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)

The Permanent Representatives of the CCW High Contracting Parties
Signatory States & Observer States

Geneva

6 November 2017

Excellency,

On behalf of the Presidents-designate of the Conferences of the High Contracting Parties to Amended Protocol II and to Protocol V, Ambassador Beatriz Londoño Soto of Colombia and Ambassador André Pung of Estonia, please find attached a copy of a joint letter from the Presidents-designate dated 2 November 2017 concerning the preparations for both Conferences scheduled for 20 and 21 November 2017, respectively, which includes potential areas for further work in 2018 on Amended Protocol II and on Protocol V.

Furthermore, attached to the joint letter are the following documents:
- Schedule of work for the Eleventh Conference of the High Contracting Parties to Protocol V (20 November 2017);
- Proposal on the provision of expert assistance for national reporting under Protocol V on Explosive Remnants of War (ERW);
- Schedule of work for the Nineteenth Annual Conference of the High Contracting Parties to Amended Protocol II (21 November 2017).

Please accept, Excellency, the assurances of my highest consideration.

[Signature]

Bantan Nugroho
Head of the CCW Implementation Support Unit
Excellency,

We have the honor to bring to your attention the preparations underway for the Conferences of Protocol V and Amended Protocol II, scheduled for 20 to 21 November 2017 in Geneva respectively.

Although the meetings of experts for this year were unable to take place for financial reasons, it is important that the conferences are substantial and maintain the momentum on the implementation and universalization of these two instruments.

Schedules of activities for the Conferences of Protocol V and Amended Protocol II

Attached are outlines of the schedules of activities for both Conferences and a paper submitted on National Reporting for the Protocol V Conference. We strongly encourage your delegation to actively participate in the Conferences.

The work on Amended Protocol II in 2018

In terms of moving forward for next year, we intend to continue with the work on reviewing the operation and status of the Protocol, considering matters arising from reports by High Contracting Parties according to Article 13 (4) of Amended Protocol II; and discussing improvised explosive devices, given that the work at the expert level this year was not convened.

Operation and status of the Protocol: We propose that the agenda item on the “Review of the operation and status of the Protocol” will continue to be considered, mainly focusing on national reporting and that the Coordinator will provide an analysis of Form G of the national annual reports (Information to the UN-database on mine clearance).

Improvised Explosive Devices (IED): We propose to continue with the work on IED, specifically to focus on the information exchange on national measures and best practices on the general features of IEDs, including new types of IED; methods of humanitarian clearance of IED; and methods to protect civilians from IED; an update on the responses received on the questionnaire on national counter-IED frameworks; and the Compilation of existing guidelines, best practices and other recommendations aiming at addressing the diversion or illicit use of materials that can be used for IED.
The work on Protocol V in 2018

For Protocol V, we propose to undertake further work on Article 4 as this year’s work at the expert level was incomplete. These efforts could be complemented by focusing on clearance under Article 3 in accordance with the recommendations agreed to last year.

In accordance with the decision taken at the Tenth Conference, "...to consider establishing an expert mechanism to assist High Contracting Parties on a voluntary basis over the next review cycle, on national reporting", the President-designate has carried out consultations on taking forward this proposal and produced the paper titled "Proposal on the provision of expert assistance for national reporting under Protocol V on Explosive Remnants of War (ERW)" for High Contracting Parties’ consideration at the Eleventh Conference. If the proposal on National Reporting Under Protocol V enjoys consensus, the mechanism will be put in practice next year and its application across the CCW could be considered.

Universalization

On universalization, we have both undertaken bilateral consultations with States not yet party to the CCW, Amended Protocol II and Protocol V. We urge all States Parties to the CCW that have not yet joined either of these instruments to do so as soon as possible. During the two Conferences updates on progress of non-States Parties on joining Amended Protocol II and Protocol V would be greatly appreciated.

National reporting

We encourage all High Contracting Parties that have not yet done so to submit national annual reports under Amended Protocol II and Protocol V.

We look forward to two productive Conferences of Amended Protocol II and Protocol V. If you should have any questions on the preparations of the Conferences, please do not hesitate to contact either of our delegations or the CCW Implementation Support Unit.

Please accept, Excellency, the assurances of our highest consideration.

President of the Nineteenth Annual Conference of the High Contracting Parties to Amended Protocol II

[Signature]

Beatriz Londoño Soto
Ambassador
Permanent Representative of Colombia to the United Nations and Specialized Agencies in Geneva

President of the Eleventh Conference of the High Contracting Parties to Protocol V

[Signature]

Andre Pung
Ambassador
Permanent Representative of Estonia to the United Nations Office at Geneva
Schedule – Eleventh Conference of High Contracting Parties to Protocol V on Explosive Remnants of War

Monday 20 November 2017, 10:00am to 1:00pm, Conference Room XVIII

Agenda Item 1: Opening of the Conference

Procedural issues to be addressed: Agenda items 2 – 7: Election of the President, adoption of the agenda, confirmation of the rules of procedure, appointment of the Secretary-General of the Conference, organization of work including that of any subsidiary bodies of the Conference, and election of other officers of the Conference.

Agenda Item 8: General exchange of views. High Contracting Parties are encouraged to provide updates on their efforts to support universalization and to implement the obligations of Protocol V. In accordance with the recommendations agreed to at the Tenth Conference, cooperation and assistance is to continue to be prioritized under Protocol V. The general exchange is an opportunity for countries to speak on their support for cooperation and assistance to both prevent and alleviate the suffering caused by explosive remnants of war and for those affected countries to outline their needs.

Agenda Item 9: Review of the status and operation of the Protocol: Under this agenda item, the Conference will focus on the implementation of Article 4. This is in accordance with the decision taken at the Tenth Conference to hold a workshop on Article 4. Two panel discussions will be convened. The first panel will focus on High Contracting Parties that have developed and implemented Article 4 procedures and how they went about this work. The second panel will be an opportunity to hear from High Contracting Parties that have received Article 4 information and how this impacted on their surveillance and clearance operations. Delegations are welcome to ask questions and also to speak from the floor on their own experiences concerning Article 4.

3:00pm to 6:00pm

Possible continuation of Agenda Item 9: Review of the status and operation of the Protocol – focus on the implementation of Article 4.

Agenda Item 10: Consideration of matters pertaining to national implementation of the Protocol, including national reporting or updating on an annual basis: An update on national reporting in 2017 will be provided. In accordance with the decision taken at the Tenth Conference, “For High Contracting Parties to consider establishing an expert mechanism to assist High Contracting Parties on a voluntary basis over the next review cycle, on national reporting”, the President-designate has carried out consultations on taking forward this proposal and produced the paper titled “Proposal on the provision of expert assistance for national reporting under Protocol V on Explosive Remnants of War (ERW)” for High Contracting Parties’ consideration at the Eleventh Conference.
Procedural issues: **Agenda Items 11 and 12: Preparation for review conferences and Report(s) of any subsidiary organ(s):** As this is not the year of a review conference and establishing a subsidiary body is not anticipated, there should be no need to action under either of these agenda items.

**Agenda item 13: Adoption of the cost estimates for 2018**

**Agenda item 14: other matters**

**Agenda item 15: Consideration and adoption of the final document.**
Proposal on the provision of expert assistance for national reporting under Protocol V on Explosive Remnants of War (ERW)

Introduction

1. National reporting is important:
   - for understanding the progress made and the challenges faced by High Contracting Parties in implementing Protocol V;
   - as a confidence building measure;
   - as evidence of High Contracting Parties’ commitment to Protocol V and international humanitarian law in general; and
   - assisting in identifying those High Contracting Parties that require assistance and is, therefore, an additional mechanism for facilitating international cooperation and assistance.

By undertaking the process of national reporting regularly, the administration of a High Contracting Party is required to consider how it is implementing the provisions of Protocol V and the progress it is making. Such a process will raise awareness of and prioritise a country’s obligations under the Protocol and further strengthen the process of implementation.

2. As of 11 August 2017, eighteen High Contracting Parties have never submitted national reports, which includes countries that are seriously affected by explosive remnants of war (ERW).

3. In 2016 it was proposed by the President of the Tenth Conference of High Contracting Parties to Protocol V to establish a roster of experts to provide advice to countries on national reporting. The proposal set out below utilizes the existing mechanism of the CCW Implementation Support Unit and makes provision for expert advice.
Proposals to improve the rate and quality of reporting

4. In accordance with its mandate to “strengthen the implementation of the Convention and its annexed Protocols”, the Steering Committee of the CCW Sponsorship Programme could consider how to follow-up on reporting through the selection and engagement of some of the countries to be sponsored.

5. It is also proposed to task the CCW Implementation Support Unit to explore all avenues for providing assistance to countries and where necessary, to provide expert assistance. This proposal is in accordance with the Implementation Support Unit’s mandate to “Support the High Contracting Parties, on request, in the implementation of the CCW and its Protocols…” Support would only be provided with the consent of the country requesting assistance on national reporting.

6. The assistance provided by the Implementation Support Unit could take the form of:
   - A one-on-one briefing in Geneva on the requirements of national reporting under Protocol V and the provision of detailed written information. (The Implementation Support Unit currently provides briefings to High Contracting Parties that have not yet submitted a national report.)
   - Facilitating contact between the country requiring assistance and experts from other High Contracting Parties or relevant organisations. The Implementation Support Unit could invite experts from the following groups to provide advice on national reporting: the roster of experts for the CCW Compliance Mechanism; High Contracting Parties that have submitted comprehensive national reports; and relevant expert organizations. Assistance could be provided via email, video conference or bilateral exchanges.
   - Conduct in-country visits and, if appropriate, with expert support as outlined above.

7. It should be underlined again that assistance and any expert support would only be provided with the consent of the country requesting assistance.

8. If financing is required this will be provided via voluntary contributions. Therefore, the costs of activities to support national reporting will not be included in the CCW estimated costs or the budget of the Implementation Support Unit. The voluntary contributions in support of this work would be deposited in UNODA’s Trust Fund for Global and Regional Disarmament in New York and then transferred to Geneva. The Implementation Support Unit’s work on providing advice on national reporting and the use of any voluntary funding will be carried out in consultation with the officeholders and be reported on in the Unit’s annual report.

9. The support provided for Protocol V national reporting would be reviewed in 2021 to coincide with the Sixth CCW Review Conference.

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1 Paragraphs 3(e), Decision of the establishment of a sponsorship programme within the framework of the [CCW].
Schedule
Nineteenth Annual Conference of the High Contracting Parties to Amended Protocol II
Tuesday, 21 November 2017, Conference Room XVIII, Palais des Nations, Geneva

10:00 a.m. – 1:00 p.m.

Agenda item 1 (Opening of the Conference): The President of the Eighteenth Annual Conference will officially open the Conference.

Agenda items 2 to 6 (Confirmation of the nomination of the President and other officers; Adoption of the agenda; Confirmation of the rules of procedure; Appointment of the Secretary-General of the Conference; Organization of work including that of any subsidiary bodies of the Conference): Procedural issues to be addressed under these agenda items.

Agenda item 7 (General exchange of views): High Contracting Parties are encouraged provide updates on their efforts to support the universalization of the Protocol as well as to implement its obligations. High Contracting Parties may wish to highlight their efforts on providing or receiving assistance in preventing or alleviating the problems caused by improvised explosive devices or landmines.

Agenda item 8 and 9 (Review of the operation and status of the Protocol; Consideration of matters arising from reports by High Contracting Parties according to Article 13(4) of the amended Protocol and of the development of technologies to protect civilians against indiscriminate effects of mines): The discussion will focus on national reporting. As the work at the expert level was not completed, the Coordinator, Ms. Eszter Kroll (Hungary), will provide a brief analysis of Form G of the national annual reports on “Information to the UN database on mine clearance”. All High Contracting Parties which have an interest in sharing information on other matters relevant to the implementation of the Protocol but falls outside of forms A to G are encouraged to do so during the session. High Contracting Parties may wish to consider whether a revision to the “Guide to reporting” could be useful. All High Contracting Parties are encouraged to submit their national annual reports in time for the Conference.

Agenda item 10 (Improvised Explosive Devices, IED): The work on IED will be led by the Coordinator, Colonel Nicolas Coassière (France), and will focus on the information exchange on national measures and best practices on the general features of IED, including new types of IED; methods of humanitarian clearance of IED; and methods to protect civilians from IED; an update on the responses received on the questionnaire on national counter-IED frameworks; and the compilation of existing guidelines, best practices and other recommendations aiming at addressing the diversion or illicit use of materials that can be used for IED. The Coordinator intends to invite some experts from the field to brief the Conference on IED that are being used in the Sahel region and in the Levant by armed non-State actors, and in the regions where Boko Haram operates. This will be followed by an exchange of views specifically on the issue of IED.

3:00 p.m. – 6:00 p.m.

The continuation of agenda item 10, IED.

Agenda item 11 (Report(s) of any subsidiary organ(s)): As the Conference is not expected to establish a subsidiary organ, there will be no need to take action under this agenda item.

Agenda item 12 (Adoption of the estimated costs for 2018)

Agenda item 13 (Other matters)

Agenda item 14 (Consideration and adoption of the final document)