

**(Draft) Report of the President of the Fourth Meeting of the States Parties with respect to Consultations on Preparations for the Convention's First Review Conference**

**Introduction:**

During the Fourth Meeting of the States Parties (4MSP), the States Parties “agreed to mandate the President of the 4MSP to facilitate consultations leading to consideration of a variety of matters at the Fifth Meeting (5MSP) on preparations for the Convention’s First Review Conference”.

Open meetings to seek the views of the States Parties and relevant organizations were convened by the 4MSP President in Geneva on 31 January and 12 May 2003. Updates on this consultative process were provided by the 4MSP President in Geneva on 6 February and 16 May 2003. Based on subsequent consultations undertaken by the 4MSP President in accordance with his mandate, it is his view that the following constitutes the basis for decisions to be taken by the States Parties at the 5MSP:

**1. First Review Conference**

***A. Date and duration:***

Given the nature of the issues to be addressed in accordance with the purpose of the First Review Conference, the duration of the Conference will be similar to a meeting of States Parties, that is five days. Based upon the level of participation as well as the amount of preparatory work required, the First Review Conference will be held from 29 November to 3 December 2004. The last day of that week will also coincide with the seventh anniversary of the signing of the Convention in Ottawa.

***B. Location and Venue:***

The First Review Conference will be held at the United Nations facilities in Nairobi, Kenya.

***C. President:***

Initial consultations indicated the general view that the nationality of the President be de-linked from the country within which the First Review Conference will be held. Subsequent consultations resulted in the view that Ambassador Wolfgang Petritsch of Austria be designated President of the First Review Conference.

***D. Officers:***

The Secretary-General will be a representative of the host country and will be responsible, in close contact with the President designate and in consultation with the States Parties, for coordinating arrangements for the meeting’s opening ceremonies and side events as well as other efforts in support of the First Review Conference. The Executive Secretary will be nominated by the Secretary-General of the United Nations. Co-Chairs of the Standing Committees could fill the positions of Vice-Presidents.

***E. Participation:***

Given the importance of the First Review Conference, participation should be at the highest possible level. As has been the Convention’s practice, the active participation of all interested States, the ICBL, ICRC and other relevant organizations should be welcomed and encouraged during the First Review Conference.

## **2. Preparatory process**

### ***A. Date and duration:***

Based upon the understanding of what it is that States Parties wish to discuss during the preparatory meetings, as well as in the interest of efficiency, cost-effectiveness and participation, two meetings of one to two days each will be held immediately after the two sets of Standing Committee meetings of 2004 as follows:

- *13 February 2004 (i.e., a one day meeting following Standing Committee meetings held from 9 - 12 February 2004); and,*
- *28-29 June 2004 (i.e., a two day meeting following Standing Committee meetings from 21 - 25 June 2004).*

### ***B. Location and Venue:***

Preparatory meetings will be held in United Nations facilities in Geneva, with formal documentation services provided by the United Nations and with interpretation provided at preparatory meetings in the six languages of the Convention.

### ***C. Presiding Officer:***

The President-designate or his/her representative will be responsible for, and involved in, all phases of the preparatory process. Given the widespread interest amongst States Parties to ensure the success of the First Review Conference, the President-designate could engage a broad range of actors in work related to the preparations for the Conference.

### ***D. Participation:***

As has been the Convention's practice, the active participation of all interested States, the ICBL, ICRC and other relevant organizations shall be welcomed and encouraged during the preparatory process.

### ***E. Mandate:***

During preparatory meetings, the States Parties will have the opportunity to discuss those matters which would be relevant during the First Review Conference, including:

- Procedural matters such as a draft agenda, a programme of work, rules of procedure and cost estimates;
- The nature and form of the review of the operation and status of the Convention, taking into account what has been achieved during the previous meetings of States Parties and the Intersessional Work Programme;
- Preliminary considerations of the need for and the interval between Meetings of the States Parties that would take place after the First Review Conference;
- Adjustments to the implementation mechanisms that have been established by the States Parties since the entry-into-force of the Convention, particularly taking into account possible decisions related to the interval between future Meetings of the States Parties; and,
- Preliminary considerations concerning any conclusions related to the implementation of the Convention.

*This list of items should not be considered exhaustive nor should it be assumed that these items appear in order of priority.*

### **3. Recommendations to the Fifth Meeting of the States Parties**

On the basis of this Report, it is recommended that the Fifth Meeting of the States Parties agrees:

- to hold the Convention's First Review Conference at the United Nations facilities in Nairobi from 29 November to 3 December 2004 and to hold Preparatory Meetings in United Nations facilities in Geneva on 13 February and 28-29 June 2004;
- to designate Ambassador Wolfgang Petritsch of Austria as the President of the First Review Conference;
- with estimated costs prepared by the United Nations for convening the Preparatory Meetings;
- that the Preparatory Process should proceed in a manner consistent with the elements contained in the Report of the President of the 4MSP; and
- to urge participation at the highest possible level in a high level segment at the First Review Conference.