



Geneva, 21 March 2011

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

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, with a view to the consideration of this issue at the 2011 Group of Experts of the High Contracting Parties to Amended Protocol II, which will be held in Geneva on 4 and 5 April 2011.

Last year the experts engaged actively on this topic and subsequently the High Contracting Parties at its Twelfth Annual Conference (CCW/AP.II/CONF/12/6) 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 annexed Protocols is the relevant mechanism to enhance the interest of States that are not party to those instruments. Against this background, the Conference shall encourage the High Contracting Parties and the CCW Implementation Support Unit to intensify their efforts to implement the Plan of Action, in particular through the organization of more national and regional seminars aimed at promoting and explaining the Convention and its Protocols;
- (c) The High Contracting Parties to the Convention on Certain Conventional Weapons shall continue their contacts with the High Contracting Parties to the original Protocol II that have not yet become parties 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 analyse the implementation by the High Contracting Parties of their obligation to submit national annual reports and shall study their content, focusing each year on the information submitted under one of the reporting forms, beginning with Form A, "Dissemination of information on the Protocol to armed forces and to the civilian population".

Furthermore, the Conference also 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** to allow for their consideration by the Group of Experts. Against this background, the next National Annual Reports are due by **31 March 2011**, and on an exceptional basis **will only cover the period from September 2010 to 31 December 2010** (after the submission of the previous report). Thereafter, the reporting period shall cover 1 January to 31 December of each year.

In light of the upcoming meeting of the Group of Experts, I encourage High Contracting Parties to actively contribute to the following issues in order to strengthen the implementation and enhance our understanding of the Protocol hence advancing the work of the Group. In view of your preparations, I am delighted to update you on my preliminary plans for the session:

#### Status and operation of Amended Protocol II

The universalization of APII remains a basic obligation for all of us. The High Contracting Parties and the 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

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.

In implementing his mandate for 2011, the Coordinator is continuing his 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 consented to be bound by Amended Protocol II. The Coordinator advised them of the irrelevance of original Protocol II and invited them to consider becoming parties to AP II.

In this connection, of the twelve States that are party to the original Protocol II but which have not yet consented to be bound by Amended Protocol II, two countries still have reservations on acceding to Amended Protocol II for different reasons: one State is of the view that AP II is not relevant to those States that are party to the Mine Ban Convention; the other State is not yet ready to be bound by AP II for internal reasons. Meanwhile, one State has acceded to Amended Protocol II, and the other nine countries have not expressed any strong views in principal against acceding to AP II.

These States, which have made their positions known to the 2010 session of the Group of Experts and to the Twelfth Annual Conference of the High Contracting Parties to Amended Protocol II, are invited to provide an update to the April 2011 session of the Group of Experts. I shall also report on my on-going consultations with various States and organisations on this issue. Furthermore, I shall seek your guidance and observations on how we shall move our work forward on this particular issue.

## National reporting under Amended Protocol II

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, as national reporting is a legal obligation under the Protocol. I would like to remind the High Contracting Parties of the new date of submission that was decided by the 2010 Twelfth Annual Conference: 31<sup>st</sup> March of each year.

## 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.

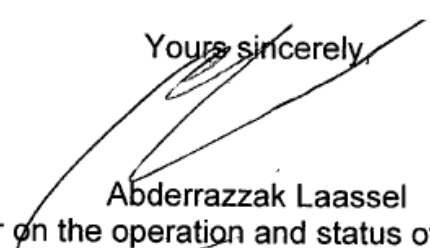
## Information submitted under Form A of the National Annual Report

High Contracting Parties are invited to focus this year on the information provided in Reporting Form A – “dissemination of information”. States which have never presented information on this particular issue are encouraged to do so during the session.

I hope that you will find these clarifications useful in preparing for the 2011 Group of Experts of the High Contracting Parties to APII. It is my hope that you, the High Contracting Parties to Protocol V 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.

Yours sincerely,



**Abderrazzak Laassel**  
Coordinator on the operation and status of APII; on matters arising from reports by High Contracting Parties according to Article 13 (4) of APII; and on development of technologies to protect civilians against indiscriminate effects of mines