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/2002/2 20 December 2002

Original: ENGLISH

Geneva, 12-13 December 2002

REPORT OF THE MEETING OF THE STATES PARTIES TO THE CONVENTION ON PROHIBITIONS OR RESTRICTIONS ON THE USE OF CERTAIN CONVENTIONAL WEAPONS WHICH MAY BE DEEMEDTO BE EXCESSIVELY INJURIOUS OR TO HAVE INDISCRIMINATE EFFECTS

- 1. The Second Review Conference 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 on 11-21 December 2001 in its Final Declaration decided to commission follow-up work on decisions arising from the Second Review Conference of the Convention, under the oversight of the Chairman-designate of a meeting of the States Parties to the Convention to be held on 12-13 December 2002 in Geneva, in conjunction with the Fourth Annual Conference of States Parties to Amended Protocol II, which may begin on 11 December 2002. For that purpose the Conference decided to establish an open-ended Group of Governmental Experts with separate Coordinators to:
 - (a) discuss ways and means to address the issue of Explosive Remnants of War (ERW). In this context the Group shall consider all factors, appropriate measures and proposals, in particular:
 - factors and types of munitions that could cause humanitarian problems after a conflict;
 - technical improvements and other measures for relevant types of munitions, including sub-munitions, which could reduce the risk of such munitions becoming ERW;
 - the adequacy of existing International Humanitarian Law in minimising post-conflict risks of ERW, both to civilians and to the military;
 - warning to the civilian population, in or close to, ERW-affected areas, clearance of ERW, the rapid provision of information to facilitate early and safe clearance of ERW, and associated issues and responsibilities;
 - assistance and co-operation.

The Coordinator shall undertake work in an efficient manner so as to submit recommendations, adopted by consensus, at an early date for consideration by the States Parties, including whether to proceed with negotiating a legally-binding instrument or instruments on ERW and/or other approaches.

(b) further explore the issue of mines other than anti-personnel mines. The Coordinator shall submit a report, adopted by consensus, to the States Parties.

The Conference also 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.

The Conference also decided to invite interested States Parties to convene experts to consider possible issues related to small calibre weapons and ammunitions, such as: military requirements; scientific and technical factors/methodology; medical factors; legal/treaty obligations/standards; financial implications; and in this respect, report on their work to the States Parties to the Convention. These meetings shall have no implications for the CCW budget.

At the same Conference the States Parties also agreed that the Chairman-designate shall consult States Parties on financial arrangements and the programme of work and that the intersessional work will be conducted in accordance with the Rules of Procedure adopted by the Second Review Conference of the States Parties to the Convention.

- 2. The Conference recommended the appointment of Ambassador Rakesh Sood of India as Chairman-designate of the Meeting of the States Parties to be held at Geneva from 12-13 December 2002, and appointed 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.
- 3. The Group of Governmental Experts held three sessions during 2002. The deliberations and activities of all three sessions of the Group are reflected in CCW/GGE/I/2 of 28 May 2002, CCW/GGE/II/1 of 26 July 2002 and CCW/GGE/III/1 of 11 December 2002.
- 4. The Meeting of the States Parties to the Convention was held at Geneva from 12 to 13 December 2002.
- 5. On 12 December 2002, the Session was opened by the Deputy Secretary-General of the Conference on Disarmament and Chief of the Geneva Branch of the Department for Disarmament Affairs, Mr. Enrique Roman-Morey.
- 6. 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.
- 7. At its first plenary meeting, on 12 December 2002, the Meeting of the States Parties adopted its agenda with oral amendments as contained in Annex I.
- 8. 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 page 46 and 47 of the Final Document of the Second Review Conference (CCW/CONF.II/2).

- 9. 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.
- 10. 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.
- 11. At its first plenary meeting on 12 December, the Meeting of the States Parties received a message from the Secretary-General of the United Nations, which was delivered by the Deputy Secretary-General of the Conference on Disarmament and Chief of the Geneva Branch of the Department for Disarmament Affairs, Mr. Enrique Roman-Morey.
- 12. The following States Parties to the Convention participated in the work of the Meeting of the States Parties: Albania, Argentina, Australia, Austria, Bangladesh, Belarus, Belgium, Bolivia, Bosnia-Herzegovina, Brazil, Bulgaria, Cambodia, Canada, China, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Estonia, Federal Republic of Yugoslavia, Finland, France, Georgia, Germany, Greece, Guatemala, Holy See, Hungary, India, Ireland, Israel, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Mexico, Monaco, Mongolia, Morocco, Netherlands, New Zealand, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Senegal, Slovakia, South Africa, Spain, Sweden, Switzerland, The Former Yugoslav Republic of Macedonia, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, and the United States of America.
- 13. The following Signatory States also participated in the work of the Meeting: Egypt, Nigeria and Turkey.
- 14. The following States not parties to the Convention participated as observers: Chile, Dominican Republic, Honduras, Islamic Republic of Iran, Kuwait, Lebanon, Libyan Arab Jamahiriya, Saudi Arabia, Singapore, Sri Lanka and Venezuela.
- 15. The representatives of the United Nations Institute for Disarmament Research (UNIDIR) and the United Nations Mine Action Service (UNMAS) took part in the work of the Meeting.
- 16. The International Committee of the Red Cross (ICRC) also took part in the work of the Meeting.
- 17. The representatives of the following organisations also took part in the work of the Meeting: African Union, European Commission, the Geneva International Centre

for Humanitarian Demining (GICHD), German Initiative to Ban Landmines, Handicap International (Belgium), Handicap International (France), Human Rights Watch, the International Campaign to Ban Landmines (ICBL), Landmine Action, Mennonite Central Committee and Mines Action Canada.

- 18. The Meeting of the States Parties held three plenary meetings.
- 19. The Chairman of the Meeting of the States Parties, Ambassador Rakesh Sood of India, submitted the Report of the Group of Governmental Experts to the Meeting of the States Parties for its consideration.
- 20. The following States participated in the general exchange of views: Argentina, Australia, Austria, Brazil, Canada, China, Croatia, Cuba, Denmark (on behalf of the European Union and associated States), Egypt, Federal Republic of Yugoslavia, France, Ireland, Israel, Italy, Japan, Libyan Arab Jamahiriya, Mexico, New Zealand, Norway, Pakistan, Panama, Poland, Republic of Korea, Romania, Russian Federation, Senegal, South Africa, Sweden, Switzerland, and United States of America.

Representatives of the International Committee of the Red Cross (ICRC), Human Rights Watch (HRW), International Campaign to Ban Landmines (ICBL) and Landmine Action also participated in the general exchange of views.

- 21. 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 submunitions, 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.
- 22. 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.
- 23. 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.
- 24. The Meeting of the States Parties took note of the report presented by Switzerland related to Small Calibre Weapons and Ammunition. The Meeting invites interested States Parties to the Convention to continue informal meetings at expert level with regard to identified subject areas for possible further development.
- 25. At its third plenary meeting, 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 27-28 November 2003 in Geneva in conjunction with the Fifth Annual Conference of the States Parties to Amended Protocol II.

- 26. At the same plenary meeting, on 13 December 2002, the Meeting of the States Parties decided that the intersessional work of the Group of Governmental Experts will be undertaken in three sessions in Geneva during 2003:
 - 10 14 March 2003
 - 16 27 June 2003
 - 17 24 November 2003
- 27. The Meeting of the States Parties addressed the issue of the dates and duration of the Fifth Annual Conference of the States Parties to Amended Protocol II and decided that it be held on 26 November 2003 in Geneva.
- 28. Without prejudice to the generally accepted principle of rotation, the 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.
- 29. At the final plenary meeting, the Meeting of the States Parties adopted its report, as contained in document CCW/MSP/2002/CRP.1, as orally amended, which is being issued as document CCW/MSP/2002/2 and the cost estimates of the three sessions of the Group of Governmental Experts, of the Fifth Annual Conference of the States Parties to Amended Protocol II and of the Meeting of the States Parties to be held in 2003.

Annex I

Agenda of the Meeting of the States Parties as orally amended at the first plenary meeting on 12 December 2002

- 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. Message from the Secretary-General of the United Nations
- 8. Adoption of financial arrangements for the Meeting
- 9. Report of the work of the Group of Governmental Experts of the States Parties to the CCW
- 10. Consideration of the report of the work of the Group of Governmental Experts and general exchange of views
- 11. Adoption of the report
- 12. Other matters

Annex II

ESTIMATED COSTS OF THE 2003 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

Note by the Secretariat

- 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, held in Geneva from 12 to 13 December 2002, decided to convene a Meeting of the States Parties on 27 28 November 2003.
- 2. This document is submitted pursuant to the above-mentioned decision of the States Parties and provides estimated costs in the amount of US\$290,400 of convening that meeting. A breakdown of these costs is provided in the attached table.
- 3. It should be noted that the costs are estimated on the basis of past experience and anticipated workload. The actual costs will be determined after the closure of the meeting when the exact workload is known. At that time, any adjustments in contributions by the participants sharing the costs will be determined accordingly.
- 4. With regard to the financial arrangements, it will be recalled that, in accordance with the practice followed on the occasion of previous multilateral disarmament conferences and related meetings, and as reflected in their Rules of Procedure, the costs are shared among the States Parties participating in the conferences, based upon the United Nations scale of assessment pro-rated to take into account the number of States Parties participating in the meetings. States that are not States Parties but that have accepted the invitation to take part in the meetings share in the costs to the extent of their respective rates of assessment under the United Nations scale of assessments.
- 5. Subject to the States Parties' approval of the estimated costs and cost-sharing formula, assessment notices will be prepared based on the overall estimated costs and applicable cost-sharing formula. Since the above-mentioned activities shall have no financial implication for the regular budget of the Organization, States Parties should proceed with the payment of their share of the estimated costs as soon as assessment notices have been received.

GENEVA, 27 - 28 NOVEMBER 2003

Conference on initial terms	Meeting	Pre-session	In-session	Summary	Post-session	Support Services	Other	T.4.1 *
Conference-servicing items	Servicing	documentation	documentation	records	documentation	requirements	requirements	Total *
	\$	\$	\$	\$	\$	\$	\$	\$
Interpretation and								
Meeting servicing	20'028							20'028
Translation of documentation		32'395	114'960	30'679	54'052			232'085
Support Services requirements						2'114		2'114
		Г		Г	Г	Г		1
Other requirements							4'347	4'347
		1		1	1	1		1
Total	20'028	32'395	114'960	30'679	54'052	2'114	4'347	258'575

^{* -} at US\$1=CHF1.50

A. Total conference-servicing requirements (inclusive of 13% programme support costs)	258'575
B. Non-conference-servicing requirements	
1) One P-3 for three months	19'654
2) One G4 for one week	924
3) Office of the Secretary-General of the Conference:	
- special post allowance for six months	6'600
- hospitality	1'000
Sub-total	28'178
Programme support costs @13% over B	3'663

Programme support costs @13% over B

Subtotal B 31'841 290'400

Grand total (rounded) A+B

Annex III

ESTIMATED COSTS OF THE THREE SESSIONS IN 2003 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

Note by the Secretariat

- 2. The Second Review Conference of 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, held in Geneva from 11 to 21 December 2001, decided to establish an open-ended Group of Governmental Experts to examine a number of proposals submitted by various States Parties.
- 3. The Meeting of the States Parties to the Convention, held in Geneva from 12 to 13 December 2002, decided that the Group of Governmental Experts will meet for three sessions in 2003 as follows: 1st session 5 working days, 2nd session 10 working days and 3rd session 6 working days.
- 3. This document is submitted pursuant to the above-mentioned decision of the States Parties and provides estimated costs in the total amount of US\$1,028,800 of convening those three sessions. A breakdown of these costs is provided in the attached tables.
- 4. It should be noted that the costs are estimated on the basis of past experience and anticipated workload. The actual costs will be determined after the closure of the meetings when the exact workload is known. At that time, any adjustments in contributions by the participants sharing the costs will be determined accordingly.
- 5. With regard to the financial arrangements, it will be recalled that, in accordance with the practice followed on the occasion of previous multilateral disarmament conferences and related meetings, and as reflected in their Rules of Procedure, the costs are shared among the States Parties participating in the conferences, based upon the United Nations scale of assessment pro-rated to take into account the number of States Parties participating in the meetings. States that are not States Parties but that have accepted the invitation to take part in the meetings share in the costs to the extent of their respective rates of assessment under the United Nations scale of assessments.
- 6. Subject to the States Parties' approval of the estimated costs and cost-sharing formula, assessment notices will be prepared based on the overall estimated costs and applicable cost-sharing formula. Since the above-mentioned activities shall have no financial implication for the regular budget of the Organization, States Parties should proceed with the payment of their share of the estimated costs as soon as assessment notices have been received.

A. Total conference-servicing requirements (inclusive of 13% programme support costs)

B. Non-conference-servicing requirements

1) One P-3 for six months

3) One G4 for six weeks

39'307 5'544 Sub-total 44'851 5'831 Programme support costs @13% over B Subtotal B 50'682 346'800

Grand total (rounded) A+B

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Title of session:

GROUP OF GOVERNMENTAL EXPERTS OF THE STATES PARTIES TO THE CONVENTION ON CERTAIN CONVENTIONAL WEAPONS, 2ND SESSION

GENEVA. 16 - 27 JUNE 2003

				GENEVA, 16 - 2/	JUNE 2003			
Conference-servicing items	Meeting Servicing	Pre-session documentation	In-session documentation	Summary	Post-session documentation	Support Services requirements	Other	Total *
	\$	\$	\$	\$	\$	\$	\$	\$
Interpretation and								
meeting servicing	140'989							140'989
0		<u> </u>	<u> </u>	1	1	1		
				<u> </u>				
Translation of documentation		64'964	114'960	0	24'739			204'663
	•							
		T		<u> </u>	<u> </u>			
Support Services requirements						10'612		10'612
•	•							
		<u> </u>						
Other requirements							12'364	12'364
•	•							
		<u> </u>			1			
	Total 140'989	64'964	114'960	C	24'739	10'612	12'364	368'628
- at US\$1=CHF1.50								
A. Total conference-servicing requirements (inclusive of 13% programme support costs)							368'628	

B. Non-conference-servicing requirements

Grand total (rounded) A+B

368'600

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GROUP OF GOVERNMENTAL EXPERTS OF THE STATES PARTIES TO THE CONVENTION ON CERTAIN CONVENTIONAL WEAPONS, 3RD SESSION

GENEVA, 17 - 24 NOVEMBER 2003

Conference-servicing items	Meeting Servicing	Pre-session documentation	In-session documentation	Summary	Post-session documentation	Support Services requirements	Other requirements	Total *	
	\$	\$	\$	\$	\$	\$	\$	\$	
		T						 1	
Interpretation and									
meeting servicing	84'518							84'518	
Translation of documentation		64'964	114'960		34'287			214'211	
Support Services requirements						6'384		6'384	
Other requirements							8'279	8'279	
Total	84'518	64'964	114'960		34'287	6'384	8'279	313'392	
* - at US\$1=CHF1.50 A. Total conference-servicing requirements (inclusive of 13% programme support costs)								313'392	
B. Non-conference-servicing requirements Grand total (rounded) A+B						313'400			

Annex IV

LIST OF PARTICIPANTS

A. STATES PARTIES

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