The Permanent Representatives
of the High Contracting Parties to CCW Amended Protocol II
on Mines, Booby Traps and other Explosive Devices (AP.II)

Excellency,

I am addressing you in my capacity as the Coordinator on the operation and status of Amended Protocol II; matters arising from reports by High Contracting parties according to paragraph 4 of article 13 of Amended Protocol II; and development of technologies to protect civilians against indiscriminate effects of mines. The above issues will be considered at the 2010 Group of Experts (Geneva, 19 and 20 April 2010) of the High Contracting Parties to Amended Protocol II annexed to the Convention on Certain Conventional Weapons (CCW). In order to facilitate the preparations of your experts for the session of the Group, I have submitted two Discussion papers which will be circulated by the CCW Secretariat and will also be made available at the AP.II website at http://www.unog.ch/CCW/AmendedProtocolII.

I take this opportunity to also provide you with the following guidance on what should be the focus of our discussion during the consideration of the above issues:

I. Status and operation of AP.II

1. **Universalizing** AP.II remains a basic obligation for all of us. The States parties and interested organizations may wish to brief us on their efforts to promote the universalization of this Protocol. The observer States may wish to share information on the steps they have undertaken to consent to be bound by CCW Amended Protocol II.

2. The discussion under this topic will be centered, in particular, on the **legal possibility and feasibility of terminating CCW unamended Protocol II**. Discussion paper #2 provides you with some background on this issue and also contains a list of possible options.

On this particular issue I have already initiated some informal consultations focussing my efforts, in particular, on the twelve States parties to the original Protocol II, which have not yet consented to be bound by Amended Protocol II. I met and advised them on the irrelevance of the original Protocol II. I also took this opportunity to invite them to consider becoming parties to AP.II in order to facilitate the termination of unamended Protocol II. On a preliminary basis ten out of the twelve States have not expressed any strong views which would prevent them from acceding to the amended version of the Protocol. Persisting reservations for different reasons have been expressed by two of the parties to unamended Protocol II. All twelve States have been invited by the Coordinator to attend the April 2010 session of the Group of Experts of the High Contracting Parties to Amended Protocol II and make their position known.
II. National reporting under AP.II

1. An overview on the status of national reporting under Amended Protocol II is contained in Discussion paper #3. The Coordinator takes this opportunity to encourage all States that have not yet done so, to submit their national annual reports (NAR). In this respect, you will recall that national reporting is a legal obligation under this Protocol.

2. The States parties are invited to consider the proposal to fix the deadline for submission of the NAR on 31 March of each year thus synchronizing it with the deadline for submission of reports under CCW protocol V.

3. The States parties are also invited to consider the feasibility of introducing on-line submission on NAR in light of their national practice in coordinating, preparing and submitting NARs.

4. Last but not least, all States parties are invited to focus this year on the information provided in Reporting Form A – “dissemination of information”. Relevant background information on this issue is also provided in Discussion paper #3. States which have never presented information on this particular issue are encouraged to do so during the session.

III. Development of technologies to protect civilians against indiscriminate effects of mines

The Coordinator 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.

I hope that you will find these clarifications and the two Discussion papers useful in preparing for the 2010 Group of Experts of the States parties to AP.II. Should you require further information on this issue, please do not hesitate to contact me or the CCW Secretariat.

Yours sincerely,

Abderrazzak LAASSEL
Coordinator on the operation and status of Amended Protocol II; matters arising from reports by High Contracting parties according to article 13 (4) of AP.II; and on development of technologies to protect civilians against indiscriminate effects of mines