

**Landmine Action General Statement to the Meeting of Experts on CCW Protocol V**  
**22 April 2009**

Protocol V has an important role to play in the CCW framework. However, the often ambiguous legal language and numerous qualifiers contained in Protocol V may impede realization of the intent and purpose of the Protocol to minimize the risks and effects of ERW on civilians.

Landmine Action therefore welcomes the efforts of the coordinators and the High Contracting Parties, through these meetings, to further promote the effective implementation of the substantive provisions of the protocol.

As we have previously commented in 2008, initial national reports have failed to provide the level of consistency or detail necessary to assess compliance and implementation of Protocol V. In 2009, the quality of national reporting did not improve and the number of States Parties who have submitted national reports on-time has significantly declined.

The proposed national reporting guide is a step forward, but we would also welcome a discussion by States Parties on their experiences in preparing their national reports, and their mechanisms to gather and retain data necessary for reporting on substantive issues, so as to understand better the challenges to effective reporting.

The proposed guide on national reporting contains many positive suggestions that could improve the quality of the national reports. Particularly notable is the inclusion of reporting provisions on victim assistance and steps to implement the Plan of Action on Victim Assistance. This would be strengthened further by direct guidance in relation to the specific commitments of that plan of action.

Landmine Action continues to support the Plan of Action on Victim Assistance and the supports the proposals of several delegations made during the 2008 Meeting of Experts that this Plan of Action should be applied to the CCW framework as a whole, to address, in a non-discriminatory way, the needs of victims of all types of weapons covered by the CCW. States Parties should further consider the coordination of victim assistance responsibilities and activities within the CCW with victim assistance obligations and efforts under other fora, such as the Mine Ban Treaty and the Convention on Cluster Munitions.

The generic preventive measures outlined in the Technical Annex are valuable measures towards the prevention of future ERW and should be viewed as a critical component of the Protocol. For States not yet in a position to adopt the benchmark standard of the Convention on Cluster Munitions, Protocol V provides a context in which High Contracting Parties can report on national level steps to reduce the post-conflict risks presented by their weapons. Such an approach would be better for the long-term interests of the CCW than adoption of an

incoherent Protocol on cluster munitions, offering weaker legal standards than established instruments and having little real support.

Landmine Action also welcomes the continued engagement on the Generic Electronic Template. The provision of accurate and timely information on the types, quantities and coordinates of weapons used during conflicts can facilitate effective clearance. It would be especially beneficial for users of explosive weapons to share information on recording practices and we would welcome discussions from experts present in the room on national practice with respect to the storage of data, the length of time data is retained, and decision making processes necessary to transfer data.

Discussions in the CCW earlier this week, in the context of Amended Protocol II, have noted the interrelation of unexploded and abandoned ordnance and stockpile management to the problem of improvised explosive devices. In this way they highlighted another mechanisms by which effective implementation of Protocol V can work towards the protection of civilians.

The universalization of the protocol and its full implementation can make a substantive difference on the ground and in furthering international norms on States' responsibilities for the protection of civilians during and after armed conflicts and against weapons which cause post-conflict humanitarian harm.