6 March 2014

The Permanent Representatives of the
High Contracting Parties to the CCW
Amended Protocol II on Prohibitions or
Restrictions on the Use of Mines,
Booby-Traps and other Devices

Excellency,

We are writing to you in our roles as the Coordinator and Co-Coordinator on Improvised Explosive Devices (IEDs) of Amended Protocol II on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (APII) to the Convention on Certain Conventional Weapons (CCW) in preparation for consideration of the IEDs issue at the meeting of the APII Group of Experts (Geneva, 1 - 2 April 2014).

In our letter of 29 January 2014, we foreshadowed our plan to split some of the discussion in the Group of Experts meeting into informal break-out sessions for two areas of work on developing best practices. That is:

- exploring the possibility of an information exchange database, portal or platform as a tool for improving information sharing on the diversion and illicit use of material that can be used for IEDs and other means of reducing the threat of IEDs; and
- examining ways to reduce the risk of military munitions, explosive remnants of war, commercial explosives or chemical precursors being used for IEDs.

The intention of organising our work in this manner is to facilitate a more interactive and productive discussion. In each area, three break-out groups will be held in parallel for around 30 – 40 minutes. We would then resume in plenary, at which the highlights of each group’s discussion will be reported on to inform a wider exchange of views in plenary on the way forward. All discussion questions will remain open for wider discussion in plenary.

In order to assist delegations in preparing for these break-out groups, we, as Coordinators, have prepared an indicative list of discussion questions for each group. These discussion questions are annexed to this letter. They might be supplemented during the discussion, after the presentations by the experts. Please note that interpretation will not be available for these informal break-out groups.

We again encourage High Contracting Parties and their experts to contribute actively in these sessions in order to advance the Group’s work on IEDs.
Should you require further information on this issue, please do not hesitate to contact either ourselves or the CCW Implementation Support Unit at any time to discuss the issue. We very much look forward to having a fruitful discussion during the Group of Experts meeting in April.

Yours sincerely,

Namdi Payne  
Coordinator on IEDs  
CCW APII Group of Experts

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Co-Coordinator on IEDs  
CCW APII Group of Experts
**TOPIC I**

**Possible Information Exchange Database, Portal or Platform**

**Group Discussion Questions**

**Mandate:**

(c) The Group of Experts continue, consistent with the scope of Amended Protocol II, developing best practices aimed at helping to address the threat of IEDs, including by:

(i) exploring the possibility of an information exchange database, portal or platform as a tool for improving information sharing on the diversion and illicit use of material that can be used for IEDs and other means of reducing the threat of IEDs; […]

while bearing in mind commercial confidentiality, national security requirements, the legitimate interests in trade of such materials; and taking into account existing and related work of international and regional organisations, including those referred to in the compilation;

**Group 1: Possible categories of information for a database or an experts portal**

1. What categories of information could be shared that would be most useful to APII High Contracting Parties (HCPs)? For example:
   - Data on types of IEDs used, their components and methods of construction and employment;
   - Data on incidents, such as date, location, type of IEDs;
   - Data on civilian casualties arising from IED incidents;
   - Information on successful counter-measures;
   - Information on successful prevention measures;
   - Information on training programs;
   - Information on capacity needs;
   - National contact points; and/or
   - Other types of information?

2. Which of the above-mentioned categories of information can be shared while bearing in mind:
   - Confidentiality;
   - National security;
   - Legitimate trade interests; and
   - Existing work and related work of international and regional organisations?

3. Which categories of information would be more resource-intensive than others to share in a possible database?

4. Which categories of information need to be updated over time?

5. Would it be useful to have a standalone (i.e. outside of a database), glossary/definitions or ‘common terminology’ on IEDs that could be shared between APII States Parties, through the CCW ISU?
6. Would it be useful to have a standalone list of APII States Parties’ subject matter experts on IEDs (i.e. outside of the database), and their contact details to be shared only amongst High Contracting Parties?

- Would this enable detailed discussion through appropriate channels, even secure channels, as required?
- Would this enable High Contracting Parties to identify new potential partnerships and seek bilateral or multilateral assistance or cooperation to help counter the IED threats?
- Would this facilitate greater information exchange and potentially lead to multilateral assistance including response techniques, training information, capacity building such as stockpile security, or even direct assistance?
- Through secure channels, would subject matter experts be able to better discuss: IED components, IED types, technological sources, networks/facilitators, counter-measures, triggers watch list, best practices, and diversion routes?

Group 2: Issues concerning hosting and access to a possible database or experts portal

1. Who should host and manage a possible IED database:

- the ISU;
- a CCW APII HCP;
- a contracted company on behalf of CCW APII HCPs; and/or
- an international organization?

2. Who could access a possible database:

- HCPs only;
- UN agencies and other international organisations;
- Civil society;
- One national contact point for each HCP; and/or
- More than one national contact points e.g. in each relevant agencies of each HCP?

3. Would it be useful to have different access requirements for those who can input/edit data and those who can only read data?

4. What kind of security or safeguards would be necessary to facilitate access to a possible database?

5. Would it be useful to have a standalone list of APII States Parties’ subject matter experts on IEDs (i.e. outside of the database), and their contact details to be shared only amongst High Contracting Parties?

- Would this enable detailed discussion through appropriate channels, even secure channels, as required?
- Would this enable High Contracting Parties to identify new potential partnerships and seek bilateral or multilateral assistance or cooperation to help counter the IED threats?
- Would this facilitate greater information exchange and potentially lead to multilateral assistance including response techniques, training information, capacity building such as stockpile security, or even direct assistance?
- Through secure channels, would subject matter experts be able to better discuss: IED components, IED types, technological sources, networks/facilitators, counter-measures, triggers watch list, best practices, and diversion routes?

**Group 3: Possible outputs, if any, for a database**

1. Could it be useful for a database to produce outputs, such as
   - reports;
   - trends;
   - gaps; and/or
   - catalogue/list of national contact points?

2. Who could be responsible for producing such outputs?

3. Who would check the veracity/reliability of information on the database?

4. Should the database not produce outputs and leave it HCPs to analyse trends or gaps, as they deem necessary?

5. Would it be useful to have a standalone list of APII States Parties’ subject matter experts on IEDs (i.e. outside of the database), and their contact details to be shared only amongst High Contracting Parties?
   - Would this enable detailed discussion through appropriate channels, even secure channels, as required?
   - Would this enable High Contracting Parties to identify new potential partnerships and seek bilateral or multilateral assistance or cooperation to help counter the IED threats?
   - Would this facilitate greater information exchange and potentially lead to multilateral assistance including response techniques, training information, capacity building such as stockpile security, or even direct assistance?
   - Through secure channels, would subject matter experts be able to better discuss: IED components, IED types, technological sources, networks/facilitators, counter-measures, triggers watch list, best practices, and diversion routes?
TOPIC II

Reducing the risk of military ammunitions, unexploded ordnance, commercial explosives or chemicals being diverted for the purpose of use in IEDs

Group Discussion Questions

Mandate:
(c) The Group of Experts continue, consistent with the scope of Amended Protocol II, developing best practices aimed at helping to address the threat of IEDs, including by: 

(ii) examining ways to reduce the risk of military munitions stocks, explosive remnants of war, or commercial explosive stocks being used for IEDs; 

while bearing in mind commercial confidentiality, national security requirements, the legitimate interests in trade of such materials; and taking into account existing and related work of international and regional organisations, including those referred to in the compilation;

Background

During the session to take place on Wednesday morning, April 2, after the presentations by the panelists, the Group of Experts will be split into three working groups. Each group will have 30 minutes to discuss its topic.

A list of questions to kick off the debate is proposed below, for each group.

Additional questions might be suggested after the presentations are delivered by the experts.

Group 1: ERW & military stockpiles

- Would you see a value in further exchanging views on organizational/technical measures that could be studied in order to reduce the risk of diversion of unexploded or abandoned ordnance for use in IEDs within the framework of the present Group of experts?
- If yes, which aspect would you like to be developed?
- What is the appropriate link between this work and the work on ERW undertaken in the framework of Protocol V, notably in the context of generic preventive measures?
- With regard to the risk of diversion of military ammunitions from stocks ( arsenals lootings, thefts during transportation of ammunition, etc.) for use in IEDs, as the issue of Physical Security and Stockpile Management (PSSM) is a wider question that is also addressed in other contexts, which action could the High Contracting Parties (HCP) to Amended Protocol II undertake?
  - How could for instance HCP promote the implementation of PSSM existing guidelines, in particular the International Ammunition Technical Guidelines and the UN SAFERGUARD program (see http://www.un.org/disarmament/un-safeguard/) developed by the United Nations Office for Disarmament Affairs (UNODA), in the context of combating the threat of IEDs?
Would you see a value in organizing regional workshops on this topic in the framework of APII?

As PSSM will also be discussed in the framework of the 5th Biennial Meeting of States (BMS5) to the UN Programme of Action of the United Nations on Small Arms and Light Weapons (PoA/SALW), would you see a value for the President-designate the Sixteenth Annual Conference of HCP to APII to draw the attention of the President-designate for BMS5 on the importance of PSSM in the context of C-IED?

- Do you have any other idea, comment or suggestion?

**Group 2: Civilian explosives & detonators**

- There is an important normative framework with regard to reducing the diversion of civilian explosives for use in IEDs. Would you see a value in further exchanging views on this topic and improve the knowledge of the group of experts?

- In particular would you see a value in extending the *Compilation of existing guidelines, best practices and other recommendations* maintained by the ISU to normative texts related to the control of civilian explosives?

- Would you be interested in hearing further from the International Technical Commission on Explosives established under the MARPLEX Convention?

- Would you be interested in hearing from industries on the techniques of detection of explosives?

- Would you be interested in hearing more from experts on the control, traceability and detectability of detonators?

- Do you have any other idea, comment or suggestion?

**Group 3: Chemical precursors**

One of the approaches to prevent the use of chemical precursors in IEDs is to improve the control and traceability of precursors, by administrative measures, at national and/or regional level. The Group of Experts has already heard in previous meetings from several States and regional organizations that have implemented such instruments (e. g. the Organization of American States with CIFTA agreements, or the European Union with the regulation No. 98/2013 on the marketing and use of explosives precursors).

- Would you see a value for the Group of Experts to develop a list of existing regulations and complement the *Compilation of existing guidelines, best practices and recommendations* maintained by the ISU?

- Technical measures also exist either to improve the traceability and/or detectability of these materials (chemical marking for some plastic explosives, for instance), or to prevent the product to be used for manufacturing explosives. One difficulty, however, is not to downgrade the quality of the material for legitimate civilian uses (e. g. in the case of fertilizers).
Would you see a value in keeping the HCP informed on technical developments undertaken in this field, notably with the improvement of nano and bio technologies?

Do you have any other idea, comment or suggestion?