

《禁止或限制使用某些可被认为具有过分
伤害力或滥杀滥伤作用的常规武器公约》
缔约国会议

CCW/MSP/2002/2
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2002 年 12 月 12 日至 13 日，日内瓦

《禁止或限制使用某些可被认为具有过分伤害力
或滥杀滥伤作用的常规武器公约》
缔约国会议的报告

1. 2001 年 12 月 11 日至 21 日在日内瓦举行的《禁止或限制使用某些可被认为具有过分伤害力或滥杀滥伤作用的常规武器公约》缔约国第二次审查会议在其《最后宣言》中决定就《公约》第二次审查会议所产生的决定开展后续工作，并由 2002 年 12 月 12 日和 13 日将于日内瓦举行的《公约》缔约国会议的候任主席督导这一工作。该会议将与经修正后的第二号议定书缔约国第四届年度会议一同举行，后一会议可于 2002 年 12 月 11 日开始。为此，审查会议决定设立一个不限成员名额的政府专家小组，委任不同的协调员分别负责：

(a) 讨论如何处理战争遗留爆炸物问题。在这方面，小组应审议所有因素、适当措施和提案，尤其是：

- 有可能在冲突结束后造成人道主义问题的因素和弹药类型；
- 可否对相关类型的弹药包括子弹药作出技术改进或采取其他措施，以减少此种弹药成为战争遗留爆炸物的可能性；
- 现有的国际人道主义法是否足以将冲突后战争遗留爆炸物对平民和对军人造成的危险减至最低；
- 向受战争遗留爆炸物影响的地区内或附近的平民群体示警；清除战争遗留爆炸物；迅速提供信息，以便及早安全清除战争遗留爆炸物；及有关问题和责任；
- 援助与合作。

协调员应以高效率方式开展工作，早日将协商一致通过的建议提交缔约国，其中包括是否应着手谈判一项或数项关于战争遗留爆炸物的具有法律约束力的文书和/或采取其他办法。

- (b) 进一步探讨非杀伤人员地雷问题。协调员应向缔约国提交一份协商一致通过的报告。

审查会议还决定请候任主席在休会期间进行磋商，以探讨可采取何种办法来促进对《公约》及其所附议定书的遵守。他应考虑到所提出的各项建议，并应向缔约国提交一份以协商一致方式通过的报告。

审查会议又决定邀请感兴趣的缔约国召开专家会议以审议与小口径武器和弹药有关的种种问题，诸如：军事需要；科学和技术因素/方法；医学因素；法律/条约义务/标准；所涉财务问题；并向《公约》缔约国通报其在这一方面进行的工作。此种会议不涉及《特定常规武器公约》预算。

在同一次审查会议上，缔约国还商定，候任主席应与各缔约国就财务安排和工作计划进行磋商；休会期间的工作将按照《公约》缔约国第二次审查会议通过的议事规则进行。

2. 审查会议建议任命印度的勒凯什·索德大使为 2002 年 12 月 12 日和 13 日将于日内瓦举行的缔约国会议的候任主席，并任命了政府专家小组的两名协调员：荷兰的克里斯·桑德斯大使，负责战争遗留爆炸物问题；保加利亚的彼得·科拉罗夫公使衔参赞，负责非杀伤人员地雷问题。

3. 2002 年期间，政府专家小组举行了三届会议。小组所有三届会议的审议和活动情况见 2002 年 5 月 28 日 CCW/GGE/I/2 号文件、2002 年 7 月 26 日 CCW/GGE/II/1 号文件和 2002 年 12 月 11 日 CCW/GGE/III/1 号文件。

4. 《公约》缔约国会议于 2002 年 12 月 12 日至 13 日在日内瓦举行。

5. 2002 年 12 月 12 日，裁军谈判会议副秘书长兼裁军事务部日内瓦办事处主任恩里克·罗曼－莫雷先生宣布会议开幕。

6. 在同一次会议上，缔约国会议以鼓掌方式确认了印度的勒凯什·索德大使担任会议主席的任命。

7. 在 2002 年 12 月 12 日举行的第 1 次全体会议上，缔约国会议通过了经口头修订后的附件一所载议程。

8. 在同一次会议上，缔约国会议通过了第二次审查会议所通过并使用的议事规则(CCW/CONF.II/PC.1/1, 经口头修订)，并通过了载于第二次审查会议最后文件(CCW/CONF.II/2)，第 46 和第 47 页的会议财务安排。

9. 在同一次全体会议上，缔约国会议一致确认了裁军事务部日内瓦办事处的政治事务干事弗拉迪米尔·博戈莫洛夫先生担任会议秘书长的任命。政治事务干事班坦·努格罗霍先生以会议秘书身分从旁协助。

10. 在同一次全体会议上，鉴于会期很短，缔约国会议同意精简主席团人数，只由主席、各集团协调员和工作组两位协调员组成主席团，但有一项理解是，这不对缔约国今后的会议构成先例。

11. 在 12 月 12 日举行的第 1 次全体会议上，缔约国会议收到了联合国秘书长的贺词，贺词由裁军谈判会议副秘书长兼裁军事务部日内瓦办事处主任恩里克·罗曼-莫雷先生宣读。

12. 《公约》的下列缔约国参加了缔约国会议的工作：阿尔巴尼亚、阿根廷、澳大利亚、奥地利、孟加拉国、白俄罗斯、比利时、玻利维亚、波斯尼亚—黑塞哥维那、巴西、保加利亚、柬埔寨、加拿大、中国、哥斯达黎加、克罗地亚、古巴、塞浦路斯、捷克共和国、丹麦、爱沙尼亚、南斯拉夫联盟共和国、芬兰、法国、格鲁吉亚、德国、希腊、危地马拉、教廷、匈牙利、印度、爱尔兰、以色列、意大利、日本、拉脱维亚、立陶宛、卢森堡、马耳他、墨西哥、摩纳哥、蒙古、摩洛哥、荷兰、新西兰、挪威、巴基斯坦、巴拿马、秘鲁、菲律宾、波兰、葡萄牙、大韩民国、罗马尼亚、俄罗斯联邦、塞内加尔、斯洛伐克、南非、西班牙、瑞典、瑞士、前南斯拉夫的马其顿共和国、突尼斯、乌克兰、大不列颠及北爱尔兰联合王国和美利坚合众国。

13. 下列签署国也参加了会议的工作：埃及、尼日利亚和土耳其。

14. 《公约》的下列非缔约国以观察员身份参加：智利、多米尼加共和国、洪都拉斯、伊朗伊斯兰共和国、科威特、黎巴嫩、阿拉伯利比亚民众国、沙特阿拉伯、新加坡、斯里兰卡和委内瑞拉。

15. 联合国裁军研究所和联合国排雷行动处的代表参加了会议的工作。

16. 红十字国际委员会也参加了会议的工作。

17. 下列组织的代表也参加了会议的工作：非洲联盟、欧洲委员会、日内瓦国际人道主义排雷中心、德国禁止地雷运动、国际残疾人协会(比利时)、国际残疾人协会(法国)、人权观察社、国际禁止地雷运动、地雷行动、门诺中央委员会和地雷行动(加拿大)。

18. 缔约国会议举行了三次全体会议。

19. 缔约国会议主席印度大使勒凯什·索德将政府专家小组的报告提交缔约国会议审议。

20. 下列国家参加了一般性意见交换：阿根廷、澳大利亚、奥地利、巴西、加拿大、中国、克罗地亚、古巴、丹麦(代表欧洲联盟及准成员国)、埃及、南斯拉夫联盟共和国、法国、爱尔兰、以色列、意大利、日本、阿拉伯利比亚民众国、墨西哥、新西兰、挪威、巴基斯坦、巴拿马、波兰、大韩民国、罗马尼亚、俄罗斯联邦、塞内加尔、南非、瑞典、瑞士和美利坚合众国。

红十字国际委员会、人权观察社、国际禁止地雷运动和地雷行动也参加了一般性意见交换。

21. 缔约国会议决定，战争遗留爆炸物问题工作组在 2003 年期间应按以下的职权范围继续开展工作：

(a)(一) 谈判一项旨在减小战争遗留爆炸物危险的关于冲突结束后的一般性补救措施的文书。这些措施应从宽泛的定义出发，其中涵盖绝大多数类型的爆炸性弹药，但地雷除外。被弃置的弹药须包括在内。除其他外，谈判中需要审议下列方面的问题：清除责任；现有的战争遗留爆炸物；提供信息，以协助清除此种遗留物和开展遗留物危险性教育；向平民群体示警；援助与合作；缔约方定期磋商体制。谈判须确定该文书的范围，这一范围应与经《公约》第二次审查会议修正后的《公约》第一条相符。

(a)(二) 探讨并确定是否可在谈判中圆满地处理旨在改进议定的宽泛定义所涵盖的各类弹药的可靠性的一般性预防措施，改进的办法是在弹药制造、质量控制、处理和储存的管理方面自愿采用最佳做法。信息交换以及援助与合作应是这类最佳做法的重要组成部分。

(b) 除了进行(a)分段所指的谈判，另外继续审议国际人道主义法现有原则的实施问题，并在可自由参加的基础上继续进一步研究可否制定一些预防措施来改进特定类型的弹药包括子弹药的设计，以求尽可能减小

此种弹药成为战争遗留爆炸物的人道主义危险。信息交换以及援助与合作应是这项工作的一部分。

- (c) 在进行上述活动的过程中，可举行军事专家会议为活动的进行提供咨询意见。

22. 缔约国会议决定，非杀伤人员地雷问题工作组在 2003 年期间应按以下的职权范围继续开展工作：

- (a) 继续探讨非杀伤人员地雷问题。工作组应审议减小不负责任地使用非杀伤人员地雷所造成危险的最适当方式，包括有无可能为一项新的文书及其他适当措施制定谈判职权。政府专家小组应考虑到：

- 在人道主义关注与非杀伤人员地雷的军事作用之间取得恰当平衡的必要性；
- 《特定常规武器公约》经修正后的第二号议定书中对此种地雷已经施加的限制；
- 旨在尽量减小此种地雷所造成的人道主义危险的技术措施和其他措施以及有效落实这些措施的方法，诸如国际合作与援助、过渡期等等；
- 与非国家行为者使用非杀伤人员地雷有关的问题；
- 与此种地雷的其他方面有关的任何问题。

- (b) 在进行上述活动的过程中，可举行军事专家会议为活动的进行提供咨询意见。

23. 缔约国会议决定请候任主席在休会期间进行磋商，以探讨可采取何种办法来促进对《公约》及其所附议定书的遵守。他应考虑到所提出的各项建议，并向缔约国提交一份以协商一致方式通过的报告。

24. 缔约国会议注意到瑞士提交的与小口径武器和弹药有关的报告。会议邀请感兴趣的《公约》缔约国继续就已查明的种种可进一步探讨的主题领域举行专家一级的非正式会议。

25. 在第 3 次全体会议上，缔约国会议决定继续开展后续工作，并由 2003 年 11 月 27 日至 28 日将于日内瓦举行的《公约》缔约国会议的候任主席督导这一工作。该会议将与经修正后的第二号议定书缔约国第五届年度会议一同举行。

26. 在 2002 年 12 月 13 日举行的同一次全体会议上，缔约国会议决定，政府专家小组的休会期间工作将在 2003 年期间分三届会议进行：

- 2003 年 3 月 10 日至 14 日
- 2003 年 6 月 16 日至 27 日
- 2003 年 11 月 17 日至 24 日

27. 缔约国会议讨论了经修正后的第二号议定书缔约国第五届年度会议的日期和会期长短问题，并决定于 2003 年 11 月 26 日在日内瓦举行该会议。

28. 在不损害得到普遍接受的轮流原则的前提下，缔约国会议决定重新指定印度的勒凯什·索德大使为 2003 年将举行的缔约国会议的主席，并重新任命了政府专家小组的两名协调员：荷兰的克里斯·桑德斯大使，负责战争遗留爆炸物问题；保加利亚的彼得·科拉罗夫公使衔参赞，负责非杀伤人员地雷问题。

29. 在最后一次全体会议上，缔约国会议通过了载于 CCW/MSP/2002/CRP.1 号文件并经口头修订的报告以及将于 2003 年举行的政府专家小组三届会议、经修正后的第二号议定书缔约国第五届年度会议和《公约》缔约国会议的费用估计。通过的报告现作为 CCW/MSP/2002/2 号文件印发。

附 件 一

经 2002 年 12 月 12 日第 1 次全体会议 口头修订后的缔约国会议议程

1. 会议开幕
2. 确认会议主席的任命
3. 通过议程
4. 确认议事规则
5. 确认会议秘书长的任命
6. 选举副主席
7. 联合国秘书长的贺词
8. 通过会议的财务安排
9. 《特定常规武器公约》缔约国政府专家小组的工作报告
10. 审议政府专家小组的工作报告和一般性交换意见
11. 通过报告
12. 其他事项

附 件 二

《禁止或限制使用某些可被认为具有过分伤害力或 滥杀滥伤作用的常规武器公约》缔约国 2003 年会议费用估计

秘书处的说明

1. 2002 年 12 月 12 日至 13 日在日内瓦举行的《禁止或限制使用某些可被认为具有过分伤害力或滥杀滥伤作用的常规武器公约》缔约国会议决定，于 2003 年 11 月 27 日至 28 日举行一次缔约国会议。

2. 本文件就是根据缔约国的上述决定提交的，文件中开列了召开上述会议的估计费用，数额为 290,400 美元。费用估计的细目见附表。

3. 应指出，费用估计是根据以往的经验 and 预期工作量算出的。实际开支须待会议结束并确知工作量之后才能确定。届时将对分摊费用的各与会国的摊款额作相应的调整。

4. 关于财务安排，须说明的是，依照以往多边裁军会议及有关会议的惯例，并如此种会议的议事规则中所反映的那样，会议费用是由参加会议的缔约国按照联合国会费分摊比额表分摊的，同时根据参加会议的缔约国数目按比例作出调整。接受邀请参加会议的非缔约国按联合国会费分摊比额表中各自的分摊比率分摊会议费用。

5. 待缔约国核准费用估计和摊款办法之后，将根据估计费用总额和适用的摊款办法拟订摊款通知。鉴于上述活动不涉及联合国经常预算的经费问题，缔约国一收到摊款通知，即应尽快支付估计费用分摊额。

会议名称： 《禁止或限制使用某些可被认为具有过分伤害力或
滥杀滥伤作用的常规武器公约》 缔约国会议

2003 年 11 月 27 日至 28 日，日内瓦

会议服务 项 目	会议服务 (美元)	会前文件 (美元)	会期文件 (美元)	简要记录	会后文件 (美元)	所需支助 服务(美元)	所需其他 服务(美元)	合 计* (美元)
口 译 和 会 议 服 务	20,028							20,028
文件翻译		32,395	114,960	30,679	54,052			232,085
所 需 支 助 服 务						2,114		2,114
所 需 其 他 服 务							4,347	4,347
合 计	20,028	32,395	114,960	30,679	54,052	2,114	4,347	258,575

* 按 1 美元= 1.50 瑞士法郎计算

A. 所需会议服务费用合计(包括 13%方案支助费用)	258,575
B. 所需非会议服务费用	
(1) 一名 P3, 3 个月	19,654
(2) 一名 G4, 1 个星期	924
(3) 会议秘书长办公室	
- 6 个月的特别职位津贴	6,600
- 招待费	1,000
小计	28,178
方案支助费用(B 的 13%)	3,663
B 小计	31,841
A+B 总计(四舍五入)	<u>290,400</u>

附 件 三

《禁止或限制使用某些可被认为具有过分伤害力或 滥杀滥伤作用的常规武器公约》缔约国政府 专家小组 2003 年三届会议费用估计

秘书处的说明

1. 2001 年 12 月 11 日至 21 日在日内瓦举行的《禁止或限制使用某些可被认为具有过分伤害力或滥杀滥伤作用的常规武器公约》缔约国第二次审查会议决定设立一个不限成员名额的政府专家小组，以审查各缔约国的一些提案。

2. 2002 年 12 月 12 日至 13 日在日内瓦举行的《公约》缔约国会议决定，政府专家小组将在 2003 年举行三届会议：第一届会议为期 5 个工作日；第二届会议为期 10 个工作日；第三届会议为期 6 个工作日。

3. 本文件就是根据缔约国的上述决定提交的，文件中开列了召开三届会议的估计费用，总额为 1,028,800 美元。费用估计的细目见附表。

4. 应指出，费用估计是根据以往的经验 and 预期工作量算出的。实际开支须待会议结束并确知工作量之后才能确定。届时将对分摊费用的各与会国的摊款额作相应的调整。

5. 关于财务安排，须说明的是，依照以往多边裁军会议及有关会议的惯例，并如此种会议的议事规则中所反映的那样，会议费用是由参加会议的缔约国按照联合国会费分摊比额表分摊的，同时根据参加会议的缔约国数目按比例作出调整。接受邀请参加会议的非缔约国按联合国会费分摊比额表中各自的分摊比率分摊会议费用。

6. 待缔约国核准费用估计和摊款办法之后，将根据估计费用总额和适用的摊款办法拟订摊款通知。鉴于上述活动不涉及联合国经常预算的经费问题，缔约国一收到摊款通知，即应尽快支付估计费用分摊额。

会议名称：《禁止或限制使用某些可被认为具有过分伤害力或滥杀滥伤作用的常规武器公约》缔约国政府专家小组第一届会议

2003 年 3 月 10 日至 14 日，日内瓦

会议服务项目	会议服务(美元)	会前文件(美元)	会期文件(美元)	简要记录	会后文件(美元)	所需支助服务(美元)	所需其他服务(美元)	合 计*(美元)
口译和会议服务	70,495							70,495
文件翻译		64,964	114,960	0	34,287			214,211
所需支助服务						5,306		5,306
所需其他服务							6,097	6,097
合 计	70,495	64,964	114,960	0	34,287	5,306	6,097	296,109

* 按 1 美元= 1.50 瑞士法郎计算

A. 所需会议服务费用合计(包括 13%方案支助费用)	296,109
B. 所需非会议服务费用	-
(1) 一名 P3, 6 个月	39,307
(2) 一名 G4, 6 个星期	5,544
小计	44,851
方案支助费用(B 的 13%)	5,831
B 小计	50,682
A+B 总计(四舍五入)	<u>346,800</u>

会议名称：《禁止或限制使用某些可被认为具有过分伤害力或滥杀滥伤作用的
常规武器公约》缔约国政府专家小组第二届会议

2003 年 6 月 16 日至 27 日，日内瓦

会议服务 项 目	会议服务 (美元)	会前文件 (美元)	会期文件 (美元)	简要记录	会后文件 (美元)	所需支助 服务(美元)	所需其他 服务(美元)	合 计* (美元)
口 译 和 会 议 服 务	140,898							140,898
文件翻译		64,964	114,960	0	24,739			204,663
所 需 支 助 服 务						10,612		10,612
所 需 其 他 服 务							12,364	12,364
合 计	140,898	64,964	114,960	0	24,739	10,612	12,364	368,628

* 按 1 美元= 1.50 瑞士法郎计算

A. 所需会议服务费用合计(包括 13%方案支助费用)	368,628
B. 所需非会议服务费用	-
A+B 总计(四舍五入)	<u>368,600</u>

会议名称：《禁止或限制使用某些可被认为具有过分伤害力或滥杀滥伤作用的常规武器公约》缔约国政府专家小组第三届会议

2003 年 11 月 17 日至 24 日，日内瓦

会议服务项目	会议服务 (美元)	会前文件 (美元)	会期文件 (美元)	简要记录	会后文件 (美元)	所需支助 服务(美元)	所需其他 服务(美元)	合 计* (美元)
口译和会议服务	84,518							84,518
文件翻译		64,964	114,960	0	34,287			214,211
所需支助服务						6,384		6,384
所需其他服务							8,279	8,279
合 计	84,518	64,964	114,960	0	34,287	6,384	8,279	313,392

* 按 1 美元=1.50 瑞士法郎计算

A. 所需会议服务费用合计(包括 13%方案支助费用)	313,392
B. 所需非会议服务费用	-
A+B 总计(四舍五入)	<u>313,400</u>

附 件 四

与会者名单

A. STATES PARTIES

ALBANIA

H.E. Mr. Vladimir Tthanati	Ambassador, Permanent Representative, Geneva Head of Delegation
Mrs. Pranvera Goxhi	First Secretary, Permanent Mission, Geneva
Mr. Lorenc Xhaferra	Officer to the Ministry of Foreign Affairs, Tirana

ARGENTINA

S.E. Sr. Alfredo Vicente Chiaradia	Embajador, Representante Permanente Ginebra
Sr. Marcelo Valle Fonrouge	Consejero, Misión Permanente, Ginebra

AUSTRALIA

H.E. Mr. Michael Smith	Ambassador, Permanent Representative to the Conference on Disarmament, Geneva Head of Delegation
Dr. Geoffrey Shaw	Deputy Permanent Representative to the Conference on Disarmament, Geneva Deputy Head of Delegation
Lt. Col. Roy Abbott	Command Legal Officer, Land Headquarters Australian Defence Forces, Canberra
Lt. Col. Nicholas Rowntree	Australian Defence Forces, Canberra
Mr. Peter Truswell	Third Secretary, Delegation to the Conference on Disarmament, Geneva

AUSTRIA

H.E. Mr. Wernfried Köffler	Ambassador, Head of Department Federal Ministry for Foreign Affairs, Vienna Head of Delegation
Mr. Alexander Kmentt	Counsellor, Permanent Mission, Geneva Deputy Head of Delegation
Mr. Peter Grabner	Brigadier General, Military Adviser Permanent Mission, Geneva
Mr. Richard Monsberger	Lt. Col, Technical Expert Head of Arms Control Section Federal Ministry of Defence, Vienna

BANGLADESH

H.E. Dr. Toufiq Ali	Ambassadeur, Permanent Representative Geneva Head of Delegation
Mr. Kazi Imtiaz Hossain	Counsellor, Permanent Mission, Geneva

BELARUS

Mr. Syargei Aleinik	Permanent Representative, Geneva Head of Delegation
Mr. Vladimir Malevich	Deputy Permanent Representative, Geneva Deputy Head of Delegation
Mr. Vladimir Ponkratenko	Counsellor, Permanent Mission, Geneva

BELGIUM

S.E. M. Jean Lint	Ambassadeur, Représentant permanent auprès de la Conférence du Désarmement Genève Chef de la Délégation
M. Paul Huynen	Directeur du Service Non-Prolifération et Désarmement Ministère des Affaires étrangères

M. Damien Angelet	Représentant permanent adjoint auprès de la Conférence du Désarmement, Genève Suppléant
Lt. Col. Baudoin Briot	Ministère de la Défense Nationale Conseiller
Major Dominique Jones	Ministère de la Défense Nationale Conseiller
Commandant Luc Daes	Ministère de la Défense Nationale Conseiller
Mme Jenny Ulrichts	Attachée administrative

BOLIVIA

S.E. Sr. Ricardo Alba Balderrama	Embajador Representante Permanente, Ginebra
Sr. Gino Poggi Borda	Consejero, Misión Permanente, Ginebra

BOSNIA-HERZEGOVINA

Mr. Sefik Fadzan	Minister-Counsellor, Chargé d'Affaires a.i. Permanent Mission, Geneva
Mrs. Dragana Kremenovic-Kusmuk	First Secretary, Permanent Mission, Geneva

BRAZIL

H.E. Ms. Celina M. A. do Valle Pereira	Ambassador, Deputy Permanent Representative Geneva
Gen. Joélcio de Campos Silveira	Military Counsellor, Permanent Mission, Geneva
Mr. Frederico S. Duque Estrada Meyer	Minister Counsellor, Permanent Mission Geneva
Col. Hamilton de Oliveira Ramos	Army Adviser, Army Command
Col. Manoel L. Narvaz Pafiadache	Military Adviser, Permanent Mission, Geneva
Col. João Artur Teixeira	Air Force Adviser, Air Force Command

Col. Maurizil Othon Neves Gonzaga	Division of International Organizations Ministry of Defence
Mr. Fernando Apparicio da Silva	First Secretary, Permanent Mission, Geneva
Mr. Jandyr Ferreira dos Santos Junior	Third Secretary, Disarmament Division Ministry of Foreign Relations

BULGARIA

H.E. Mr. Dimitar Tzantchev	Ambassador, Permanent Representative, Geneva Head of Delegation
Mr. Peter Kolarov	Minister Plenipotentiary Permanent Mission, Geneva Deputy Head of Delegation
Ms. Lachezara Stoeva	Expert, NATO and International Security Directorate, Ministry of Foreign Affairs, Sofia Adviser
Mr. Ivan Gospodinov	Attaché, Permanent Mission, Geneva Adviser
Lt. Col. Valentin Ferdinandov	Deputy Head of Engineer Department Ministry of Defense, General Staff Adviser

CAMBODIA

H.E. Mr. Sam Sotha	Secretary General, Cambodian Mine Action and Victim Assistance Authority
Mr. Khin Cheam	First Secretary, Permanent Mission, Geneva
M. Prum Sophakmonkoi	Cambodian Mine Action and Victim Assistance Authority

CANADA

H.E. Mr. Ross Hynes	Ambassador for Mine Action (ILX) Department of Foreign Affairs and International Trade Head of Delegation
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Ms. Shannon Smith	Head of Section, Policy, Research and Communications, Mine Action Team (ILX) Department of Foreign Affairs and International Trade Deputy Head of Delegation
Mr. Jordan Hancey	Program Coordinator, Policy Research and Communications, Mine Action Team (ILX) Department of Foreign Affairs and International Trade Advisor
Lt. Col. Jean Lapointe	Directorate of Arms Control and Proliferation Control Policy Group Department of National Defence Advisor
Lt. Col. Kirby Abbott	Director of International Law Office of the Judge Advocate General Department of National Defence Advisor
Ms. Emmanuelle Lamoureux	Political and Economic Officer Permanent Mission, Geneva Advisor
Ms. Ann Pollack	Counsellor, Permanent Mission, Geneva Advisor

CHINA

H.E. Mr. SHA Zukang	Ambassador Extraordinary and Plenipotentiary Permanent Representative, Geneva Head of Delegation
Mr. FU Cong	Counsellor Dept. of Arms Control and Disarmament Ministry of Foreign Affairs
Mr. LIU Yongsheng	Counsellor, Permanent Mission, Geneva
Mr. FU Zhigang	First Secretary, Permanent Mission, Geneva
Ms. ZHANG Hongbin	Deputy Division Director Dept. Arms Control and Disarmament Ministry of Foreign Affairs

Mr. ZHANG Senlin	Expert, Ministry of Defense
Mr. LIU Beizhong	Expert, Ministry of Defense
Mr. SHEN Xiaojun	Expert, Ministry of Defense
Mr. LIN Xishi	Expert, Ministry of Defense
Ms. LOU Danzhu	Third Secretary, Permanent Mission, Geneva
Ms. SONG Danhui	Staff Member Dept. of Arms Control and Disarmament Ministry of Foreign Affairs

COSTA RICA

H.E. Mrs. Nora Ruiz de Angulo	Ambassador, Deputy Permanent Representative Geneva
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CROATIA

Mr. Branko Socanac	Charge d'Affairs, Permanent Mission, Geneva
Mr. Vice Skračić	Chief of Section for Cooperative Security, Arms Control and Demining Ministry of Foreign Affairs
Mr. Toma Galli	Second Secretary, Permanent Mission, Geneva
Mr. Slavko Halužan	Chief of Section, General Staff of the Armed Forces
Mrs. Marina Jurić Matejčić	Head of Department for International Legal Affairs Ministry of Defense

CUBA

S.E. Sr. Iván Mora Godoy	Embajador Extraordinario y Plenipotenciario, Representante Permanente, Ginebra Jefe de la Delegación
Sr. Oscar León González	Segundo Secretario, Misión Permanente Ginebra

CYPRUS

H.E. Mr. Alexandros N. Vikis	Ambassador, Permanent Representative Permanent Mission, Geneva
Ms. Frances-Galatia Lanitou Williams	Counsellor, Deputy Permanent Representative Geneva
Mr. Marios Adamides	First Secretary Ministry of Foreign Affairs
Ms. Helena Mina	Second Secretary, Permanent Mission, Geneva
Major Theodoros Efthymiou	Ministry of Defence

CZECH REPUBLIC

H.E. Mr. Alexander Slabý	Ambassador, Permanent Representative, Geneva Head of Delegation
Mr. Ivan Pintér	Counsellor, Permanent Mission, Geneva
Mr. Jiří Svoboda	United Nations Department Ministry of Foreign Affairs, Prague
Mr. Richard Mácha	Department of Security Policy Strategic Planning Division Ministry of Defence, Prague

DENMARK

H.E. Mr. Henrik Rée Iversen	Ambassador, Permanent Mission, Geneva Head of Delegation
Ms. Louise Auken	Secretary of Embassy, Permanent Mission, Geneva
Mr. John Kierulf	Head of Section, Ministry of Defence
Mr. Bendt Due Larsen	Lt. Colonel, Defence Command
Major Jørn Erik Rasmussen	Major, Defence Command

ESTONIA

H.E. Mr. Clyde Kull	Ambassador, Permanent Representative, Geneva Head of Delegation
Ms. Hestrid Tedder	Head of the Defense Policy Planning Bureau Ministry of Defense
Ms. Kirke Kraav	Third Secretary, Permanent Mission, Geneva

FEDERAL REPUBLIC OF YUGOSLAVIA

H.E. Mr. Milorad Scepanovic	Ambassador, Permanent Representative, Geneva Head of Delegation
Mrs. Dusanka Divjak-Tomic	Minister-Counsellor, Permanent Mission, Geneva
Miss Marina Ivanovic	Second Secretary, Permanent Mission, Geneva

FINLAND

H.E. Dr. Markku Reimaa	Ambassador, Permanent Representative to the Conference on Disarmament, Geneva
Mr. Harri Mäki-Reinikka	Minister Counsellor, Permanent Representation to the Conference on Disarmament, Geneva
Ms. Riitta Korpivaara	Counsellor, Ministry for Foreign Affairs
Colonel Yrjö Kukko	Military Adviser, Ministry of Defence
Mr. Alexander Aminoff	Lt. Col. Defence Staff, Helsinki

FRANCE

S.E. M. Hubert de La Fortelle	Ambassadeur, Représentant permanent auprès de la Conférence du Désarmement, Genève
M. Jean-Michel Despax	Représentant permanent adjoint, Représentation permanente auprès de la Conférence du Désarmement, Genève

M. Yann Hwang	Premier Secrétaire, Mission permanente auprès de la Conférence du Désarmement, Genève
Colonel Francis Brossard	Conseiller militaire, Représentation permanente auprès de la Conférence du Désarmement, Genève
M. Gérard Chesnel	Ambassadeur à l'action pour le déminage et l'assistance aux victimes des mines antipersonnel
Capt. de Frégate Arnaud d'Aboville	Ministère de la Défense
Commissaire François Martineau	Ministère de la Défense
Commandant Pascal Rouzaud	Ministère de la Défense

GEORGIA

S.E. Mr. Alexander Kavsadze	Minister plenipotentiary Permanent Mission, Geneva
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GERMANY

H.E. Mr. Volker Heinsberg	Ambassador, Permanent Representative to the Conference on Disarmament, Geneva Head of Delegation
Mr. Berthold Johannes	Head of Division (Conventional Arms Control) Federal Foreign Office Alternate Head of Delegation
Col. Ekkehard Brückner	Head of Division, Armed Forces Staff (Arms Control Division) Federal Ministry of Defence
Col. Gerhard Schepe	Military Advisor, Permanent Mission to the Conference on Disarmament, Geneva
Mr. Joachim Holzenberger	Counsellor, Permanent Mission to the Conference on Disarmament, Geneva
Mr. Dirk Roland Haupt	Desk Officer (Conventional Arms Control) Federal Foreign Office

LTC (GS) Roland Göbel

Desk Officer (Worldwide Arms Control)
Federal Foreign Office

GREECE

H.E. Mr. Tassos Kriekoukis

Ambassador, Permanent Representative, Geneva
Head of Delegation

Mr. Takis Sarris

Minister Counselor, Deputy Permanent Representative,
Geneva

Mr. Ioannis Andreadis

Counselor, Head of the Disarmament Section
Directorate of the United Nations and International
Organizations
Ministry of Foreign Affairs

Mrs. Vassiliki Gounari

First Secretary, Permanent Mission, Geneva

Major Konstantinos Kalantzis

Ministry of Defense

Major Vassilios Makris

Ministry of Defense

GUATEMALA

H.E. Sr. Ariel Rivera Irías

Embajador, Representante Permanente, Ginebra

Sr. Iván Espinoza Farfán

Ministro Consejero, Misión Permanente, Ginebra

Sr. Carlos José Arroyave

Primer Secretario, Misión Permanente, Ginebra

HOLY SEE

S.E. Mgr Diarmuid Martin

Nonce Apostolique, Observateur permanent du
Saint-Siège, Genève

M. Fortunatus Nwachukwu

Conseiller, Mission Permanente, Genève

R.P. Antoine Abi Ghanem

Expert, Mission permanente, Genève

HUNGARY

H.E. Mr. András Szabó	Ambassador, Permanent Mission, Geneva
Mr. László Horváth	Deputy Permanent Representative Permanent Mission, Geneva
Mr. Balázs Rátkai	Third Secretary, Permanent Mission, Geneva
Cpt. Zsolt Nemes	Captain, Hungarian Defense Forces, Budapest
Mr. Márk Horváth	Attaché, Ministry of Foreign Affairs, Budapest

INDIA

H.E. Mr. Rakesh Sood	Ambassador, Permanent Representative, Geneva Head of Delegation
Mr. T.P. Seetharam	Minister, Permanent Mission, Geneva
Mrs. Gaitri I. Kumar	Counsellor, Permanent Mission, Geneva
Col. Surendra Pratap Tanwar	Director, Army Headquarters

IRELAND

H.E. Ms. Mary Whelan	Ambassador, Permanent Representative, Geneva
Mr. Eamonn Robinson	Deputy Head Disarmament and Non-Proliferation Section Department of Foreign Affairs
Mr. Brian Cahalane	First Secretary, Permanent Representation, Geneva
Lt. Col. James Burke	Military Adviser, Department of Defence, Dublin
Mr. Tony d'Costa	Advisor, Department of Foreign Affairs

ISRAEL

H.E. Mr. Yaakov Levy	Ambassador Head of Delegation
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Mr. Joshua Zarka	Counsellor
Mr. Aharon Shahar	Naval Captain (Ret.), Senior Coordinator on Arms Control and Regional Security Ministry of Defense
Mr. Meir Itzhaki	Ministry of Foreign Affairs

ITALY

H.E. Mr. Mario E. Maiolini	Ambassador, Permanent Representative to the Conference on Disarmament, Geneva Head of Delegation
Mr. Angelo Persiani	Deputy Permanent Representative, Geneva Deputy Head of Delegation
Mr. Paolo Cuculi	Ministry of Foreign Affairs
Mr. Luigi Scotto	First Secretary, Permanent Representation, Geneva
Lt. Col. Francesco Giannatiempo	Military Expert
Lt. Col. Michele Oliva	Military Expert
Mr. Luigi Rizzo	Military Expert

JAPAN

H.E. Dr. Kuniko Inoguchi	Ambassador Extraordinary and Plenipotentiary Head of the Delegation to the Conference on Disarmament, Geneva Head of Delegation
Mr. Toshio Sano	Minister, Deputy Head of the Delegation to the Conference on Disarmament, Geneva
Mr. Yusuke Shindo	Director, Conventional Arms Division Ministry of Foreign Affairs, Tokyo
Mr. Yasunari Morino	First Secretary, Delegation to the Conference on Disarmament, Geneva

Col. Toru Takahashi	First Secretary and Defense Attaché Delegation to the Conference on Disarmament Geneva
Mr. Hisao Takasaka	Deputy Director, Chief of Arms Control and Disarmament Section, International Policy Planning Division, Bureau of Defense Policy Defense Agency
Lt. Col. Katsunobu Ishibashi	Staff, Research Section, Research Division Plans & Operations Department Ground Staff Office, Defense Agency
Ms. Yukiko Tominaga	Official, Conventional Arms Division Ministry of Foreign Affairs, Tokyo

LATVIA

H.E. Mr. Janis Karklins	Ambassador, Permanent Representative, Geneva
Ms. Dina Podvinska	Third Secretary, Permanent Mission, Geneva
Major Aizpurietis	National Armed Forces

LITHUANIA

H.E. Mr. Algimantas Rimkunas	Ambassador Extraordinary and Plenipotentiary Permanent Representative Head of Delegation
Mr. Erikas Petrikas	Minister Counsellor, Permanent Mission, Geneva
Mr. Gražvydas Jasutis	Acting Head, International Organizations Department, Ministry of National Defence

LUXEMBOURG

M. François Pilot	Conseiller Militaire à la Délégation Permanente du Luxembourg auprès de l'OSCE, Vienne
M. Marc-Henri Godefroid	Premier Secrétaire, Mission Permanente, Genève

MALTA

Ms. Annabelle Mifsud	First Secretary, Permanent Mission to the United Nations, Geneva
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MEXICO

S.E. Sr. Gustavo Albin	Embajador, Representante Permanente, Ginebra Jefe de Delegación
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Sr. Pablo Macedo	Embajador, Representante Permanente Alterno Ginebra
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Sra. Socorro Rovirosa	Ministro, Misión Permanente, Ginebra
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Sr. Enrique Ochoa	Segundo Secretario, Misión Permanente, Ginebra Asesor
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Sr. José Francisco Camarena	Coronel de Caballería D.E.M. Agregado Militar y Aéreo Adjunto en la Embajada de México en Francia Asesor Técnico-Militar
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Sr. José Luis Sánchez	Capitán de Navío C.G.D.E.M. Agregado Naval en la Embajada de México en Francia Asesor Técnico-Militar
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MONACO

S.E. M. Bernard Fautrier	Ambassadeur, Représentant Permanent, Genève
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M. Jean-Philippe Bertani	Premier Secrétaire, Mission Permanente, Genève
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MONGOLIA

H.E. Mr. Khasbazaryn Bekhbat	Ambassador, Permanent Representative, Geneva
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Ms. Badarchyn Suvd	Counsellor, Deputy Permanent Representative Geneva
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MOROCCO

S.E. M. Omar Hilale	Ambassadeur, Représentant Permanent, Genève
Mlle Loubna Al Atlassi	Premier Secrétaire, Mission permanente, Genève

NETHERLANDS

H.E. Mr. Chris Sanders	Ambassador, Permanent Representative to the Conference on Disarmament, Geneva Head of Delegation
Mr. Alec Cornelissen	Counsellor, Permanent Representation to the Conference on Disarmament, Geneva Deputy Head of Delegation
Mr. Marcel Halma	Second Secretary, Permanent Representation to the Conference on Disarmament, Geneva
Mr. Sjoerd Smit	Security Policy Department Ministry of Foreign Affairs
Mr. Folkert Joustra	Senior Policy Adviser, Policy Affairs Division Ministry of Defense
Mr. Gert de Nooy	Ministry of Defense

NEW ZEALAND

H.E. Mr. Tim Caughley	Ambassador, Permanent Representative to the Conference on Disarmament, Geneva Head of Delegation
Ms. Hine-Wai Loose	Second Secretary – Disarmament Permanent Mission, Geneva Alternate
Mr. Hamish Bunn	Policy Analyst, Ministry of Defence Wellington

NORWAY

S.E. Mr. Sverre Bergh Johansen	Ambassador, Permanent Representative, Permanent Mission, Geneva Head of Delegation
Mr. Bror Gevelt	Senior Adviser Ministry of Foreign Affairs, Oslo
Mr. Martin Sørbye	Assistant Director General, Legal Department, Ministry of Foreign Affairs, Oslo
Mr. Knut Langeland	Counsellor, Permanent Mission, Geneva
Mr. Dag Torgny Paulsen	MAJ, HQ Defence Command
Ms. Gry Rabe Hendriksen	Adviser, Ministry of Foreign Affairs, Oslo
Ms. Annette Bjørseth	Adviser, Ministry of Defence, Oslo
Mr. Per Ivar Lied	First Secretary, Permanent Mission, Geneva

PAKISTAN

H.E. Mr. Shaukat Umer	Ambassador and Permanent Representative Geneva Head of Delegation
Mr. Abdul Basit	Counsellor, Permanent Representation to the Conference on Disarmament, Geneva
Col. Tariq Mahmood Minhas	Technical/Military Expert

PANAMA

Sra. Angela Healy	Presidenta de la Comisión Nacional Permanente para la Aplicación del Derecho Internacional Humanitario
S.E. Sr. Anel Béliz	Embajador, Representante Permanente, Ginebra

PERU

S.E. Sr. Jorge Voto-Bernales	Embajador, Representante Permanente, Ginebra Jefe de Delegación
Sr. José Salinas-Montes	Ministro, Representante Permanente Alterno Misión Permanente, Ginebra
Sr. Gustavo Laurie-Escandón	Consejero, Misión Permanente, Ginebra
Sr. Diego Beleván-Tamayo	Tercer Secretario, Misión Permanente, Ginebra

PHILIPPINES

H.E. Mr. Samuel T. Ramel	Ambassador, Permanent Representative, Geneva Head of Delegation
Mr. Denis Y. Lepatan	Minister/Deputy Permanent Representative Geneva
Mr. Frank R. Cimafranca	First Secretary, Permanent Mission, Geneva

POLAND

H.E. Mr. Krzysztof Jakubowski	Ambassador, Permanent Representative, Geneva Head of Delegation
Gen. Ryszard Zuchowski	Chief of the Engineer Corps Ministry of National Defence Deputy Head of Delegation
Mr. Stanislaw Przygodzki	Minister Plenipotentiary Permanent Mission, Geneva
Mr. Adam Wilczyński	Counsellor, Permanent Mission, Geneva
Col. Marek Zadrozny	Chief, Division on Disarmament Agreements Department of International Co-operation Ministry of National Defence
Mr. Grzegorz Poznański	Second Secretary, Permanent Mission, Geneva
Ms. Elzbieta Gryzio	Chief Specialist, Department of United Nations System, Ministry of Foreign Affairs

Ms. Irena Juszczak	Expert, Department of Security Policy Ministry of Foreign Affairs
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PORTUGAL

Mr. Vitor Manuel de Oliveira Lourenço	Ministry of Defense, Lisbon
Mr. Fernando Demée de Brito	Counsellor, Permanent Mission, Geneva
Mr. José António Vilar de Jesus	Ministry of Defense, Lisbon

REPUBLIC OF KOREA

H.E. Mr. Chung Eui-yong	Ambassador, Permanent Representative Geneva Head of Delegation
Mr. SHIN Dong-ik	Counsellor, Permanent Mission, Geneva
Mr. LEE Choong-myon	Second Secretary, Permanent Mission, Geneva
Mr. Park Il	Assistant Director, Disarmament and Nuclear Energy Division Ministry of Foreign Affairs and Trade

ROMANIA

H.E. Mrs. Anda Filip	Ambassador, Permanent Representative, Geneva Head of Delegation
Mr. Radu Horumba	Counsellor, Permanent Mission, Geneva

RUSSIAN FEDERATION

H.E. Mr. Leonid Skotnikov	Ambassador, Permanent Representative, Geneva Head of Delegation
Mr. Anton Vasiliev	Deputy Permanent Representative, Geneva Deputy Head of Delegation

Mr. Alexander Mostovets	Deputy Director of Department for Security Affairs and Disarmament Ministry of Foreign Affairs Deputy Head of Delegation
Gen. Evgeny Buzhinsky	Head of Department, Ministry of Defence Deputy Head of Delegation
Gen. Alexander Averchenko	Ministry of Defence
Mr. Mikhail Zenkin	Federal Border Service
Mr. Andrey Malov	Counsellor, Ministry of Foreign Affairs
Col. Evgeny Pushkarev	Ministry of Defence
Mr. Valery Fomin	Head of Division, Ministry of Foreign Affairs Adviser
Mr. Igor Panevkin	Senior Counsellor, Ministry of Foreign Affairs Adviser
Mr. Vladimir Shvets	Counsellor, Ministry of Foreign Affairs Adviser
Mr. Sergey Kharchev	Counsellor, Ministry of Foreign Affairs Adviser
Mr. Vadim Bobylev	Third Secretary, Ministry of Foreign Affairs Expert
Ms. Svetlana Krainova	Attaché, Ministry of Foreign Affairs Expert
Col. Andrey Kunaev	Ministry of Defence Expert
Mr. Sergey Fateev	Ministry of Defence Expert
Mr. Anatoly Izrazov	Ministry of Defence Expert
Mr. Pavel Fokin	"Rosboepripasy" Expert

Mr. Alexander Chikin	Ministry of Foreign Affairs Expert
Mr. Alexander Petrachkov	Senior Counsellor Permanent Mission, Geneva
Mr. Serguei Koshelev	Counsellor, Permanent Mission, Geneva
Mr. Vladimir Novokhatskiy	Counsellor, Permanent Mission, Geneva
Col. Sergey Mursankov	Counsellor, Permanent Mission, Geneva Technical Staff
Mr. Vladimir Ivanov	Second Secretary, Permanent Mission, Geneva
Mr. Roman Zholus	Third Secretary, Permanent Mission, Geneva Technical Staff

SENEGAL

S.E. M. Ousmane Camara	Ambassadeur, Représentant Permanent, Genève Chef de délégation
M. Daouda Maliguèye Sene	Ministre Conseiller Mission Permanente, Genève
M. Papa Diop	Deuxième Conseiller Mission Permanente, Genève
Mme Fatou Alamine Lô	Deuxième Conseiller Mission Permanente, Genève
Col. Abdoulaye Aziz Ndao	Directeur du Contrôle, des Etudes et de la Législation, Ministère des Forces Armées

SLOVAKIA

H.E. Mr. Kálmán Petöcz	Ambassador Extraordinary and Plenipotentiary Geneva Head of Delegation
Mr. Karol Mistrík	Director, Department of OSCE, Disarmament and Council of Europe Ministry of Foreign Affairs

Mr. Milan Cigánik First Secretary, Permanent Mission, Geneva

Mr. Martin Sabó Expert, Ministry of Defence

SOUTH AFRICA

H.E. Mr. Sipho George Nene Ambassador, Permanent Representative, Geneva
Head of Delegation

Mr. Barend J. Lombard Counsellor, Permanent Mission, Geneva
Alternate

Ms. Cornelia Nontombi Makupula First Secretary, Permanent Mission, Geneva
Adviser

Mr. David Robin Wensley Deputy Director, Department of Foreign Affairs
Adviser

Mr. Nick Sendall Chief Director, Defence Secretariat
Adviser

Mr. Dumisani Dladla Deputy Director, Defence Secretariat
Adviser

Mr. Sivuyile H. Njikela Assistant Director, Defence Secretariat
Adviser

SPAIN

S.E. Sr. D. Carlos Miranda Embajador Delegado en la Conferencia de desarme,
Ginebra
Jefe de Delegación

Dr. D. Enrique Sardá Valls Jefe de Area de Desarme

Sr. D. Enrique Yturriaga Saldaña Consejero para Asuntos de Desarme
Misión Permanente, Ginebra

Sr. D. José Quevedo Ruiz Dirección General de Política de Defensa

SWEDEN

H.E. Mr. Henrik Salander	Ambassador, Permanent Representative to the Conference on Disarmament, Geneva Head of Delegation
Mr. Bosse Hedberg	Director, Ministry for Foreign Affairs
Ms. Anneli Lindahl Kenny	Counsellor, Permanent Mission, Geneva
Dr. Marie Jacobsson	Senior Legal Adviser on International Law Ministry for Foreign Affairs
Ms. Sara Uddenberg	Desk Officer, Ministry for Foreign Affairs
Ms. Mia Hallén	Desk Officer, Ministry for Foreign Affairs
Mr. Olof Carelius	Lieutenant-Colonel Swedish Armed Forces
Ms. Anna Körlof	Advisor, Swedish National Defence College Stockholm

SWITZERLAND

S.E. M. Christian Faessler	Ambassadeur, Représentant permanent auprès de la Conférence du Désarmement, Genève Chef de Délégation
M. Christoph Bubb	Ministre, Vice-directeur de la Direction du droit international public Département fédéral des affaires étrangères
M. Erwin Dahinden	Etat-major général du Département fédéral de la défense, de la protection de la population et des sports
Dr. René Haug	Conseiller militaire, Mission permanente, Genève
M. Daniel Derzic	Chef suppléant de la Section des droits de l'homme et du droit international humanitaire Département fédéral des affaires étrangères

M. Roman Hunger	Expert, Section de la maîtrise globale des armements et du désarmement Etat-major général du Département fédéral de la défense, de la protection de la population et des sports
Dr. Mauro Mantovani	Direction pour Politique de Sécurité Département fédéral de la défense, de la protection de la population et des sports
M. Steve Donzé	Stagiaire, Mission permanente, Genève

**THE FORMER YUGOSLAV
REPUBLIC OF MACEDONIA**

Mrs. Dragica Zafirovska	Chargé d'Affaires a.i. Permanent Mission, Geneva
Mr. Mihailo Angelovski	Expert, Ministry of Defence
Mr. Nazif Dzaferi	Second Secretary, Permanent Mission, Geneva
Mr. Gabriel Atanasov	Third Secretary, Permanent Mission, Geneva

TUNISIA

S.E. M. Habib Mansour	Ambassadeur
M. Samir Koubaa	Conseiller, Mission Permanente, Genève

UKRAINE

Mr. Mykhailo Skuratovskyi	Permanent Representative, Geneva
Mr. Dmytro Konopko	Deputy Permanent Representative, Geneva
Mr. Volodymyr Bevza	First Secretary, Permanent Mission, Geneva

**UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND**

H.E. Mr. David Broucher	Ambassador, Permanent Representative to the Conference on Disarmament, Geneva Head of Delegation
Ms. Dawn McKen	Security Policy Department, Foreign and Commonwealth Office, London Alternate
Ms. Kate Smith	Alternate
Mr. John Wattam	Second Secretary, Permanent Representation to the Conference on Disarmament, Geneva Alternate
Mr. Huw Llewellyn	Legal Adviser, Foreign and Commonwealth Office, London Adviser
Mr. Peter Balmer	Ministry of Defence, London Adviser
Mr. Reza Afshar	Ministry of Defence, London
Major Richard Coles	Ministry of Defence, London
Mr. Alistair Craib	Adviser
Ms. Kate Alexander	Adviser
Lt. Col. Justin McClelland	Ministry of Defence, London Adviser

UNITED STATES OF AMERICA

Mr. Edward Cummings	Assistant Legal Adviser, Department of State Head of Delegation
Mr. James Burger	Office of General Counsel, Department of Defense
Mr. Joshua Dorosin	Office of the Legal Adviser, Department of State

Mr. William R. Gade	Legal Counsel, Joint Chiefs of Staff Department of Defense
Mr. Richard Kidd	Bureau of Politico-Military Affairs Department of State
Mr. William Malzahn	Bureau of Arms Control, Department of State
Dr. David Hodson	Office of the Secretary, Department of Defense
Mr. Thomas F. Nedervold	Captain, United States Navy Joint Chiefs of Staff, Department of Defense
Mr. W. Hays Parks	Office of the Judge Advocate General Department of the Army
Mr. Robert Sherman	Bureau of Arms Control, Department of State
Mr. Steven Solomon	Deputy Legal Adviser, Permanent Mission, Geneva
Mr. Robert Yasenchak	Military Expert, Department of the Army

B. SIGNATORY STATES

EGYPT

H.E. Mrs. Naela Gabr	Ambassador, Permanent Representative, Geneva
Mr. Sameh Abu El Enein	Counsellor, Permanent Mission, Geneva
Mr. Alaa Roushdy	First Secretary, Permanent Mission, Geneva

NIGERIA

H.E. Mr. Pius Ikpefuan Ayewoh	Ambassador, Permanent Representative, Geneva
Mr. Biodun Owoseni	Deputy Head, Permanent Mission, Geneva
Mr. Ayuba M. Kadafa	Minister, Permanent Mission, Geneva

TURKEY

H.E. Mr. Türkeul Kurttekin	Ambassador, Permanent Representative, Geneva Head of Delegation
Mr. Uğur Doğan	Deputy Permanent Representative, Geneva
Mr. Murat Esenli	Counsellor, Permanent Mission, Geneva

C. OBSERVER STATES

CHILE

Sr. Luis Fernando Demangel	Estado Mayor de la Defensa Nacional
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DOMINICAN REPUBLIC

Sr. Adriano Silverio Rodríguez	General de Brigada, Ejercito Nacional Intendente General del material bélico de la Secretaría de Estado las Fuerzas Armadas
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HONDURAS

S.E. Sr. J. Benjamín Zapata	Embajador, Representante Permanente, Ginebra
Sra. Gracibel Bu Figueroa	Consejero, Misión Permanente, Ginebra
Sr. Mauricio Pérez Zepeda	Agregado

IRAN (Islamic Republic of)

H.E. Mr. Mohammed Reza Alborzi	Ambassador, Permanent Representative Geneva
Mr. Hamid Eslamizad	First Counsellor, Deputy Permanent Representative to the Conference on Disarmament, Geneva
Mr. Mansour Salasabili	First Secretary, Permanent Representation to the Conference on Disarmament, Geneva

Mr. Seyyed Mohammad Sadatinejad Desk Officer, Ministry of Foreign Affairs, Tehran

KUWAIT

H.E. Mr. Dharar A.R. Razzooqi Ambassador, Permanent Mission, Geneva
Head of Delegation

Mr. Najeeb Al-Bader First Secretary, Permanent Mission, Geneva

LEBANON

H.E. Mr. Walid A. Nasr Ambassador, Permanent Representative, Geneva
Head of Delegation

Mr. Johnny Ibrahim First Secretary, Permanent Mission, Geneva

LIBYAN ARAB JAMAHIRIYA

Mr. Mabrouk Mohamed Milad Counsellor, General People's Committee for Foreign
Liaisons and International Cooperation

Col. Mohamed M. Al Houni General People's Committee for Defense

SAUDI ARABIA

Mr. Hamad Ben Mohammed Al-Rumaih Brigadier General Eng.

Major Misfir Ben Abdullah Al-Hussein

Mr. Jabran Ben Hussein Al-Adi Captain Engineer, Ministry of Defense and Aviation,
Corps of Engineers

Mr. Khalid Ben Saad Al-Saud First Lieutenant

Mr. Ahmed Al-Sheikh Second Secretary, Permanent Mission, Geneva

SINGAPORE

Mr. Koa Boon Teck Staff Officer, Ministry of Defence

Mr. Kevin Lim First Secretary, Permanent Mission, Geneva

SRI LANKA

H.E. Mr. Prasad Kariyawasam	Ambassador, Permanent Representative Geneva
Mr. Sumedha Ekanayake	First Secretary, Permanent Mission, Geneva

VENEZUELA

Sr. William Santana	Primer Secretario, Misión Permanente, Ginebra
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D. UN ORGANIZATIONS

**UNITED NATIONS INSTITUTE FOR
DISARMAMENT RESEARCH (UNIDIR)**

Dr. Patricia Lewis	Director
Dr. Christophe Carle	Deputy Director
Dr. Susan Willett	Senior Fellow
Mr. John Borrie	Visiting Fellow
Mr. Mark Hilborae	Intern

UNITED NATIONS MINE ACTION SERVICE (UNMAS)

Ms. Jacqueline Seck Diouf	Treaty Implementation Officer Head of Delegation
Ms. Anne Capelle	Liaison Officer
Mr. John Flanagan	Consultant, former Programme Manager of the UN mine action programme in Kosovo

E. OBSERVER ORGANIZATIONS

AFRICAN UNION

Mr. Lamine Laabas Minister Counsellor

EUROPEAN COMMISSION

Ms. Marie-Anne Coninx
Minister Counsellor, EC Delegation
Geneva

Ms. Susanna Zammataro Young Expert, EC Delegation Geneva

Ms. Frauke Joosten Young Expert, EC Delegation Geneva

**GENEVA INTERNATIONAL CENTRE FOR
HUMANITARIAN DEMINING**

Mr. Martin Dahinden Ambassador

Mr. Ian Mansfield Operations Director

Mr. Paul Ellis Operations and Research

Mr. Adrian Wilkinson Head of Technology and Standards

**INTERNATIONAL COMMITTEE
OF THE RED CROSS (ICRC)**

[illegible]

Mr. Dominique Loye Technical Advisor

Mr. Robert Young Legal Advisor

Ms. Marie-Claude Michon Legal Researcher

Ms. Camilla Waszink National Society and Programme Officer

F. NON-GOVERNMENTAL ORGANIZATIONS

HANDICAP INTERNATIONAL (BELGIUM)

Ms. Annalisa Formiconi **Researcher**

HUMAN RIGHTS WATCH

Mr. Stephen D. Goose Director, Arms Division

Dr. Reuben Brigety Researcher

INTERNATIONAL CAMPAIGN TO BAN LANDMINES (ICBL)

Ms. Susan B. Walker Intersessional Programme Officer

Ms. Sylvie Brigot Government Relations Officer

[illegible]

LANDMINE ACTION

Mr. Richard Lloyd Director

Ms. Rosy Cave Policy and Advocacy Coordinator

Ms. Anne Quesney International Campaign Coordinator (ERW)

MENNONITE CENTRAL COMMITTEE

Mr. Titus Peachey	Education
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Mr. John Rodsted Researcher

MINES ACTION CANADA

Mr. Paul Hannon Executive Director

SWISS CAMPAIGN TO BAN LANDMINES

Mr. Tobias Gasser

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