21 was adopted as amended.

6. The CHAIRPERSON said that paragraph 27 would be revised to include references to the documents that had formed the basis of the work of the Meeting.

7. Paragraph 27 was adopted on that understanding.

8. Paragraphs 19 to 27 were adopted as amended.

Paragraphs 28 to 39

9. The CHAIRPERSON drew attention to the proposed amendment to paragraph 39 contained in the non-paper, establishing the calendar of work for the Group of Governmental Experts.

10. Mr. DOBELLE (France) suggested that paragraphs 37 to 39 should be merged into a single paragraph.

11. Ms. RODRÍGUEZ CAMEJO (Cuba) agreed but suggested that the new single paragraph should also take in proposed new paragraph 40.

12. Mr. DOBELLE (France) said that it was regrettable that, in the first half of 2008, the Group of Governmental Experts was to meet for only a single week. Such an arrangement failed to reflect the sense of urgency expressed in the negotiating mandate on cluster munitions.

13. The CHAIRPERSON said that he shared the French delegation's disappointment but various constraints, including room availability, had meant that the proposed solution had been the only one possible.

14. Mr. BETTAUER (United States of America), recalling his delegation's statements during the course of the current Meeting as to the financial advantages of placing the meetings on the various instruments under a single chapeau, suggested that the Meeting could take an additional decision to ask the Secretary-General to investigate the options in that regard and to report to the 2008 Meeting. He proposed, subject to consensus, adding a further new paragraph to the draft report, which he read out:

“The Meeting requested the Secretary-General to study whether there are possibilities for rationalizing the meeting scheme for amended Protocol II, Protocol V and the Meeting of the High Contracting Parties to the Convention and to report on this at the next Meeting of the High Contracting Parties.”

15. Mr. KOLAROV (Secretary-General of the Meeting) suggested inserting the words “in consultation with the interested delegations” after the words “requested the Secretary-General”.

16. Mr. WENSLEY (South Africa) said that it would not set a good precedent to adopt a text that was not before the Meeting, particularly at such a late stage. He also expressed concern at the notion of “interested delegations”. All delegations had an interest in the matter and such consultations should be conducted in a transparent manner.

17. Mr. KOLAROV (Secretary-General of the Meeting) said that all delegations would be invited to submit proposals.

18. Mr. SHARMA (India) said that he shared the South African delegation's concerns. There had been no opportunity to consult on the question in the course of the current Meeting. He suggested that the Meeting could recognize the need for rationalization and hold consultations in 2008.

19. The CHAIRPERSON said that he took it that there was no consensus on the United States delegation's proposal.

20. Paragraphs 28 to 40, as amended, were adopted.

Paragraphs 41 to 47

21. Paragraphs 41 to 47 were adopted.

22. The draft report as a whole was adopted as amended.

CLOSURE OF THE MEETING

23. Mr. MACKAY (New Zealand) said that the mandate on cluster munitions adopted by the Meeting fell far short of providing a credible pathway towards the goals agreed at the

Third Review Conference and reinforced by the Secretary-General of the United Nations at the start of the current Meeting. Moreover, his delegation was dismayed at the enormous difficulty experienced in reaching even that outcome.

24. His delegation had nevertheless been pleased to see the increased level of engagement on the issue by States parties. There seemed to be universal recognition that cluster munitions posed a specific humanitarian risk. Great efforts would be required in the following year to conclude a comprehensive legally binding instrument that would make a substantive difference to the lives of civilians affected by conflict.

25. Mr. MACLACHLAN (Australia) said that the mandate on cluster munitions was not all that Australia had hoped for. Australia had joined the consensus because the mandate represented agreement among the States parties, including major producers and users, to address the humanitarian impact of such munitions through negotiations. Such negotiations should result in a legally binding instrument as soon as possible.

26. Mr. BETTAUER (United States of America) welcomed the decision on the negotiating mandate on cluster munitions. It demonstrated that the States parties to the Convention could reach consensus on an urgent issue rapidly, and it meant that the issue would be addressed in the appropriate framework. CCW was the only framework that could achieve meaningful results, bringing together as it did users, producers and those concerned with the humanitarian impact of such munitions.

27. Mr. PEREIRA GOMES (Portugal), speaking on behalf of the European Union, said that the issue of cluster munitions had been the main challenge to States parties at the current Meeting. The European Union had submitted a proposal aimed at concluding a legally binding instrument on that question, and had joined the consensus on the decision to establish a Group of Governmental Experts to deal with the issue because it considered that that decision would allow it to promote its proposal, with a view to concluding a legally binding instrument by the end of 2008.

28. Mr. VAN GUCHT (Belgium) said that the recent European Regional Conference on Cluster Munitions organized by Belgium had given rise to frank exchanges and a certain rapprochement of positions. The conference documents had been published and would be of use in preparing future international negotiations.

29. Mr. Ó CEALLAIGH (Ireland) said that his delegation was disappointed to note the continuing failure of CCW to take appropriate action on mines other than anti-personnel mines. That failure had damaged the credibility of the Convention. The damage would be compounded if CCW also proved unable to take action on cluster munitions.

30. Mr. PETRITSCH (Austria) said that his delegation was disappointed that the mandate on cluster munitions did not clearly define the aim of the work to be done.

31. Mr. KHAN (Pakistan) said that the decision on cluster munitions satisfied all States parties and marked a step forward in the CCW framework. The CCW had been strengthened by the spirit of compromise and accommodation shown by all concerned.

32. Mr. CHANG Dong-hee (Republic of Korea) said that his delegation had hoped to see a discussion on mines other than anti-personnel mines develop during the Meeting, but the humanitarian impact of such munitions had not been fully perceived by all States parties. He welcomed the decision to keep the issue under consideration.

33. Certain delegations and NGOs had expressed disappointment at the decision on cluster munitions, but his delegation preferred not to prejudge the outcome of the meetings of the Group of Governmental Experts.

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

The meeting rose at 6.35 p.m.