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

Excellency,

I am writing to you in my capacity as Coordinator on the Operation and status of the Protocol; on matters arising from reports by High Contracting Parties according to Article 13 (4) of Amended Protocol II; as well as on development of technologies to protect civilians against indiscriminate effects of mines, in preparation for the consideration of this issue at the 2012 Group of Experts of the High Contracting Parties to Amended Protocol II, which will be held in Geneva on 23 and 24 April 2012.

In 2011 the experts had an interactive exchange on this topic and subsequently the High Contracting Parties at its Thirteenth Annual Conference (CCW/AP.II/CONF.13/6) decided that:

(a) The Group of Experts shall continue to review the operation and status of the Protocol and consider matters arising from the national annual reports, as well as the development of technologies to protect civilians against indiscriminate effects of mines.

(b) The Plan of Action to Promote the Universality of the Convention and its Protocols is the relevant mechanism to enhance the interest of States that are not party to those instruments. Against this background, the Conference encourages the States parties and the Implementation Support Unit to intensify their efforts at implementing the Plan of Action, in particular through organizing more national and regional seminars aimed at promoting and explaining the Convention and its Protocols.

(c) The High Contracting Parties to the Convention shall continue their contacts with the High Contracting Parties to the original Protocol II that have not yet become party to Amended Protocol II, to encourage them to accede to it and thus to facilitate the termination of the original Protocol II. Any action with respect to the termination of the original Protocol II should be taken with the consent of the High Contracting Parties to this Protocol.
(d) The Group of Experts shall analyze the implementation by the States parties of their obligation to submit national annual reports and shall study their content, focusing on the information submitted in Form B, “Mine clearance and rehabilitation programmes.”

I take this opportunity to provide you with some guidance on what should be the focus of our discussion during the consideration of the issues for the upcoming meeting of the Group of Experts.

**Status and operation of Amended Protocol II**

The universalization of APII continues to be our fundamental obligation. The High Contracting Parties and interested organizations may wish to brief us on their efforts to promote the universalization of this Protocol at the regional, sub-regional and national levels. The observer States may wish to share information on the steps they have undertaken to accede to the CCW Amended Protocol II.

**Protocol II and Amended Protocol II**

In accordance with the mandate I am initiating informal consultations on the status of CCW Protocol II, in particular, engaging with the States parties to the original Protocol II, which have not yet expressed consent to be bound by Amended Protocol II. The discussion under this topic will be centered, in particular, on a possible discontinuation of future accessions of States to the original Protocol II and to encourage more accessions of States to Amended Protocol II. States which have made their positions known on this issue to the 2011 session of the Group of Experts and to the Thirteenth Annual Conference of the High Contracting Parties to Amended Protocol II as well as to the CCW Fourth Review Conference are invited to provide an update to the April 2012 session of the Group of Experts. Furthermore, I shall seek your guidance and observations on how we shall move our work forward on this particular issue.

**Development of technologies to protect civilians against indiscriminate effects of mines**

I would like to invite all participants to share their views on what could be the best way to address this particular topic in the future.
National reporting under Amended Protocol II

The Twelfth Conference in 2010 decided to synchronize the submission of national annual reports under Article 13, paragraph 4, of Amended Protocol II, with the submission of national reports under Protocol V to the Convention on Certain Conventional Weapons. The submission date for both reports shall be set at 31 March of every year. Therefore, the next National Annual Reports are due by **31 March 2012**. This reporting period shall cover 1 January to 31 December 2011. I take this opportunity to encourage all High Contracting Parties that have not yet done so to submit their national annual reports (NAR) as soon as possible to allow for their consideration by the Group of Experts.

**Information submitted under “Form B” of the National Annual Report: “Mine clearance and rehabilitation programmes”**

High Contracting Parties are invited to focus this year on the information provided in Reporting Form B – “Mine clearance and rehabilitation programmes.” States which have never presented information on this particular issue are encouraged to do so during the session.

In conclusion, I hope that you will find these clarifications useful in preparing for the 2012 Group of Experts of the High Contracting Parties to APII. It is my hope that you, the High Contracting Parties to Amended Protocol II as well as Observer States and interested organizations, can participate actively in our discussion during the meeting.

Should you require further information on this issue, please do not hesitate to contact me or the CCW Implementation Support Unit at any time to discuss the issue. I look forward to having a fruitful discussion during the meeting of the Group of Experts in April.

Yours sincerely,

Jesus Ricardo S. Domingo  
Minister, Permanent Mission of the Philippines to the UN, Geneva  
Coordinator on the Status and Operation of APII  
CCW Amended Protocol II Group of Experts