

**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/XIII/7
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Thirteenth Session
Geneva, 6 – 10 March 2006
Item 13 of the agenda
Adoption of the procedural report

PROCEDURAL REPORT

Prepared 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 (CCW) held at Geneva on 24 and 25 November 2005 decided, as contained in paragraph 29 of its report (document CCW/MSP/2005/2), to commission follow-up work under the oversight of the President-designate of the Third Review Conference of the States Parties to the Convention.
2. The Meeting of the States Parties decided, as contained in paragraph 26 of CCW/MSP/2005/2, “to convene the Third Review Conference of the States Parties to the Convention from 7 to 17 November 2006 at Geneva in conjunction with the Eighth Annual Conference of the States Parties to Amended Protocol II.” The Meeting of the States Parties also decided, as contained in paragraph 27 of CCW/MSP/2005/2, that “all necessary preparations for the Third Review Conference be undertaken within the framework of the existing Group of Governmental Experts.”
3. The Meeting of the States Parties decided, as contained in paragraph 35 of CCW/MSP/2005/2, to recommend that “the Secretary-General of the United Nations, as Depositary of the Convention and its annexed Protocols, and the President-designate, on behalf of the States Parties, exercise their authority to achieve the goal of universality of the Convention and its annexed Protocols.”
4. The Meeting of the States Parties decided, as contained in paragraph 30 of CCW/MSP/2005/2, that the Working Group on Explosive Remnants of War (ERW) would continue its work in the year 2006 with the following mandate:

“To continue to consider, including through participation of legal experts, the implementation of existing principles of International Humanitarian Law and to further study, on an open-ended basis, with particular emphasis on meetings of military and technical experts, possible preventive measures aimed at improving the design of certain specific types of munitions, including sub-munitions, with a view to minimising the

humanitarian risk of these munitions becoming explosive remnants of war. Exchange of information, assistance and co-operation would be part of this work. The Group will report on the work done to the Third Review Conference in 2006.”

5. The Meeting of the States Parties decided, as contained in paragraph 31 of CCW/MSP/2005/2, that the Working Group on Mines Other Than Anti-Personnel Mines (MOTAPM) would continue its work in the year 2006 with the following mandate:

“a) To continue to consider all proposals on Mines Other Than Anti-Personnel Mines put forward since the establishment of the Group of Governmental Experts with the aim of elaborating appropriate recommendations on Mines Other Than Anti-Personnel Mines for submission to the Third Review Conference in 2006.

b) Meetings of military experts shall also be conducted to provide advice on these activities.”

6. The Meeting of the States Parties decided, as contained in paragraph 32 of CCW/MSP/2005/2, that “the President-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.”

7. The Meeting of the States Parties decided, as contained in paragraph 33 of CCW/MSP/2005/2, that “the President-designate shall undertake consultations during the intersessional period on the possibility to establish a sponsorship programme under the Convention and on the modalities of such a sponsorship programme, and shall report to the States Parties.”

8. The Meeting of the States Parties decided, as contained in paragraph 38 of CCW/MSP/2005/2, to “designate Ambassador François Rivasseau of France as President of the Third Review Conference of the States Parties to be held in 2006.” The States Parties also appointed Ambassador Edvardas Borisovas of Lithuania as Coordinator on Explosive Remnants of War, and Ambassador Carlos Antonio da Rocha Paranhos of Brazil as Coordinator on Mines Other Than Anti-Personnel Mines.

9. The Meeting of the States Parties decided, as contained in paragraph 28 of CCW/MSP/2005/2, that “the intersessional work of the Group of Governmental Experts will be undertaken in three sessions at Geneva during 2006.”

10. The Thirteenth Session of the Group of Governmental Experts was held at Geneva from 6 to 10 March 2006.

11. The following States Parties to the Convention participated in the work of the Group: Argentina, Australia, Austria, Bangladesh, Belarus, Belgium, Benin, Bolivia, Brazil, Bulgaria, Canada, Chile, China, Colombia, Croatia, Costa Rica, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Estonia, Finland, France, Germany, Greece, Guatemala, Holy See, Hungary, India, Ireland, Israel, Italy, Japan, Jordan, Latvia, Lithuania, Luxembourg, Malta, Mauritius, Mexico, Morocco, Netherlands, New Zealand, Norway, Pakistan, Peru, Philippines, Poland, Portugal,

Republic of Korea, Republic of Moldova, Romania, Russian Federation, Senegal, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America and Venezuela.

12. The following Signatory States to the Convention also participated in the work of the Group: Afghanistan, Egypt, Nigeria, Sudan, and Viet Nam.

13. The following States not parties to the Convention participated as observers: Azerbaijan, Kuwait, Libyan Arab Jamahiriya, Malaysia, Qatar, Saudi Arabia, United Arab Emirates, and Yemen.

14. The representatives of the United Nations Development Programme (UNDP), United Nations Children's Fund (UNICEF) and United Nations Mine Action Service (UNMAS) took part in the work of the Group.

15. The representatives of the following organisations also took part in the work of the Group: Geneva International Centre for Humanitarian Demining (GICHD) and International Committee of the Red Cross (ICRC). The representatives of the European Commission also took part in the work of the Group

16. The representatives of the following non-governmental organisations also took part in the work of the Group: Actiongroup Landmine.de, American Bar Association, Cluster Munition Coalition, Fondation Suisse de Déminage, Geneva Call, Handicap International, Human Rights Watch, International Campaign to Ban Landmines (ICBL), Landmine Action (UK), Mines Action Canada, Norwegian People's Aid, Pax Christi International, Soldiers of Peace International Association (SPIA), Swiss Campaign to Ban Landmines, United Nations of Youth Network – Nigeria, University of Exeter, University of Melbourne.

17. On 6 March 2006, the session was opened by the President-designate of the Third Review Conference, Ambassador François Rivasseau of France.

18. The meetings of the Working Groups of the Group of Governmental Experts were chaired by the two Coordinators: Ambassador Edvardas Borisovas of Lithuania as Coordinator on Explosive Remnants of War, and Ambassador Carlos Antonio da Rocha Paranhos of Brazil as Coordinator on Mines Other Than Anti-Personnel Mines. Mr. Peter Kolarov, Political Affairs Officer, Department for Disarmament Affairs, Geneva Branch, served as Secretary of the Group, and was assisted by Mr. Bantan Nugroho, Political Affairs Officer.

19. The Group held 5 plenary meetings. At its first plenary meeting, on 6 March 2006, the Group adopted its Agenda (CCW/GGE/XIII/1), 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/XIII/2).

20. At the same plenary meeting, the Group of Governmental Experts also considered the question of participation, including that of the United Nations agencies, specialized and other agencies and non-governmental organizations in the work of the Group and agreed to exercise the utmost degree of transparency in its activities.

21. At the same plenary meeting, the following States participated in a general exchange of views: Argentina, Austria (on behalf of the European Union, with Bulgaria and Romania, Croatia and The former Yugoslav Republic of Macedonia, Albania, Bosnia and Herzegovina, Serbia and Montenegro, as well as Ukraine and the Republic of Moldova aligning themselves), Canada, China, Croatia, Cuba, Germany, Israel, Japan, New Zealand, Norway, Pakistan, Russian Federation, Switzerland, and United States of America. GICHD and Human Rights Watch also participated in the general exchange of views.

22. At the plenary meeting, on 6 March 2006, the Group devoted time for the consideration of the status of CCW Protocol V on ERW. The meeting was chaired by Ambassador Edvardas Borisovas of Lithuania, Coordinator on Explosive Remnants of War. At the meeting the Group welcomed the 16 States Parties which had notified the Secretary-General of the United Nations of their consent to be bound by Protocol V on Explosive Remnants of War: Bulgaria, Croatia, Denmark, Finland, Germany, Holy See, India, Liberia, Lithuania, Luxembourg, Netherlands, Nicaragua, Norway, Sierra Leone, Sweden and Ukraine.

23. In accordance with the decisions taken by the Meeting of the States Parties to the Convention in 2005 (CCW/MSP/2005/2), the Group of Governmental Experts devoted time for the consideration of the preparation for the 2006 Third Review Conference of the States Parties to the Convention at the plenary meetings on 6 and 10 March 2006. The meetings were chaired by Ambassador François Rivasseau and considered papers presented by the President-designate entitled “Provisional Agenda of the Third Review Conference” as contained in CCW/GGE/XIII/3, and “Draft Rules of Procedure of the Third 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” as contained in CCW/GGE/XIII/4.

24. In accordance with the decisions taken by the Meeting of the States Parties to the Convention in 2005 (CCW/MSP/2005/2), the Group of Governmental Experts devoted time for the consideration of the issue of the universalization of the Convention and its annexed Protocols at the plenary meetings on 6 and 10 March 2006. The meetings were chaired by Ambassador François Rivasseau and considered paper presented by the President-designate entitled “Universalization of the CCW and its annexed Protocols” as contained in CCW/GGE/XIII/5.

25. In accordance with the decisions taken by the Meeting of the States Parties to the Convention in 2005 (CCW/MSP/2005/2), the Group of Governmental Experts devoted time for the consideration of options to promote compliance with the Convention at the plenary meetings on 7 and 9 March 2006. The meetings were chaired by Ambassador François Rivasseau, who was assisted by Ambassador Gordan Markotic of Croatia, Friend of the President on Compliance, and continued the consideration of document CCW/GGE/XII/3, dated 21 November 2005.

26. In accordance with the decisions taken by the Meeting of the States Parties to the Convention in 2005 (CCW/MSP/2005/2), the Group of Governmental Experts devoted time for the consideration of the possibility to establish a sponsorship programme under the Convention and on the modalities of such a sponsorship programme at the plenary meetings on 7 and 9

March 2006. The meetings were chaired by Ambassador François Rivasseau and considered a paper presented by the President-designate entitled “Sponsorship Programme under the Convention” as contained in CCW/GGE/XIII/6.

27. The Working Group on Explosive Remnants of War held two meetings and discussed the implementation of existing principles of International Humanitarian Law and possible preventive measures aimed at improving the design of certain specific types of munitions, including sub-munitions, with a view to minimise the humanitarian risk of these munitions becoming explosive remnants of war. It also held one meeting of military and technical experts, chaired by Ms. Vera Bohle of GICHD, and discussed two documents presented by the Chairperson of the Meetings of Military and Technical Experts on Explosive Remnants of War entitled “Provisional Agenda for the Meeting of the Military Experts on ERW” as contained in CCW/GGE/XIII/WG.1/1 and “Draft Table of Conventional Ammunition Types and Systems” as contained in CCW/GGE/XIII/WG.1/WP.8.

28. The Working Group on Mines Other Than Anti-Personnel Mines held two meetings and discussed proposals on Mines Other Than Anti-Personnel Mines put forward since the establishment of the Group of Governmental Experts. It also held one meeting of military experts, chaired by Brigadier-General Gerson Menandro Garcia de Freitas of Brazil, and discussed a paper presented by the Chairperson of the Meetings of Military Experts on Mines Other Than Anti-Personnel Mines entitled “Provisional Agenda for the Meetings of the Military Experts on MOTAPM” as contained in CCW/GGE/XIII/WG.2/1.

29. During the course of the session, the Working Group on Explosive Remnants of War considered documents CCW/GGE/XIII/WG.1/1, and CCW/GGE/XIII/WG.1/WP.1 to CCW/GGE/XIII/WG.1/WP.16, and the Working Group on Mines Other Than Anti-Personnel Mines considered documents CCW/GGE/XIII/WG.2/1, and CCW/GGE/XIII/WG.2/WP.1 to CCW/GGE/XIII/WG.2/WP.7, as listed in Annex II. These documents are available in all official languages through the Official Document System of the United Nations at <http://documents.un.org>.

30. The Working Group on Explosive Remnants of War heard a presentation by Prof. Timothy McCormack of the Asia Pacific Centre for Military Law, University of Melbourne Law School, on the “Report on States Parties’ Responses to the Questionnaire, International Humanitarian Law and Explosive Remnants of War”, and by France entitled “A Reminder of the Methodology Prepared by France to Reduce the Risks Related to ERW.”

31. The Working Group on Mines Other Than Anti-Personnel Mines heard a presentation by the Czech Republic on “Reduction of Conventional Ammunition Surplus in the Czech Armed Forces”.

32. The Group of Governmental Experts decided to recommend for adoption by the Third Review Conference the Provisional Agenda of the Third Review Conference, as contained in CCW/GGE/XIII/3 dated 10 February 2006, as well as the Draft Rules of Procedure of the Third 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, as contained in CCW/GGE/XIII/4 dated 10 February 2006. The Group also decided to nominate Mr. Peter Kolarov, Political Affairs Officer, Department for

Disarmament Affairs, Geneva Branch, as Provisional Secretary-General of the Third Review Conference.

33. As decided by the Meeting of the States Parties to the Convention in 2005, the Group will hold its Fourteenth Session from 19 to 23 June 2006 and the Fifteenth Session from 28 August to 6 September 2006.

34. At the final plenary meeting, on 10 March 2006, the Group of Governmental Experts adopted the procedural report of the Thirteenth Session, as contained in document CCW/GGE/XIII/CRP.1, as orally amended, which is being issued as document CCW/GGE/XIII/7.

Annex I

AGENDA

of the Thirteenth Session of the Group of Governmental Experts
as adopted during the first plenary meeting on 6 March 2006

1. Opening of the Session by the President-designate of the Third Review Conference of the States Parties to the Convention to be held from 7 to 17 November 2006
2. Adoption of the Agenda
3. Confirmation of the Rules of Procedure
4. Question of participation
5. Organization of work of the Group of Governmental Experts
6. Background documentation
7. Explosive Remnants of War (ERW)
8. Mines Other Than Anti-Personnel Mines (MOTAPM)
9. Possible options to promote compliance with the Convention and its annexed Protocols
10. Third 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
 - a. Organizational issues
 - b. Universalization
 - c. Any other issue
11. Sponsorship programme
12. Any other issues
13. Adoption of procedural report

Annex II

LIST OF DOCUMENTS
OF THE GROUP OF GOVERNMENTAL EXPERTS
THIRTEENTH SESSION, 6 - 10 MARCH 2006

Number	Title	Countries/ Organizations
CCW/GGE/XIII/1	Provisional Agenda	Proposal by the President-designate
CCW/GGE/ XIII/2	Provisional Programme of Work	Proposal by the President-designate
CCW/GGE/ XIII/3	Provisional Agenda of the Third Review Conference	Proposal by the President-designate
CCW/GGE/ XIII/4	Draft Rules of Procedure of Third 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	Proposal by the President-designate
CCW/GGE/ XIII/5	Universalization of the CCW and its Annexed Protocols	Presented by the President-designate
CCW/GGE/ XIII/6	Sponsorship Programme under the Convention	Presented by the President-designate

CCW/GGE/ XIII/WP.1	Food for thought paper. Ensuring a thorough review of the status and operation of the CCW and its Protocols at the Third Review Conference	Prepared by the International Committee of the Red Cross
CCW/GGE/XIII/WG.1/1	Provisional Agenda for the Meeting of the Military and Technical Experts on ERW	Proposal by the Chairperson of the Meeting of the Military and Technical Experts on ERW
CCW/GGE/XIII/WG.1/WP.1	Responses to document CCW/GGE/X/WG.1/WP.2, entitled IHL and ERW, dated 8 March 2005	Response from Italy
CCW/GGE/XIII/WG.1/WP.2	Responses to document CCW/GGE/X/WG.1/WP.2, entitled IHL and ERW, dated 8 March 2005	Response from the Czech Republic
CCW/GGE/XIII/WG.1/WP.3	Responses to document CCW/GGE/X/WG.1/WP.2, entitled IHL and ERW, dated 8 March 2005	Response from Ireland
CCW/GGE/XIII/WG.1/WP.4	Responses to document CCW/GGE/X/WG.1/WP.2, entitled IHL and ERW, dated 8 March 2005	Response from South Africa
CCW/GGE/XIII/WG.1/WP.5	Responses to document CCW/GGE/X/WG.1/WP.2, entitled IHL and ERW, dated 8 March 2005	Response from Mexico

CCW/GGE/XIII/WG.1/WP.6	Responses to document CCW/GGE/X/WG.1/WP.2, entitled IHL and ERW, dated 8 March 2005	Response from Portugal
CCW/GGE/XIII/WG.1/WP.7	Assessment of the relative risk of categories of explosive ordnances becoming Explosive Remnants of War: Methodology	Prepared by the United Kingdom of Great Britain and Northern Ireland
CCW/GGE/XIII/WG.1/WP.8	Draft Table of Conventional Ammunition Types and Systems	Prepared by the Chairperson of the Meeting of the Military and Technical Experts on ERW
CCW/GGE/XIII/WG.1/WP.9 (Original: Chinese)	Responses to document CCW/GGE/X/WG.1/WP.2, entitled IHL and ERW, dated 8 March 2005	Response from the People's Republic of China
CCW/GGE/XIII/WG.1/WP.10	German Understanding of Cluster Munitions	Presented by the Federal Republic of Germany
CCW/GGE/XIII/WG.1/WP.11	Cluster Weapons-A Real Humanitarian Threat, or An Imaginary One?	Prepared by the Russian Federation

CCW/GGE/XIII/WG.1/WP.12	Report on States Parties' Responses to the Questionnaire on International Humanitarian Law & Explosive Remnants of War, CCW/GGE/X/WG.1/WP.2, Dated 8 March 2005	Prepared by the Asia Pacific Centre for Military Law, University of Melbourne, Australia and presented at the request of the Coordinator on ERW
CCW/GGE/XIII/WG.1/WP.12/Corr.1 (English Only)	Report on States Parties' Responses to the Questionnaire on International Humanitarian Law & Explosive Remnants of War, CCW/GGE/X/WG.1/WP.2, Dated 8 March 2005 Corrigendum	Prepared by the Asia Pacific Centre for Military Law, University of Melbourne, Australia and presented at the request of the Coordinator on ERW
CCW/GGE/XIII/WG.1/WP.12/Corr.2 (Chinese, English and Spanish Only)	Report on States Parties' Responses to the Questionnaire on International Humanitarian Law & Explosive Remnants of War, CCW/GGE/X/WG.1/WP.2, Dated 8 March 2005 Corrigendum	Prepared by the Asia Pacific Centre for Military Law, University of Melbourne, Australia and presented at the request of the Coordinator on ERW

CCW/GGE/XIII/WG.1/WP.12/Add.1	Report on States Parties' Responses to the Questionnaire on International Humanitarian Law & Explosive Remnants of War, CCW/GGE/X/WG.1/WP.2, Dated 8 March 2005 Addendum	Prepared by the Asia Pacific Centre for Military Law, University of Melbourne, Australia and presented at the request of the Coordinator on ERW
CCW/GGE/XIII/WG.1/WP.12/Add.2	Report on States Parties' Responses to the Questionnaire on International Humanitarian Law & Explosive Remnants of War, CCW/GGE/X/WG.1/WP.2, Dated 8 March 2005 Addendum	Prepared by the Asia Pacific Centre for Military Law, University of Melbourne, Australia and presented at the request of the Coordinator on ERW
CCW/GGE/XIII/WG.1/WP.13*	A Critical Analysis on the "Report on States Parties' Responses to the Questionnaire" on International Humanitarian Law and Explosive Remnants of War, CCW/GGE/X/WG.1/WP.2, Dated 8 March 2005, Prepared by the Asia Pacific Centre for Military Law, University of Melbourne, Australia and Presented at the Request of the Coordinator on ERW as Document CCW/GGE/XIII/WG.1/WP.12 and Addenda	Prepared by the Geneva International Centre for Humanitarian Demining

CCW/GGE/XIII/WG.1/WP.14	Munitions - a method to reduce the risks associated with explosive remnants of war	Prepared by the French Republic
CCW/GGE/XIII/WG.1/WP.15	Comments on the "Report on States Parties' Responses to the Questionnaire "on International Humanitarian Law and Explosive Remnants of War, CCW/GGE/X/WG.1/WP.2, Dated 8 March 2005, Prepared by the Asia Pacific Centre for Military Law, University of Melbourne, Australia and Presented at the Request of the Coordinator on ERW as Document CCW/GGE/XIII/WG.1/WP.12 and Addenda	Prepared by the International Committee of the Red Cross
CCW/GGE/XIII/WG.1/WP.16	Responses to the Survey on the Humanitarian threat Posed by Munitions and Sub-Munitions that Have Become ERW- Preliminary Assessment Based on responses and Finding, Document CCW/GGE/XII/WG.1/WP.11, Dated 12 December 2005	Response by the Republic of Belarus
CCW/GGE/XIII/WG.2/1	Provisional Agenda for the Meetings of the Military Experts on MOTAPM	Prepared by the Chairperson of the Meeting of the Military Experts on MOTAPM
CCW/GGE/XIII/WG.2/WP.1	Impact of the detectability of mines other than anti-personnel mines (MOTAPM) on their military effectiveness	Prepared by the Russian Federation

CCW/GGE/XIII/WG.2/WP.2	Practical experience in the Russian Federation in the detection and deactivation of improvised explosive devices	Prepared by the Russian Federation
CCW/GGE/XIII/WG.2/WP.3	Promising technologies for the detection of explosive objects	Prepared by the Russian Federation
CCW/GGE/XIII/WG.2/WP.4	Anti-vehicle mines	Prepared by the Russian Federation
CCW/GGE/XIII/WG.2/WP.5	Principal approaches to the development of methods for checking the reliability of anti-personnel mine self-destruction mechanisms and self-deactivation devices	Prepared by the Russian Federation
CCW/GGE/XIII/WG.2/WP.6	Mapping, fencing and marking of minefields: practice in the Russian Federation	Prepared by the Russian Federation
CCW/GGE/XIII/WG.2/WP.7	Current restrictions on the use of anti-personnel mines	Prepared by the Russian Federation
CCW/GGE/XIII/CRP.1	Draft Procedural Report	Prepared by the Secretariat
CCW/GGE/XIII/INF.1 (English/French/Spanish Only)	List of Participants	Prepared by the Secretariat
CCW/GGE/XIII/INF.1/Add.1 (English/Spanish Only)	List of Participants Addendum	Prepared by the Secretariat

CCW/GGE/XIII/MISC.1 (English/French/Spanish Only)	Provisional List of Participants	Prepared by the Secretariat
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The above documents are available in all official languages through the Official Document System of the United Nations at <http://documents.un.org>.
