

**Explosive Remnants of War: problems to face, tasks to solve:
Kaunas seminar**

9-11 November 2005

Chair's Summary

Seminar "Explosive Remnants of War: problems to face, tasks to solve" was held 9-11 November 2005 in Kaunas, Lithuania on solutions of the Explosive Remnants of War (ERW) problem and future implementation of the Protocol V on Explosive Remnants War of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons (CCW). The event was regarded as a consistent step in advancing the humanitarian law in the region.

The Seminar was attended by the representatives of Armenia, Azerbaijan, Belarus, Canada, Estonia, Germany, Latvia, Lithuania, Moldova, Norway, and Ukraine together with the representatives of the United Nations Mine Action Service (UNMAS), the European Commission (EC), the International Committee of the Red Cross (ICRC), and the Geneva International Centre for Humanitarian Demining (GICHD).

This event was organised as a follow-up of the Vilnius Seminar "Advancing the Ottawa Convention in Northern and Eastern Europe", held 8-9 June 2004. Its primary intention was to keep a momentum for the process of ratification and preparation for successful implementation of the Protocol V to the CCW. The Seminar was regarded as a consistent step in advancing the humanitarian law in the region. The Seminar provided the participants with an opportunity to share experiences and lessons learned as well as to bring views on existing ERW related problems and possible ways to tackle them.

In the course of the Seminar discussions took place in the three panels covering the Ottawa Convention's progress after the Vilnius Seminar, perspectives of implementation of Protocol V to the CCW, and cooperation and assistance with regard to ERW.

The following conclusions could be drawn from the discussions:

- Participants of the Seminar noted the progress made after the Vilnius seminar in advancing towards the universal ratification

of the Ottawa Convention. They welcomed Latvia on its accession to the Ottawa Convention, and were pleased to note that Ukraine will access the Convention in the nearest future.

- Participants from the States which have not yet joined the Convention were encouraged to take due note of the experience of the States Parties in overcoming national obstacles for the swift ratification.
- Voluntary steps of the States not Parties to the Ottawa Convention in fulfilling the certain provisions and adopting national measures of the Convention, in particular, destruction of the stockpiles and implementation of national mine action programs were appreciated and further encouraged.
- Participants noted the progress in ratification of the Protocol V to the CCW and urged States, which have not yet done so to proceed with the ratification procedures and contribute to the rapid entry into force of the Protocol V.
- A number of participants drew attention to the fact that even complex political problems, such as territorial disputes, do not represent a legal obstacle precluding a full-fledged accession to the Ottawa Convention and the Protocol V to the CCW.
- Participants welcomed the announcement of certain States that ratification procedures of the Protocol V will be initiated as soon as an official translation of the Protocol V into Russian will be completed.
- Participants underlined the importance of the holistic approach and stressed the complementary and reinforcing nature of the Ottawa Convention and the Protocol V to the CCW, which together constitute the primary legal framework for comprehensive mine action.
- Participants agreed that commitment to solve the ERW related problems should produce substantial results on the ground. Participants welcomed the promotion of exchange of the information on the needs, resources and practises addressing the ERW related problems.
- It was pointed out that many donor states take into account the status of ratification of the Protocol V while considering the applications for assistance of ERW affected states.
- The participants shared their experiences on national procedures and mechanisms for the implementation of International Humanitarian Law (IHL) principles. National plans to ensure full implementation of the Protocol V were presented and specific measures, such as manuals, training

activities, inter-ministerial coordination procedures, were suggested.

- With regard to the application of existing principles of IHL, in particular in the context of ERW, the participants noted that the Questionnaire to the document "International Humanitarian Law and ERW" prepared by the Group of States and presented to the Xth session of the Group of Governmental Experts to the CCW serves as a useful tool to assess the national level of implementation of IHL and, in particular, Protocol V.
- General EU policies on ERW in and a relevant pilot project of the European Commission were presented. The participants expressed their interest in extending geographical focus of the project to include the South Caucasus region.
- Initiatives on specific regional cooperation were put forward, in particular the launching of the regional joint-training courses for deminers on clearance, removal, utilisation and destruction of ERW.
- Some participants expressed their view that there is a need to adopt a comprehensive approach to the problems and apply the whole range of international documents including but not limited to Ottawa Convention and the Protocol V to the CCW. This approach also requires improved coherence and co-ordination among international actors.
- The threats posed by difficult situations relating to the storage and insecure maintenance of military ammunitions not covered by Protocol V were also discussed.
- At the end of the Seminar participants expressed a general feeling that the Kaunas seminar has provided a worthy regional contribution in advancing the core elements of the Protocol V to the CCW.
- It was agreed that regional events on mine action, like the Kaunas seminar, add value to strengthening and enhancing the understanding of mine action issues in the region.