

**GROUP OF GOVERNMENTAL EXPERTS OF
THE HIGH CONTRACTING PARTIES TO THE
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/GGE/2008-I/3
24 January 2008

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**2008, First Session
Geneva, 14-18 January 2008
Item 9 of the Agenda
Adoption of procedural report**

PROCEDURAL REPORT

Submitted by the Secretariat

1. The Meeting of the High Contracting Parties to the 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) held at Geneva from 7 to 13 November 2007 decided, as contained in paragraph 37 of its Report (CCW/MSP/2007/5), that:

“The Group of Governmental Experts (GGE) will negotiate a proposal to address urgently the humanitarian impact of cluster munitions, while striking a balance between military and humanitarian considerations.

The GGE should make every effort to negotiate this proposal as rapidly as possible and report on the progress made to the next Meeting of the High Contracting Parties in November 2008.

The work of the GGE will be supported by military and technical experts. The GGE will meet in 2008 not less than three times for a total of up to seven weeks, as follows:

- 14 – 18 January
- 7 – 31 July
- 1 – 5 September
- 3 – 7 November

The Chairperson of the GGE, in consultation with the regional groups, shall decide on the duration of the second and the third sessions of the Group of Governmental Experts.”

2. The Meeting of the High Contracting Parties, as contained in paragraph 41 of its Report (CCW/MSP/2007/5) “appointed a representative of the Western European and Others Group as Chairperson of the Group of Governmental Experts.” In this regard, Ambassador Bent Wigotski of Denmark presided as Chairperson of the Group of Governmental Experts.

3. The first 2008 session of the Group of Governmental Experts was held at Geneva from 14 to 18 January 2008.

4. The following States Parties to the Convention participated in the work of the Group: Albania, Argentina, Australia, Austria, Bangladesh, Belarus, Belgium, Brazil, Bulgaria, Canada, Chile, China, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Holy See, Hungary, India, Ireland, Israel, Italy, Japan, Jordan, Lao People's Democratic Republic, Latvia, Lithuania, Luxembourg, Malta, Mexico, Moldova, Morocco, Netherlands, New Zealand, Norway, Pakistan, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Senegal, Serbia, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, and Venezuela.

5. The following Signatory States to the Convention also participated in the work of the Group: Egypt and Nigeria.

6. The following States not parties to the Convention participated as observers: Armenia, Azerbaijan, Bahrain, Brunei Darussalam, Ghana, Kenya, Kuwait, Lebanon, Malaysia, Oman, Saudi Arabia, Syrian Arab Republic, Thailand, and United Arab Emirates.

7. The representatives of the United Nations Development Programme (UNDP), United Nations Institute for Disarmament Research (UNIDIR), United Nations Mine Action Service (UNMAS), and United Nations Office for Disarmament Affairs (UNODA) took part in the work of the Group.

8. The representatives of the International Committee of the Red Cross (ICRC) took part in the work of the Group. The representatives of the Geneva International Centre for Humanitarian Demining (GICHD) and the European Commission also participated in the work of the Group.

9. The representatives of the following non-governmental organisations also took part in the work of the Group: Cluster Munition Coalition, Handicap International, Human Rights Watch, International Campaign to Ban Landmines (ICBL), Landmine Action (UK), Landmine Survivors Network, Pax Christi International, and Women's International League for Peace and Freedom. The representatives of Textron Defense Systems also took part in the work of the Group.

10. On 14 January 2008, the session was opened by the Chairperson, Ambassador Bent Wigotski of Denmark.

11. The meetings of the Military and Technical Experts were chaired by Maj. Gen. Lars C. Fynbo of Denmark. Mr. Peter Kolarov, Political Affairs Officer, Office for Disarmament Affairs, Geneva Branch, served as Secretary of the Group, and was assisted by Mr. Bantan Nugroho, Political Affairs Officer.

12. The Group held nine plenary meetings and considered the following issues: the military use of cluster munitions; the humanitarian impact of cluster munitions; the technical aspects of cluster munitions; the legal aspects of cluster munitions; definitions; and other relevant issues.

13. At its first plenary meeting, on 14 January 2008, the Group adopted its Agenda, as contained in Annex I, confirmed the Rules of Procedure as adopted and used by the Third Review Conference (CCW/CONF.III/11, Part III) and adopted its Programme of Work, as contained in Annex II.

14. At the same plenary meeting, the following States participated in a general exchange of views: Albania, Australia, Austria, Brazil, Canada, China, Costa Rica, Ecuador, France, Germany, Holy See, India, Israel, Italy, Japan, Moldova, Morocco, Pakistan, Republic of Korea, Russian Federation, Slovenia (on behalf of the European Union; Turkey, Croatia, and The former Yugoslav Republic of Macedonia; Albania, Bosnia and Herzegovina, Montenegro, Serbia; as well as the Republic of Moldova and Armenia), Senegal, Serbia, Switzerland, Syrian Arab Republic, Turkey, and United States of America.

15. During the course of the session, the Group of Governmental Experts considered documents CCW/GGE/2008-I/1 and CCW/GGE/2008-I/2, and CCW/GGE/2008-I/WP.1 and CCW/GGE/2008-I/WP.2, as well as CCW/GGE/2008-I/CRP.1, as listed in Annex IV, as well as relevant documents listed in the Report of the 2007 Meeting of the High Contracting Parties (CCW/MSP/2007/5). These documents are available in all official languages through the Official Document System of the United Nations at <http://documents.un.org>, and the official CCW website as part of the website of the United Nations Office at Geneva at <http://www.unog.ch/disarmament/CCW>.

16. The Group of Governmental Experts heard presentations by Germany on “Area Target versus Point Target Munitions”, and “Definition of Cluster Munitions”, and “Storage and Destruction”; United States of America on “The Ongoing Military Utility and Role of Cluster Munitions”, “Impact of Technology”, and “The United States Joint Targeting Process”, and Textron Defense Systems on “Sensor Fuzed Weapons.”

17. Pursuant to the relevant decision of the Meeting of the High Contracting Parties, as contained in paragraph 37 of its Report (CCW/MSP/2007/5), the Chairperson of the GGE in consultation with the regional groups decided on the duration of the second 2008 session of the Group of Governmental Experts which will be held from 7 to 11 April 2008. The third 2008 session of the Group in July will be shortened and will end one week earlier than scheduled by the Meeting of the High Contracting Parties.

18. At its final plenary meeting, on 18 January 2008, the Group of Governmental Experts heard the report of the work of the Meetings of Military and Technical Experts and agreed that the draft working definition of cluster munition, as contained in Annex III, provides an appropriate basis for future work. Future work will also take into account other proposals, including proposals presented at this and previous sessions.

19. At the final plenary meeting, on 18 January 2008, the Group of Governmental Experts adopted the procedural report of its first 2008 session, as contained in document CCW/GGE/2008-I/CRP.1, as orally amended, which is being issued as document CCW/GGE/2008-I/3.

Annex I

AGENDA

of the first 2008 session of the Group of Governmental Experts
as adopted during the first plenary meeting on 14 January 2008

1. Opening of the session of the Group of Governmental Experts
2. Adoption of the Agenda
3. Confirmation of the Rules of Procedure
4. Organization of work of the Group of Governmental Experts and its Meetings of Military and Technical Experts
5. Background documentation
6. Cluster munitions
7. Report of the Meetings of Military and Technical Experts
8. Any other issues
9. Adoption of procedural report

Annex II**PROGRAMME OF WORK**

of the first 2008 session of the Group of Governmental Experts
as adopted during the first plenary meeting on 14 January 2008

Monday, 14 January 2008	10.00 – 13.00	<ul style="list-style-type: none"> • Opening formalities • General exchange of views
	15.00 – 18.00	<ul style="list-style-type: none"> • Identification of key issues and notions, such as: <ul style="list-style-type: none"> - Cluster munitions (CM) – container/dispenser; submunition; fuze; - Unexploded and abandoned CM; - Civilian objects; military objects; concentration of civilians; - Others
Tuesday, 15 January 2008	10.00 – 13.00	<ul style="list-style-type: none"> • Military aspects, including: <ul style="list-style-type: none"> - Military utility; - Targeting; - Recording, retaining and transmission of information; - Others
	15.00 – 18.00	<ul style="list-style-type: none"> • Meeting of military and technical experts
Wednesday, 16 January 2008	10.00 – 13.00	<ul style="list-style-type: none"> • Humanitarian aspects, including: <ul style="list-style-type: none"> - Warning and risk education; - Marking, fencing and monitoring (perimeter marked area); - Clearance, removal or destruction of CM that have become ERW; - International cooperation and assistance; - Assistance to victims; - Others
	15.00 – 18.00	<ul style="list-style-type: none"> • Technical aspects, including: <ul style="list-style-type: none"> - Self-destruction and self-neutralization mechanism; self-deactivating; - Fuzes (electronic v/s mechanical); sensor-fuzed CM; - Testing; - Storage and destruction of stockpiled CM; - Others

Thursday, 17 January 2008	10.00 – 13.00	<ul style="list-style-type: none"> • Legal aspects, including: <ul style="list-style-type: none"> - Use; - Possible prohibitions and restrictions on the use of cluster munitions; - Scope of application of a possible future proposal on CM; - Transition periods for the implementation of possible future CM-related obligations; - Others
	15.00 – 18.00	<ul style="list-style-type: none"> • Meeting of military and technical experts
Friday, 18 January 2008	10.00 – 13.00	<ul style="list-style-type: none"> • Other relevant issues, including: <ul style="list-style-type: none"> - Transfers; - Compliance and transparency measures; - Others
	15.00 – 18.00	<ul style="list-style-type: none"> • The way ahead • Wrap-up • Adoption of the Procedural Report • Closure of the session

Annex III**DRAFT WORKING DEFINITION OF CLUSTER MUNITION**

[“Cluster munition” means a carrier-container which contains [more than ten [x]] explosive sub-munitions and is designed to [eject or disperse or release]/[dispense] explosive sub-munitions [over an area [target]]

“Explosive sub-munition” means a conventional explosive munition which is designed to separate from a cluster munition and which is designed to detonate on, prior to or after impact on [a]/[an area] target.

“Carrier-container” means:

(a) a conventional munition [that may be artillery shell, air bomb, guided or un-guided missile] or,

[(b) a dispenser, affixed to an aircraft, which is designed to [eject or disperse or release]/[dispense] [multiple sub-munitions]/[more than [y] sub-munitions] in a single [act]/[continuous/uninterrupted process].

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(b) a dispenser, affixed to an aircraft, which is not designed to [eject or disperse or release]/[dispense] direct-fire munitions.]]

Annex IV

LIST OF DOCUMENTS

of the First 2008 session of the Group of Governmental Experts
14 – 18 January 2008

CCW/GGE/2008-I/1	Provisional Agenda, submitted by the Chairperson
CCW/GGE/2008-I/2	Provisional Programme of Work, submitted by the Chairperson
CCW/GGE/2008-I/3	Procedural Report, submitted by the Secretariat
CCW/GGE/2008-I/WP.1	Definitions of cluster weapons, submitted by France
CCW/GGE/2008-I/WP.2	Definitions, submitted by Ireland
CCW/GGE/2008-I/INF.1	List of Participants, submitted by the Secretariat
CCW/GGE/2008-I/MISC.1	Provisional List of Participants, submitted by the Secretariat
CCW/GGE/2008-I/CRP.1	Draft Procedural Report, submitted by the Secretariat

The documents above are available in all official languages through the Official Document System of the United Nations at <http://documents.un.org>, and the official CCW website as part of the website of the United Nations Office at Geneva at <http://www.unog.ch/disarmament/CCW> .

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