

Seventh Conference of the High Contracting Parties 12 November 2013
to Protocol V on Explosive Remnants of War 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

English only

Geneva, 11-12 November 2013

Item 15 of the agenda

Consideration and adoption of the final document

Draft
Final document

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I. Introduction

1. Article 10 (1) and (2) of Protocol V on Explosive Remnants of War (ERW) states the following:

“1. The High Contracting Parties undertake to consult and co-operate with each other on all issues related to the operation of this Protocol. For this purpose, a Conference of High Contracting Parties shall be held as agreed to by a majority, but no less than eighteen High Contracting Parties.

2. The work of the conferences of High Contracting Parties shall include:

- (a) Review of the status and operation of this Protocol;
- (b) Consideration of matters pertaining to national implementation of this Protocol, including national reporting or updating on an annual basis;
- (c) Preparation for review conferences.”

3. By resolution A/RES/67/74, the General Assembly of the United Nations emphasized “the importance of the universalization of the Protocol on Explosive Remnants of War (Protocol V),” and welcomed “the commitment of States parties to the Protocol [...] to the effective and efficient implementation of the Protocol [...]” It also requested the Secretary-General of the United Nations “to render the necessary assistance and to provide such services, including summary records, as may be required [...], as well as for any continuation of work after the meetings.”

4. The Fourth Review Conference of the High Contracting Parties to the Convention, CCW/CONF.IV/4/Add.1, encouraged the High Contracting Parties to Protocol V to “continue their much needed work on implementation in the areas of the clearance of explosive remnants of war, including existing explosive remnants of war as referred to in Article 7, recording and transferring information on explosive ordnance and abandoned explosive ordnance under Article 4, generic preventive measures, victim assistance, cooperation and assistance, national reporting as well as the maintenance of the Web-based Information System for Protocol V (WISP.V).”

5. The Seventh Conference for Protocol V was prepared for by a Meeting of Experts, which took place from 10 to 12 April 2013 in Geneva, as decided by the Sixth Conference in paragraph 38 of its final document, CCW/P.V/CONF/2011/12.

6. The Sixth Conference decided, as stipulated in paragraph 43 of its Final Document that the Meeting of Experts should especially focus on the following issues:

- (a) Clearance, removal or destruction of ERW, pursuant to Article 3 of the Protocol, and Article 4, under the overall responsibility of the Coordinator, Mr. Ivan Grenivich of Belarus and Friend of the Coordinator, Mr. Gerfried Elias, Colonel, of Germany;
- (b) Cooperation and assistance and requests for assistance pursuant to Article 7 of the Protocol, under the overall responsibility of the Coordinator, Mr. Yevgen Lisuchenko of Ukraine;
- (c) Generic preventive measures, pursuant to Article 9 and the Technical Annex of the Protocol, under the overall responsibility of the Coordinator, Mr. Mario Amadei, Brigadier General, of Italy;
- (d) National reporting, pursuant to Article 10 (2) (b) of the Protocol under the overall responsibility of the Coordinator, Mr. Lode Dewaegheneire, Major Aviateur, of Belgium; and

(e) Victim assistance, pursuant to Article 8(2) of the Protocol, under the overall responsibility of the Coordinator, Mr. Fernando Guzman of Chile, and Friend of the Coordinator, Ms. Caroline Woergoetter of Austria.

7. The Sixth Conference also decided, as stipulated in paragraph 27 of its final document, that the Secretary-General of the United Nations and President of the Seventh Conference, to exercise their authority to achieve the goal of universality of the Protocol.

8. The First Conference decided, as stipulated in paragraph 42 of its final document, CCW/P.V/CONF/2007/1 that the work of the Meetings of Experts shall be considered by the Conferences of the High Contracting Parties to be held annually.

9. The 2012 Meeting of High Contracting Parties to the Convention in paragraph 36 of its final document decided that the Seventh Conference of Protocol V would be held on 11 and 12 November 2013.

10. The Sixth Conference also decided in paragraph 46 of its final document, to nominate Mr. Jan Knutsson, Ambassador of Sweden as President-designate of the Seventh Conference, and Ms. Katerina Sequensova, Ambassador of the Czech Republic, as Vice-President-designate.

II. Organization of the Seventh Conference

11. The Seventh Conference of the High Contracting Parties to Protocol V on Explosive Remnants of War was convened at the Palais des Nations in Geneva on 11 and 12 November 2013.

12. The following High Contracting Parties to Protocol V participated in the work of the Conference: Albania, Argentina, Australia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Burundi, Canada, Chile, China, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Finland, France, Georgian, Germany, Guatemala, Holy See, Hungary, India, Ireland, Italy, Kuwait, Lao People's Democratic Republic, Latvia, Liechtenstein, Lithuania, Mali, Netherlands, New Zealand, Norway, Pakistan, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Tunisia, Ukraine, United Arab Emirates, United States of America, Uruguay and Zambia.

13. The following High Contracting Parties to the Convention participated in the work of the Conference as observers: Greece, Israel, Japan, Jordan, Lesotho, Mongolia, Montenegro, Morocco, Philippines, Serbia, Sri Lanka, Turkey and United Kingdom of Great Britain and Northern Ireland.

14. The following State Signatory participated in the work of the Conference as observer: Egypt.

15. The representatives of Algeria, Côte d'Ivoire, Ghana, Indonesia, Iraq, Lebanon, Malaysia, Oman, Singapore, South Sudan, Thailand, participated in the work of the Conference as observers.

16. The representatives of the following organizations also took part in the work of the Conference as observers: the European Union, the International Committee of the Red Cross (ICRC), the United Nations Mine Action Service (UNMAS) and the United Nations Office for Disarmament Affairs (UNODA).

17. The representatives of the following non-governmental organizations and other entities also took part in the work of the Conference as observers: Article 36, Cluster Munition Coalition, Geneva Call, Geneva International Centre for Humanitarian Demining,

Human Rights Watch, IKV Pax Christi, Mines Advisory Group (MAG), Norwegian People's Aid, Norwegian Red Cross, Pax Christi, Small Arms Survey and Digger Foundation.

III. Work of the Seventh Conference

18. The Seventh Conference of the High Contracting Parties to Protocol V on Explosive Remnants of War was opened on 11 November 2013 by Mr. Zamir Akram, Ambassador of Pakistan.

19. The Conference held four plenary meetings. At its first plenary meeting, the Conference confirmed the nomination of Ambassador Jan Knutsson as President of the Seventh Conference of the High Contracting Parties to Protocol V. It also confirmed the nomination of Ambassador Katerina Sequensova, as Vice-President-designate.

20. At the same plenary meeting, the Conference adopted its agenda, (CCW/P.V./CONF/2013/1) and programme of work (CCW/P.V./CONF/2013/2). In confirming its Rules of Procedure, as contained in annex II of the final document of the First Conference (CCW/P.V./2007/1) and given that the Sixth Conference in paragraph 42 of its final document had agreed to address the contradiction between Rule 12 of the Rules of Procedure and paragraph 3 of Article 10, it was agreed that Rule 12 would be suspended.

21. Mr. Bantan Nugroho, Head of the Implementation Support Unit, served as Secretary-General of the Conference.

22. The following States participated in the general exchange of views: Albania, Argentina, Australia, Brazil, China, Cuba, Ecuador, France, Ghana, India, Switzerland, Pakistan, Republic of Korea, Russian Federation, Philippines, United Kingdom of Great Britain and Northern Ireland, and Zambia. The following organizations participated: the European Union and the Inter-Agency Coordination Group for Mine Action (IACG-MA).

23. Pursuant to the decision by the First Conference to establish a database on Protocol V, in accordance with its Article 10 (2) (b), consisting of the national reports, annual or immediate updates of the national reports, and/or summary cover pages, if applicable, on matters pertaining to the implementation of Protocol V, as stipulated in paragraphs 24 to 28 of its final document (CCW/P.V./CONF/2007/1), the Conference had before it national annual reports from the following States: Argentina, Australia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, Estonia, Finland, France, Germany, Guatemala, India, Ireland, Italy, Lao People's Democratic Republic, Latvia, Liechtenstein, Lithuania, Malta, Netherlands, New Zealand, Norway, Pakistan, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Senegal, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine, and United States of America.

24. During the course of the meeting the Conference considered documents CCW/P.V./CONF/2013/1 to CCW/P.V./CONF/2013/9 as set out in annex III. The documents of the Conference are available in all official languages through the Official Document System of the United Nations at <http://documents.un.org>, and the website of the CCW Protocol V at <http://www.unog.ch/ccw>.

IV. Conclusions and recommendations

A. Universalization

25. The Seventh Conference welcomed the States, which have consented to be bound by Protocol V since the Sixth Conference: Bangladesh, Kuwait and Zambia. The Sixth Conference welcomed the efforts undertaken by the Secretary-General of the United Nations, the President of the Seventh Conference to Protocol V, organizations, the CCW Sponsorship Programme, and the Implementation Support Unit to promote universalization of Protocol V.

26. The Conference recommended that the Secretary-General of the United Nations and the President-designate of the Eighth Conference, on behalf of the High Contracting Parties, exercise their authority to achieve the goal of universality of Protocol V. The Conference also called on the High Contracting Parties to Protocol V and the CCW Implementation Support Unit to promote wider adherence to Protocol V, pursuant to the Accelerated Plan of Action on Universalization of the Convention and its annexed Protocols as adopted by the Fourth Review Conference of the High Contracting Parties to the Convention.

B. Clearance, removal or destruction of Explosive Remnants of War

27. The Conference took note of the report by the Coordinator on Clearance, Removal or Destruction of ERW, as contained in CCW/P.V/CONF/2013/3.

28. The Conference decided:

(a) To continue the consideration of clearance, removal or destruction of ERW in the context of meetings of experts and the conferences of the High Contracting Parties to Protocol V and in particular to encourage affected High Contracting Parties to report on their authorities responsible for ERW, awareness raising and educational campaigns for the public, both progress towards and challenges in surveying and clearing and destroying ERW.

(b) To encourage donor and affected High Contracting Parties to further support capacity building for the surveillance, clearance and destruction of ERW at the community and national levels, as a means of ensuring that such programmes are strengthened and sustainable.

(c) To continue to further address all aspects of the obligations of Article 4 in conjunction with Article 11 in a session of the Meeting of Experts to support all High Contracting Parties to implement appropriate operating procedures and instructions and provide training to their military personnel.

(d) To emphasise that the obligations of Article 4 are a national responsibility even when participating in coalitions or alliances and continue sharing of experience in this regard.

C. Cooperation and assistance and requests for assistance

29. The Conference took note of the report by the Coordinator on Cooperation and Assistance and Requests for Assistance, as contained in CCW/P.V/CONF/2013/4.

30. The Conference decided:

(a) To encourage those High Contracting Parties, relevant international organisations and institutions in a position to do so to provide cooperation and assistance for addressing the impact of explosive remnants of war, which continues to be the explosive devices that cause the highest numbers of new casualties and victims each year.

(b) To encourage States which have outlined their needs for assistance in either formal requests for assistance or statements to the Meeting of Experts to ensure they have specified their exact needs and provide regular updates on the status of those requests.

(c) To continue to utilise the small group meeting with affected States and donor countries to discuss the challenges and needs in the area of generic preventive measures.

(d) To encourage both donor and affected High Contracting Parties to submit information relating to Articles 7 and 8 in their national reports.

D. Generic preventive measures

31. The Conference took note of the report by the Coordinator on Generic preventive measures, pursuant to Article 9 and the Technical Annex of the Protocol, as contained in CCW/P.V./CONF/2013/5 and Corr.1.

32. The Conference decided:

(a) To encourage High Contracting Parties, with the view to minimize the failure rate of ammunition, to carry out measures to ensure the safe storage of their munitions and in particular to pay special attention to the quantity of munitions being stored, aging munitions, the adequacy of the infrastructure of the storage facilities and ongoing management of storage munitions sites;

(b) To invite the High Contracting Parties to implement Part 3 of the Technical Annex to Protocol V and report on such work in their Protocol V national annual reports and encourage High Contracting Parties to voluntarily implement the International Ammunition Technical Guidelines;

(c) To continue exchange of views on the management of munitions sites during the 2014 meetings, with the view to minimize the failure rate of ammunition; and

(d) To task the CCW Implementation Support Unit to follow-up on key issues with High Contracting Parties that have not yet reported on their implementation of generic preventive measures.

E. National reporting

33. The Conference took note of the report by the Coordinator on national reporting, pursuant to Article 10 (2) (b) of the Protocol, as contained in CCW/P.V./CONF/2013/6.

34. The Conference decided:

(a) All High Contracting Parties and observer States are called on to submit national reports.

(b) High Contracting Parties and observer States are encouraged to use the Guide to National Reporting, which was adopted by the Fourth Conference.

(c) To develop a consolidated, merged forms E and F of the National Reporting Form for approval at the Eighth Conference of the High Contracting Parties.

(d) The Coordinator with the support of the CCW Implementation Support Unit to ensure that the Guide to National Reporting reflects the recent changes to date made to the National Reporting Form and to examine the reporting under Article 3 of the Protocol.

F. Victim assistance

35. The Conference took note of the report by the Coordinator on Victim Assistance, as contained in CCW/P.V./CONF/2013/7 and Corr1.

36. The Conference decided:

(a) To encourage High Contracting Parties to support the social and economic reintegration of victims of explosive remnants of war and to report on practical and policy measures undertaken either in their national annual reports or to the 2014 Meeting of Experts.

(b) To strongly encourage affected High Contracting Parties to report on their efforts to support victim assistance in reporting form F (a) of the Protocol V national annual reporting form template as well as during the meetings of High Contracting Parties.

(c) To continue to exchange practical experiences and lessons learnt with other relevant international legal instruments.

(d) In 2014 to focus on the implementation of the commitments made to victims of explosive remnants of war under the Protocol V Plan of Action and Article 8(2) of the Protocol.

G. Follow-up

37. The Conference decided that the next Meeting of Experts shall take place on 3 and 4 April 2014 in Geneva.

38. The Conference decided that this meeting should especially focus on the following issues:

(a) Clearance, removal or destruction of ERW, pursuant to Article 3 of the Protocol, and the Article 4 Generic Electronic Template, under the overall responsibility of the Coordinator, Mr. Lode Dewaegheneire, Major Aviateur, of Belgium;

(b) Victim assistance, pursuant to Article 8 (2) of the Protocol, under the overall responsibility of the Coordinator, Ms. Victoria Picazo of Argentina and Friend of the Coordinator, Mr. Fernando Guzman of Chile;

(c) Cooperation and assistance and requests for assistance pursuant to Article 7 of the Protocol, under the overall responsibility of the Coordinator, Mr. Ivan Grinevich of Belarus;

(d) National reporting, pursuant to Article 10 (2) (b) of the Protocol under the overall responsibility of the President-designate of the Eighth Conference; and

(e) Generic preventive measures, pursuant to Article 9 and the Technical Annex of the Protocol, under the overall responsibility of the President-designate of the Eighth Conference.

39. The Conference decided that, in implementing the Accelerated Plan of Action on Universalization of the Convention and its annexed Protocols as adopted by the Fourth Review Conference of the High Contracting Parties to the Convention, the Meeting of Experts should consider the issue of the universalization of Protocol V under the overall responsibility of the President-designate of the Eighth Conference of the High Contracting Parties to Protocol V.

40. The Conference decided to nominate Ms. Katerina Sequensova, Ambassador of the Czech Republic as President-designate of the Eighth Conference, and a representative of the Non-aligned Movement and a representative of the Western Group as Vice-Presidents-designate.

41. The Conference decided that at future conferences Rule 2 of the Rules of Procedure requiring the submission of formal credentials would be suspended, except for when an amendment to Protocol V or the adoption of a new instrument were being proposed.

42. At the recommendation of the General Committee the Conference decided to delete Rule 12 of the Rules of Procedure, to re-number the Rules and re-issue them. Only paragraph 3 of Protocol V's Article 10 would apply to determining cost sharing at all future conferences.

43. The Conference considered and approved a provisional agenda of the Eighth Conference, as contained in annex I. The Conference adopted the estimated costs of the 2014 Meeting of Experts and Eighth Conference, as contained in CCW/P.V/CONF/2013/9 and CCW/P.V/CONF/2013/8. The dates for the Eighth Conference would be determined by the 2013 Meeting of High Contracting Parties to the Convention.

44. At its fourth plenary meeting, the Seventh Conference of the High Contracting Parties to Protocol V on Explosive Remnants of War adopted its final document as contained in CCW/P.V/CONF/2013/CRP.1 as orally amended, which is being issued as document CCW/P.V.CONF/2013/10.

Annex I

Provisional agenda of the Eighth Conference

(As recommended by the Seventh Conference at its fourth plenary meeting on 12 November 2013)

1. Opening of the Conference
2. Election of the President
3. Adoption of the agenda
4. Confirmation of the rules of procedure
5. Appointment of the Secretary-General of the Conference
6. Organization of work including that of any subsidiary bodies of the Conference
7. Election of other officers of the Conference
8. General exchange of views
9. Review of the status and operation of the Protocol
10. Consideration of matters pertaining to national implementation of the Protocol, including national reporting or updating on an annual basis
11. Preparation for review conferences
12. Report(s) of any subsidiary organ(s)
13. Adoption of the cost estimates for 2015
14. Other matters
15. Consideration and adoption of the final document

Annex II

List of States which have notified the Depositary of their consent to be bound by Protocol V on Explosive Remnants of War

<i>(As at 12 November 2013) State Party</i>	<i>Date of notification of consent to be bound</i>
Albania	12 May 2006
Argentina	7 October 2011
Australia	4 January 2007
Austria	1 October 2007
Belarus	29 September 2008
Belgium	25 January 2010
Bosnia and Herzegovina	28 November 2007
Brazil	30 November 2010
Bulgaria	7 November 2005
Burundi	13 July 2012
Cameroon	7 December 2010
Canada	19 May 2009
Chile	18 August 2009
China	10 June 2010
Costa Rica	27 April 2009
Croatia	7 February 2005
Cyprus	11 March 2010
Czech Republic	6 June 2006
Denmark	28 June 2005
Dominican Republic	21 June 2010
Ecuador	10 March 2009
El Salvador	23 March 2006
Estonia	18 December 2006
Finland	23 March 2005
France	31 October 2006

Annex III

List of documents

<i>Symbol</i>	<i>Title</i>
CCW/P.V/CONF/2013/1	Provisional agenda
CCW/P.V/CONF/2013/2	Provisional programme of work
CCW/P.V/CONF/2013/3	Report on clearance, removal or destruction of explosive remnants of war and article 4
CCW/P.V/CONF/2013/4	Report on cooperation and assistance and requests for assistance
CCW/P.V/CONF/2013/5 and Corr.1	Report on generic preventive measures
CCW/P.V/CONF/2013/6	Report on national reporting
CCW/P.V/CONF/2013/7 and Corr.1	Report on victim assistance
CCW/P.V/CONF/2013/8	Estimated costs of the Eighth conference of the High Contracting Parties to the Protocol V 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/P.V/CONF/2013/9	Estimated costs of the 2014 Meeting of Experts of the High Contracting Parties to Protocol V 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/P.V/CONF/2013/10	Final document
CCW/P.V/CONF/2013/CRP.1	Draft final document
CCW/P.V/CONF/2013/INF.1	List of participants
CCW/P.V/CONF/2013/MISC.1	Provisional list of participants

