

**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**

CCW/GGE/VIII/3
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Item 11 of the agenda

PROCEDURAL REPORT

1. The Eighth Session of the Group of Governmental Experts (GGE) 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) was held at Geneva from 5 to 16 July 2004.

2. On 5 July 2004, the session was opened by the Chairman-designate of the Meeting of the States Parties to the Convention (Geneva, 18 and 19 November 2004), Ambassador Gordan Markotić of Croatia. Subsequently, the meetings of the two Working Groups of the GGE were chaired by the respective Coordinators: Ambassador Jayant Prasad of India on Explosive Remnants of War (ERW) and Ambassador Markku Reimaa of Finland on Mines Other Than Anti-Personnel Mines (MOTAPM), who was assisted by Minister Counsellor Harri Mäki-Reinikka of Finland as Friend of the Coordinator on MOTAPM. Mr. Peter Kolarov, Political Affairs Officer, Department for Disarmament Affairs, Geneva Branch, served as Secretary of the Group. He was assisted by Mr. Bantan Nugroho, Political Affairs Officer.

3. The following States Parties to the Convention participated in the work of the Group: Albania, Argentina, Australia, Austria, Bangladesh, Belarus, Belgium, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Canada, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Holy See, Hungary, India, Ireland, Israel, Italy, Japan, Lithuania, Luxembourg, Malta, Mexico, Monaco, Morocco, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Senegal, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland and United States of America.

4. The following Signatory States to the Convention also participated in the work of the Group: Egypt, Iceland, Nigeria and Vietnam.

5. The following States not parties to the Convention participated as observers: Cote d'Ivoire, Iran (Islamic Republic of), Iraq, Kazakhstan, Kuwait, Lebanon, Madagascar, Malaysia, Saudi Arabia, Singapore, Thailand, United Arab Emirates and Venezuela.

6. The representative of the United Nations Mine Action Service (UNMAS) took part in the work of the Group.

7. The representatives of the following organisations also took part in the work of the Group: International Committee of the Red Cross (ICRC), European Commission, Geneva International Centre for Humanitarian Demining (GICHD), International Humanitarian Fact-Finding Commission, Actiongroup Landmine.de, Danchurchaid, Handicap International (France), Human Rights Watch, International Campaign to Ban Landmines (ICBL), Landmine Action UK, Mines Action Canada, Pax Christi, Protection and Norwegian Red Cross.

8. The Group held two plenary meetings. At its first plenary meeting, on 5 July 2004, the Group confirmed its Agenda as adopted at its Seventh Session (CCW/GGE/VII/3, Annex I), confirmed the Rules of Procedure as adopted and used by the Second Review Conference (CCW/CONF.II/PC.1/1 with oral amendments) and adopted its Programme of Work (CCW/GGE/VIII/1).

9. At the same meeting, the following States participated in a general exchange of views: Belgium, China, Cuba, Germany, Israel, Japan, Netherlands (on behalf of the European Union), Norway, Pakistan, Russian Federation, Senegal, Ukraine and United States of America. UNMAS and Mines Action Canada also participated in the general exchange of views. The Group welcomed the ratification by the Parliament of Ukraine of Article 1 of the Convention, "Scope of application", as amended on 21 December 2001.

10. At the same meeting, the following States participated in an exchange of views on the status of Protocol V on Explosive Remnants of War: Belgium, Germany, Lithuania, Luxembourg, Netherlands, United Kingdom of Great Britain and Northern Ireland and United States of America. ICRC also participated in the exchange of views. The Group welcomed the submission by Sweden of the instrument of ratification of Protocol V on Explosive Remnants of War to the depositary, as well as the ratification of Protocol V by the Parliament of Lithuania.

11. In accordance with the Programme of Work, the Working Group on Explosive Remnants of War held two meetings. The Working Group continued to consider the implementation of existing principles of international humanitarian law and continued to further study possible preventive measures. It also held two meetings of military experts under the chairmanship of Lt. Col. Bernard Jeanty of Switzerland and discussed the "List of Issues for Consideration", prepared by the Chairperson of the Meetings of Military Experts on ERW as contained in CCW/GGE/VIII/WG.1/1.

12. The Working Group on Mines Other Than Anti-Personnel Mines held 9 meetings and discussed the "Proposals and ideas on MOTAPM in the Group of Governmental Experts (GGE) with the purpose to provide a basis for further work" presented by the Coordinator as contained in CCW/GGE/VIII/WG.2/1. It also held two meetings of military experts under the chairmanship of Brig. Gen. Juha Kilpiä of Finland and discussed a working paper presented by the Chairperson of the Meetings of Military Experts on MOTAPM as contained in CCW/GGE/VIII/WG.2/2.

13. In accordance with the decisions taken at the Meeting of the States Parties to the Convention in 2003 (CCW/MSP/2003/3) two meetings were devoted to the consideration of options to promote compliance with the Convention, under the chairmanship of Ambassador

Gordan Markotić, and discussed the “Discussion Paper on Compliance” presented by the Chairperson as contained in CCW/GGE/VIII/2.

14. During the course of the session, the Working Group on Explosive Remnants of War considered working papers CCW/GGE/VIII/WG.1/1 and CCW/GGE/VIII/WG.1/WP.1, and the Working Group on Mines Other Than Anti-Personnel Mines considered working papers CCW/GGE/VIII/WG.2/1, CCW/GGE/VIII/WG.2/2 and CCW/GGE/VIII/WG.2/WP.1 to CCW/GGE/VIII/WG.2/WP.5, as listed in Annex I. These documents are available in all official languages through the United Nations Official Documents System (<http://www.ods.unog.ch>).

15. The Working Group on Explosive Remnants of War heard presentations by France entitled “ERW Matrix on Submunitions”, Lithuania entitled “The ERW Situation in Lithuania”, United Kingdom of Great Britain and Northern Ireland entitled “ERW Threat Matrix Showing Relative Hazard”, United States of America entitled “Life Cycle Reliability Testing for Submunitions” and “Legacy US Submunition Weapon Reliability Efforts”, and by Switzerland entitled “Technical Options to Reduce ERW”. Human Rights Watch also made a presentation entitled “Cluster Munitions: A Global Overview”.

16. The Working Group on Mines Other Than Anti-Personnel Mines heard presentations by Finland entitled “Perimeter Marked Area”, India entitled “Technical presentation on MOTAPM”, and by United States of America entitled “Detectability”.

17. On the issue of options to promote compliance with the Convention and its annexed Protocols, the Group heard a presentation by Prof. Dr. Michael Bothe of the International Humanitarian Fact-Finding Commission, entitled “The Functioning of the International Humanitarian Fact-Finding Commission”.

18. During the session Germany and Switzerland informed the Group on the “International Workshop on Preventive Technical Measures for Munitions” held from 26 to 28 May 2004 in Thun, Switzerland. China also informed the Group on the “Workshop on Humanitarian Mine/UXO Clearance Technology Cooperation” held from 26 to 28 April 2004 in Kunming, China. A photographic exhibition on explosive remnants of war by Mr. John Rodsted, organised by Pax Christi Netherlands on behalf of the Cluster Munition Coalition, also took place during the course of the session.

19. As decided by the Meeting of the States Parties to the Convention in November 2003, the Group will hold its ninth session from 8 to 16 November 2004.

20. At the second plenary meeting, on 16 July 2004, the Group of Governmental Experts adopted its procedural report, as contained in document CCW/GGE/VIII/CRP.1, as orally amended, which is being issued as document CCW/GGE/VIII/3.

Annex

**LIST OF DOCUMENTS
OF THE GROUP OF GOVERNMENTAL EXPERTS
EIGHTH SESSION, 5 - 16 JULY 2004**

Number	Title	Countries/ Organizations
CCW/GGE/VIII/1	Provisional Programme of Work	Chairman-designate
CCW/GGE/VIII/2	Discussion Paper on Compliance	Chairperson
CCW/GGE/VIII/3	Procedural Report	Secretariat
CCW/GGE/VIII/WP.1	CCW Framework Convention: Additional Articles on Consultations and Compliance	South Africa
CCW/GGE/VIII/WG.1/1	Provisional Agenda of the Meetings of the Military Experts on Explosive Remnants of War (ERW)	Chairperson of the Meetings of the Military Experts on ERW
CCW/GGE/VIII/WG.1/WP.1	Methodological approach to evaluation in the context of improvement of the design of certain specific types of munitions	France
CCW/GGE/VIII/WG.2/1	Proposals and ideas on MOTAPM in the Group of Governmental Experts (GGE) with the purpose to provide a basis for further work	Coordinator
CCW/GGE/VIII/WG.2/2	Provisional Agenda of the Meetings of the Military Experts on MOTAPM	
CCW/GGE/VIII/WG.2/WP.1	Detectability of Anti-Vehicle Mines	United Kingdom

CCW/GGE/VIII/WG.2/WP.2	Mines other than Anti-Personnel Mines (MOTAPM) laid outside perimeter-marked areas	Ireland
CCW/GGE/VIII/WG.2/WP.3	Sensitive Fuses and Sensors for Mines Other Than Anti-Personnel Mines (MOTAPM), Proposal for Best Practice	Germany
CCW/GGE/VIII/WG.2/WP.4	The current detectability status of Mines Other Than Anti-Personnel Mines currently available to States Parties to the Convention on Certain Conventional Weapons	GICHD at the request of the Coordinator for MOTAPM
CCW/GGE/VIII/WG.2/WP.5	Responses to Certain Concerns Regarding a MOTAPM Protocol	United States of America
CCW/GGE/VIII/CRP.1	Draft Procedural Report	Secretariat
CCW/GGE/VIII/Misc.1	Provisional List of Participants	Secretariat
CCW/GGE/VIII/INF.1 and Add.1	List of Participants	Secretariat

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