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**2008, Fifth Session  
Geneva, 3-7 November 2008**

## **PROCEDURAL REPORT**

Submitted by the Secretariat

1. The 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) held at Geneva from 7 to 13 November 2007 decided, as contained in paragraph 37 of its Report (CCW/MSP/2007/5), that:

“The Group of Governmental Experts (GGE) will negotiate a proposal to address urgently the humanitarian impact of cluster munitions, while striking a balance between military and humanitarian considerations.

The GGE should make every effort to negotiate this proposal as rapidly as possible and report on the progress made to the next Meeting of the High Contracting Parties in November 2008.

The work of the GGE will be supported by military and technical experts. [...]”

2. Pursuant to the relevant decision of the Meeting of the High Contracting Parties to appoint “a representative of the Western European and Others Group as Chairperson of the Group of Governmental Experts”, as contained in paragraph 41 of its Report (document CCW/MSP/2007/5), the Group of Governmental Experts was chaired by Ambassador Bent Wigotski of Denmark.

3. The fifth 2008 session of the Group of Governmental Experts was held at Geneva from 3 to 7 November 2008.

4. The following States Parties to the Convention participated in the work of the Group: Albania, Argentina, Australia, Austria, Belarus, Belgium, Benin, Bosnia and Herzegovina, Brazil, Bulgaria, Cambodia, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Croatia,

Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Holy See, Honduras, Hungary, India, Ireland, Israel, Italy, Japan, Jordan, Lao People's Democratic Republic, Latvia, Lithuania, Luxembourg, Malta, Mauritius, Mexico, Morocco, Netherlands, New Zealand, Norway, Pakistan, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Senegal, Serbia, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Tunisia, Turkey, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, and Venezuela (Bolivarian Republic of).

5. The following Signatory States to the Convention also participated in the work of the Group: Egypt and Nigeria.

6. The following States not parties to the Convention participated as observers: Angola, Armenia, Azerbaijan, Bahrain, Brunei Darussalam, Côte d'Ivoire, Ghana, Guinea, Haiti, Indonesia, Iraq, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malaysia, Mozambique, Nepal, Oman, Qatar, Rwanda, Swaziland, Syrian Arab Republic, and Thailand.

7. The representatives of the United Nations Development Programme (UNDP), United Nations Institute for Disarmament Research (UNIDIR), United Nations Mine Action Service (UNMAS), and United Nations Office for Disarmament Affairs (UNODA) took part in the work of the Group.

8. The representatives of the International Committee of the Red Cross (ICRC) took part in the work of the Group. The representatives of the Geneva International Centre for Humanitarian Demining (GICHD) also participated in the work of the Group.

9. The representatives of the following non-governmental organisations took part in the work of the Group: Cluster Munition Coalition, Danchurchaid, Danish Red Cross, Handicap International, Human Rights Watch, International Campaign to Ban Landmines, Landmine Action (Germany), Landmine Action (UK), and Pax Christi.

10. On 3 November 2008, the session was opened by the Chairperson, Ambassador Bent Wigotski of Denmark. He was assisted by: Maj. Gen. Lars C. Fynbo of Denmark as Chairperson of the Meetings of the Military and Technical Experts (MMTE); Ms. Angela Robinson of Australia as Friend of the Chair (FOC) on Cooperation and Assistance; Ms. Anesa Kundurovic of Bosnia and Herzegovina as FOC on Victim Assistance; Mr. Julio Fontes Laranjeira of Brazil as FOC on Storage and Destruction and on Transfers; Lt. Col. Jim Burke of Ireland as FOC on Definitions; and Mr. Ryuichi Hirano of Japan as FOC on Protection of civilians, the civilian population, and civilian objects. Mr. Peter Kolarov, Head of Section "Humanitarian Conventions", United Nations Office for Disarmament Affairs, Geneva Branch, served as Secretary of the Group and was assisted by Mr. Bantan Nugroho, Political Affairs Officer.

11. The Group held plenary meetings and informal open-ended meetings and considered document CCW/GGE/2008-V/WP.1 and its addenda 1 and 2, entitled "Cluster Munitions", referred to as the "Chair's paper", as well as documents CCW/GGE/2008-V/CRP.1 to CCW/GGE/2008-V/CRP.20, as listed in Annex II. The documents are available in all official languages through the Official Document System of the United Nations (ODS) at

<http://documents.un.org>, and the official CCW website as part of the website of the United Nations Office at Geneva at <http://www.unog.ch/ccw>.

12. At its first plenary meeting, on 3 November 2008, the Group confirmed the agenda as adopted at the first 2008 session of the Group (CCW/GGE/2008-I/3, Annex I), confirmed the Rules of Procedure as adopted and used by the Third Review Conference (CCW/CONF.III/11, Part III), and agreed on its provisional Programme of Work. The Programme of Work of the fifth 2008 session of the Group of Governmental Experts is contained in Annex I.

13. At its final plenary meeting on 12 November 2008, the Group of Governmental Experts heard the reports of the Chairperson and Friends of the Chair. The GGE did not conclude its negotiations on document CCW/GGE/2008-V/WP.1 and recommended to the Meeting of the High Contracting Parties that possible further negotiations take place in 2009, without prejudice to any present or future proposals made by delegations.

14. At the same plenary meeting on 12 November 2008, the Group of Governmental Experts adopted the procedural report of its fifth 2008 session, as contained in document CCW/GGE/2008-V/CRP.20, as orally amended, which is being issued as document CCW/GGE/2008-V/2.

Annex I**PROGRAMME OF WORK**

of the fifth 2008 Session of the Group of Governmental Experts

Monday, 3 November 2008	10.00 – 13.00	<ul style="list-style-type: none"> <li>• <u>Plenary</u>: Opening formalities</li> <li>• <u>FOC</u>: Article 10 (Victim assistance)</li> </ul>
	15.00 – 18.00	<ul style="list-style-type: none"> <li>• <u>Plenary</u>: Article 4 cluster (General prohibitions and restrictions)</li> </ul>
Tuesday, 4 November 2008	10.00 – 13.00	<ul style="list-style-type: none"> <li>• <u>Plenary</u>: Article 4 cluster (General prohibitions and restrictions)</li> </ul>
	17.00 – 18.00	<ul style="list-style-type: none"> <li>• <u>Plenary</u>: Article 4 cluster (General prohibitions and restrictions)</li> <li>• <u>FOC</u> Article 2 (Definitions)</li> </ul>
Wednesday, 5 November 2008	10.00 – 13.00	<ul style="list-style-type: none"> <li>• <u>FOC</u> Article 2 (Definitions)</li> <li>• <u>FOC</u> Article 10 (Victim assistance)</li> </ul>
	15.00 – 18.00	<ul style="list-style-type: none"> <li>• <u>Plenary</u> Article 4 cluster</li> <li>• <u>FOC</u> Article 10 (Victim assistance)</li> </ul>
Thursday, 6 November 2008	10.00 – 13.00	<ul style="list-style-type: none"> <li>• </li> </ul>
	15.00 – 18.00	<ul style="list-style-type: none"> <li>• <u>Plenary</u></li> <li>• <u>FOC</u> Article 10 (Victim assistance)</li> </ul>
Friday, 7 November 2008	10.00 – 13.00	<ul style="list-style-type: none"> <li>• <u>Plenary</u></li> </ul>
	15.00 – 18.00	<ul style="list-style-type: none"> <li>• <u>Plenary</u>: Wrap-up</li> </ul>
Wednesday, 12 November 2008	17.00 – 18.00	<ul style="list-style-type: none"> <li>• <u>Plenary</u>: Adoption of the Procedural Report; Closure of the session</li> </ul>

Annex II**LIST OF DOCUMENTS**

of the Fifth 2008 Session of the Group of Governmental Experts

CCW/GGE/2008-V/1	Provisional Programme of Work, submitted by the Chairperson
CCW/GGE/2008-V/2	Procedural Report, submitted by the Secretariat
CCW/GGE/2008-V/WP.1 and Add.1, Add.1/Corr.1 and Add.2	Cluster Munitions, submitted by the Chairperson
CCW/GGE/2008-V/WP.2	Compilation of Proposals and Amendments submitted as Conference Room Papers (CRPs) by the States Parties, submitted by the Secretariat
CCW/GGE/2008-V/CRP.1	Amendment to Article 2, Paragraph 1, Subparagraph (c), Subsubparagraph (v) and Paragraph 1, Subparagraph (d), submitted by Israel
CCW/GGE/2008-V/CRP.2	Amendment to Article 4, Paragraph 4, Subparagraph (f), submitted by Israel
CCW/GGE/2008-V/CRP.3	Amendment to Article 4, Paragraph 4, Subparagraph (c), submitted by the Republic of Korea
CCW/GGE/2008-V/CRP.4	Amendment to Article 10, Paragraph 1, submitted by India
CCW/GGE/2008-V/CRP.5	Amendment to Article 2, Paragraph 1, Subparagraph (c), submitted by China
CCW/GGE/2008-V/CRP.6	Amendment to Article 5, submitted by the Republic of Korea

CCW/GGE/2008-V/CRP.7	Amendment to Article 4, Paragraphs 1 and 2, submitted by Switzerland
CCW/GGE/2008-V/CRP.8	Amendment to Article 4, Paragraph 2, submitted by Canada
CCW/GGE/2008-V/CRP.9	Amendment to Article 2, Paragraph 1, Subparagraph (c), Sub-subparagraph (iv), submitted by Japan
CCW/GGE/2008-V/CRP.10	Amendment to Article 2, submitted by France
CCW/GGE/2008-V/CRP.11	Amendment to Article 10, Paragraph 1, submitted by the United States
CCW/GGE/2008-V/CRP.12	Amendment to Article 10, Paragraph 1, submitted by Switzerland
CCW/GGE/2008-V/CRP.13	Amendment to Article 4, Paragraph 1, Subparagraph (a), submitted by Brazil
CCW/GGE/2008-V/CRP.14	Amendment to Article 2, Paragraph 1, Subparagraph (a), submitted by Israel
CCW/GGE/2008-V/CRP.15	Amendment to Article 2, Paragraph 15, submitted by the United States of America
CCW/GGE/2008-V/CRP.16	Amendments to Document CCW/GGE/2008-V/WP.1 entitled Cluster Munitions, submitted by the Chairperson, submitted by Costa-Rica
CCW/GGE/2008-V/CRP.17*	Draft Protocol on a Prohibition on Transfer of Cluster Munitions, submitted by Mexico, New Zealand, and Norway
CCW/GGE/2008-V/CRP.18	Amendments to Document CCW/GGE/2008-V/WP.1 entitled Cluster Munitions, submitted by the Chairperson, submitted by Austria
CCW/GGE/2008-V/CRP.19	Proposal on Article 4, submitted by Honduras
CCW/GGE/2008-V/CRP.20	Draft Procedural Report, submitted by the Secretariat
CCW/GGE/2008-V/INF.1	List of Participants

CCW/GGE/2008-V/MISC.1

Provisional List of Participants

The documents above are available in all official languages through the Official Document System of the United Nations at <http://documents.un.org>, and the official CCW website as part of the website of the United Nations Office at Geneva at <http://www.unog.ch/CCW>.

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