

DIPLOMATIC CONFERENCE FOR THE ADOPTION OF A CONVENTION ON CLUSTER MUNITIONS

CCM/CW/SR/4

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SUMMARY RECORD OF FOURTH SESSION OF THE COMMITTEE OF THE WHOLE

Held at Croke Park, Dublin on Wednesday, 21 May 2008

Chair: President O'CEALLAIGH

The meeting was called to order at 10 a.m.

Article 11

The President stated that the Committee of the Whole had conducted a useful discussion yesterday on Article 11. There was broad agreement on the text of the Article as set out in the draft with two small amendments which the President wished to propose. Firstly, the reference in the chapeau of Article 11(1) to “the interpretation, application or implementation of this Convention” should be revised to use the more standard reference to “the application or implementation” of this Convention, without any reference to interpretation. Secondly, the President proposed that the paragraph 3 should include the International Federation of Red Cross and Red Crescent Societies among the relevant international organisations to be invited to attend the meetings of the States Parties as observers.

Article 12

The President was satisfied following discussions in the Committee of the Whole that there was also broad agreement on the text of Article 12, subject to a small amendment to include the International Federation of the Red Cross and Red Cross Societies among the list of organisations in paragraph 3 for the purposes of attending Review Conferences as observers.

The President stated that he intended to forward the texts of Articles 11 and 12, amended as proposed, to the Plenary as Presidency texts. This would represent the President's own assessment on where agreement lies on the Articles. The text of the Articles would be issued by the Secretariat to delegates in the three working languages of the Conference. He reminded delegates that nothing is agreed until everything is formally agreed.

Articles 13-22

The President remarked that the Committee of the Whole had suspended its discussion on Articles 13-22 in order to allow delegations to consider the remarks made by the UN on these Articles. The UN Secretary-General had confirmed to the Irish government that he would act as depositary for the draft treaty. The draft treaty

also provided for certain other functions to be conferred on the UN Secretary-General. The President's team had consulted with the UN Office of Legal Affairs on the current draft of Articles 13-22. The UN OLA had suggested amendments of a technical nature to Articles 13, 18, 22. A President's non-paper had been issued yesterday afternoon to delegates. He proposed to adjourn the Committee of the Whole to enable delegates to consider the non-paper.

Informal consultations and bilateral discussions were continuing on other Articles and these would be addressed by the Committee of the Whole in later sessions.

The meeting was adjourned at 10.20 am