



Permanent Mission of the Slovak Republic to the United Nations Office
and other International Organisations in Geneva

**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)
Protocol V on Explosive Remnants of War**

Geneva, 24 March 2009

Excellency,

The Second Conference of the High Contracting Parties to Protocol V (Geneva - 10 and 11 November 2008) decided that the next Meeting of Experts (Geneva, 22 to 24 April 2009) will focus, *inter alia*, on the issues of National reporting, pursuant to Article 10 (2) (b) of the Protocol and on Article 4 Generic electronic template, under the overall responsibility of Coordinator and it appointed me to discharge this function.

In this respect, I have the honor to enclose information on how I intend to fulfill the mandates given to the informal Meeting of Experts in 2009 as contained in paragraphs 30 and 32 respectively of the Final document of the Second Conference of the High Contracting Parties to Protocol V.

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

Henrik Markuš
Coordinator

on National reporting, pursuant to Article 10
(2) (b) of the Protocol, and on Article 4
Generic electronic template

The Permanent Representatives of the
High Contracting Parties to CCW Protocol V
on Explosive Remnants of War and Observer States
Geneva

CCW PROTOCOL V
National Reporting / Article 4 Generic Electronic Template

Issues

- The 2009 Meeting of Experts (Geneva, 22 to 24 April) will focus, *inter alia*, on the issues of National reporting, pursuant to Article 10 (2) (b) of the Protocol and on Article 4 Generic electronic template.

Essential goal

- The goal would not be to develop any new concepts as far as the two above-mentioned issues are concerned.
- The High Contracting Parties of Protocol V may, at this stage, need guidance which would help them to better fulfill their obligation concerning National Reporting and the use of Article 4 generic electronic template.
- Consequently, the aim would be to fulfill the mandates by preparing during the Meeting of Experts and possibly in the intersessional period, recommendations on the two issues in the form of two documents that would:
 - provide guidance on which information could be provided within the National Reporting; and
 - consider what steps should be taken by the High Contracting Parties in order to make the Article 4 generic electronic template a practical tool for effective recording and retaining of information pertinent to the implementation of Article 4.

Documents

- These ideas are embodied in two non-papers are now enclosed herewith. They can also be found on the CCW / Protocol V website as well.
 - The first non-paper outlines “Elements to be included in a possible Guide on National Reporting under Protocol V”. The intention is to shape guidelines (“shopping list”) of elements that would help the High Contracting Parties to provide information on the implementation of the Protocol.
 - The second document titled “Elements for consideration on the CCW Protocol V’s Article 4 generic electronic template”, at this stage, consists of elements for consideration during the Meeting of Experts. Based on further consideration, it may be transformed, at a later stage, to a set of recommendations on what measures should be taken in order to make it a vital tool for the purposes of the Protocol V in conformity with its Article 4.

Outcomes to be achieved

- To sum up, these efforts should contribute, with your assistance and input, to achieving the following goals:
 - A. As far as the National Reporting is concerned:
 - to provide a handy tool in the form of recommendations that would encourage and motivate the participation of the High Contracting Parties in submitting the National Reports and thus fulfilling their legally binding obligation under Protocol V.
 - to contribute to increasing the quality of substance and comprehensiveness of the reports so that they serve as a useful framework for the purposes of the Protocol V, including international cooperation and assistance under this instrument.
 - B. As to the Article 4 generic electronic template:
 - to provide, based on the document titled “Elements for Consideration on the CCW Protocol V’s Generic Electronic Template”, some food for thought that would form a *basis* for consideration by the High Contracting Parties and (*and perhaps States presently in the process of acceding to the Protocol V*) on ways how to approach their obligation to record and retain information on the use of the explosive ordnance or abandonment of explosive ordnance;

CCW PROTOCOL V

National Reporting / Article 4 Generic Electronic Template

- to encourage the High Contracting Parties (*and also States presently in the process of acceding to the Protocol V*) to establish a functional link between what is going on here at the diplomatic ground and at the national level, particularly as to the procedures administered within national agencies responsible for recording and retaining information on the use of the explosive ordnance or abandonment of explosive ordnance and with the practice applied in the field (in combat and post-combat situations).
- the result of this exercise could be a document / questionnaire that would assist the High Contracting Parties to consider the measures necessary to take in order to fulfill the obligation of recording and retaining the information on the explosive remnants of war.

These are complex issues that will have to be addressed in detail during the Meeting of Experts.

Further steps

Delegations are requested to transmit the documents presented in hard copy or those that are available on the Protocol V website in electronic form to your authorities and experts back in capitals to study them with a view of coming back to the Coordinator with any remarks, proposals, amendments, etc. in the period before and in the course of the Meeting of Experts. He will be available for consultations on any matter in this respect anytime you consider it necessary.

Organization of work during and possibly after the Meeting of Experts

- The schedule of work during the Meeting of Experts is outlined in the Program of Work with annotations providing details on the work to be done. The work on the issues of National reporting and on Article 4 Generic electronic template is envisaged to be divided into the following phases:
 - 1) Formal presentation by Coordinator on the background and related aspects of the issues under consideration. It will be followed by opening the floor to initial reactions, questions and comments on the issue of National reporting and to exchange of information and experience on the application of the Article 4 generic electronic template based on the document "Elements for consideration on the CCW Protocol V's Article 4 generic electronic template".
 - 2) Informal consultations with all interested delegations and experts in a separate room where the work on the elements of the two documents on the basis of the Coordinators initial drafts and suggestions, proposals, etc. from delegations will be continued.
 - 3) The result of this work would be presented by the Coordinator on Friday:
 - a. In an ideal case our efforts would result in preparing documents that could be preliminary agreed upon.
 - b. Still, the issues and documents under consideration would be left open for potential further consultations in the following period.
 - 4) If necessary, a potential follow-up informal open-ended session may be convened in the second half of September with a view of completing the recommendations to the Third Conference of the High Contracting Parties.