

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

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Geneva, 16-18 November 2022

Agenda item 15

Consideration and adoption of the final report

Final report

I. Introduction

1. The Sixth Review Conference 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 from 13 to 17 December 2021 at Geneva decided, as contained in Decision 1 of its Final Document (CCW/CONF.VI/11, Part II, Final Declaration, Section III):

- That the work of the open-ended Group of Governmental Experts related to emerging technologies in the area of lethal autonomous weapon systems established by Decision 1 of the Fifth Review Conference as contained in document CCW/CONF.V/10, adhering to the agreed recommendations contained in document CCW/CONF.V/2, is to continue, to strengthen the Convention.
- In the context of the objectives and purpose of the Convention, the Group is to consider proposals and elaborate, by consensus, possible measures, including taking into account the example of existing protocols within the Convention, and other options related to the normative and operational framework on emerging technologies in the area of lethal autonomous weapon systems, building upon the recommendations and conclusions of the Group of Governmental Experts related to emerging technologies in the area of lethal autonomous weapon systems, and bringing in expertise on legal, military, and technological aspects.
- International law, in particular the United Nations Charter and international humanitarian law, as well as relevant ethical perspectives should guide the continued work of the Group.
- The rules of procedure of the Review Conference shall apply *mutatis mutandis* to the Group.
- The Group shall conduct its work and adopt its report by consensus and shall submit a report to the meeting of High Contracting Parties. The widest possible participation of all High Contracting Parties is to be promoted in accordance with the goals of the CCW Sponsorship Program.
- The Group shall meet for 10 days in Geneva in 2022.
- The GGE Chair will be designated by consensus through a written silence procedure.

2. The Sixth Review Conference also decided, as contained in Decision 2, to adopt the consolidated financial measures as contained in Annex III of its Final Document (CCW/CONF.VI/11).

3. The Sixth Review Conference also decided, as set out in Part II of its Final Document, paragraphs 33 to 35 that:



“33. The Implementation Support Unit is to work effectively and efficiently and in its annual report to the Meeting of the High Contracting Parties to continue to report on the estimated costs versus the actual costs of the meetings and conferences of the preceding year.

34. In order to further promote financial transparency and accountability and taking into account the practice of multilateral and other organizations, requests the Implementation Support Unit to provide regular updates on the status of High Contracting Parties’ financial contributions to the CCW and its Protocols and to submit a financial report on these matters to the annual Meeting of the High Contracting Parties to be circulated as an official document.

35. The Chairperson of the Meeting of the High Contracting Parties is to report each year on the implementation of the above actions.”

4. The Sixth Review Conference also decided, as contained in Decision 3, to continue the Sponsorship Programme.

5. The Sixth Review Conference also decided, as set out in Part II of its Final Document, paragraphs 24 to 27, that:

“24. The officeholders of the CCW, Protocol V and Amended Protocol II are to promote universalization of the Convention and its Protocols, and specifically to address States not party, coordinate their activities giving consideration, inter alia, to the elaboration of an action plan and, under the Standing Agenda Item on Universalization of the annual Meeting of High Contracting Parties, to report on their efforts and the progress made in this area.

25. High Contracting Parties under the Standing Agenda Item on Universalization are encouraged to report on their initiatives to promote universalization of the Convention and its Protocols and to consider adhering to the Protocols to which they are not yet a party and report on the steps taken to do so.

26. High Contracting Parties which have not yet done so are to consider adhering to the 2001 amendments to Article 1, which extends Protocols I, II, III and IV to non-international armed conflicts.

27. The Implementation Support Unit is to provide the necessary administrative and substantive support to the officeholders and High Contracting Parties in their efforts to promote universalization, gather information on States not yet party and work towards the objective of universal adherence to the Convention and its Protocols.”

6. The Sixth Review Conference also decided, as set out in Part II of its Final Document, paragraphs 28 and 31, that:

“28. High Contracting Parties reaffirm their commitment to the compliance mechanism for the Convention and its annexed Protocols as agreed at the Third Review Conference and the Meeting of High Contracting Parties to the Convention in 2007.

29. High Contracting Parties are called on to submit compliance reports. The Chairperson of the annual Meetings of the High Contracting Parties to the Convention is tasked with encouraging higher rates of compliance reporting and is required to report on his or her efforts in fulfilment of this task under the Standing Agenda Item on Compliance of the annual Meeting of High Contracting Parties.

30. High Contracting Parties are to reinforce their efforts to disseminate information on the Convention and its Protocols to their armed forces and civilian population.

31. High Contracting Parties are to consider and share their experiences on providing assistance and cooperation for the implementation of the Protocols.”

7. The Sixth Review Conference decided, as set out in Decision 4, to organize in 2022 the Meeting of High Contracting Parties to the Convention from 16 to 18 November 2022

and in Part I, paragraph 33, elected Ambassador Zbigniew Czech of Poland as Chairperson of the Meeting of High Contracting Parties and adopted its Provisional Agenda, as contained in Annex II of its Final Document.

II. Organization of and participation in the Meeting of the High Contracting Parties

8. The Meeting of the High Contracting Parties to the Convention was held in Geneva from 16 to 18 November 2022, under the chairmanship of Ambassador Zbigniew Czech, Permanent Representative of Poland to the United Nations Office at Geneva, elected as Chairperson by the Sixth Review Conference.

9. At its first plenary meeting, on 16 November 2022, the Meeting confirmed the nomination of Ms. C. Mélanie Régimbal, Chief of Service of the Geneva Branch of the United Nations Office for Disarmament Affairs (UNODA), as Secretary-General of the Meeting. Ms. Tania Bañuelos Mejía, Political Affairs Officer, served as Secretary of the Meeting. Ms. Juliana Helou-van der Berg, Political Affairs Officer, UNODA Geneva Branch, and Ms. Sophie Guillermin-Golet, Associate Political Affairs Officer, UNODA Geneva Branch, served in the Secretariat.

10. The following High Contracting Parties to the Convention participated in the work of the Meeting: Algeria, Argentina, Australia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Guatemala, Holy See, Hungary, India, Iraq, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kuwait, Lao People's Democratic Republic, Latvia, Lithuania, Luxembourg, Madagascar, Malawi, Mexico, Myanmar, Montenegro, Morocco, Netherlands, New Zealand, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saudi Arabia, Senegal, Serbia, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, State of Palestine, Sweden, Switzerland, Tunisia, Türkiye, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay and Venezuela (Bolivarian Republic of).

11. The following signatory State participated in the work of the Meeting: Egypt.

12. The following observer delegations participated in the work of the Meeting: Namibia and Singapore.

13. The representatives of the following organizations participated in the work of the Meeting: Arms Trade Treaty Secretariat, European Union, Geneva International Centre for Humanitarian Demining (GICHD), International Committee of the Red Cross (ICRC), United Nations Institute for Disarmament Research (UNIDIR) and United Nations Mine Action Service (UNMAS).

14. The following non-governmental organizations participated in the work of the Meeting: Amnesty International, Campaign to Stop Killer Robots, Facing Finance, Future of Life Institute, Human Rights Watch, INHR, Maat for Peace, Development and Human Rights, Mine Action Canada, Norwegian Peace Association, PAX, Latin America Human Security Network (SEHLAC) and Women's International League for Peace and Freedom (WILPF).

III. Work of the Meeting of the High Contracting Parties

15. The Meeting was opened on 16 November 2022 by the Chairperson-elect, Ambassador Zbigniew Czech, Permanent Representative of Poland to the United Nations Office at Geneva. At its first plenary meeting, on 16 November 2022, the Meeting adopted the agenda contained in CCW/MSP/2022/1 dated 13 September 2022. The Meeting confirmed the Rules of the Procedure (CCW/CONF.V/4). In confirming the Rules of Procedure, the Meeting suspended Rule 3. The Meeting held six plenary meetings.

16. At the same plenary meeting, a video message by the High Representative for Disarmament Affairs, Ms. Izumi Nakamitsu, was delivered.

17. The following delegations participated in the general exchange of views, which took place on 16 November 2022 in the morning and in the afternoon: Algeria, Argentina, Australia, Austria, Brazil, Canada, China, Colombia, Costa Rica, Côte d'Ivoire, Cuba, Dominican Republic, Ecuador, European Union, France, Georgia, Germany, Guatemala, Holy See, India, Iraq, Ireland, Israel, Italy, Japan, Jordan, Luxembourg, Mexico, Morocco, Netherlands, New Zealand, Norway, Pakistan, Panama, Peru, Philippines, Republic of Korea, Russian Federation, Saudi Arabia, South Africa, Sweden, Switzerland, Switzerland on behalf of a group of States, Türkiye, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela (Bolivarian Republic of) on behalf of the Group of Non-Aligned Movement (NAM); Human Rights Watch, PAX and UNMAS (on behalf of 12 UN entities composing the UN Inter-Agency Coordination Group on Mine Action).

18. At the second plenary meeting, on 16 November, Ambassador Flávio Soares Damico, Special Representative of Brazil to the Conference on Disarmament, Chairperson of the open-ended Group of Governmental Experts related to emerging technologies in the area of lethal autonomous weapon systems, presented the report of the Group (CCW/GGE.1/2022/2). The following delegations participated in the discussion on this matter during the second and third plenary meetings: Algeria, Argentina, Australia, Austria, Bulgaria, Canada, China, Colombia, European Union, France, Germany, Germany on behalf of a group of States, India, Israel, Japan, Mexico, Netherlands, New Zealand, Pakistan, Panama, Philippines, Poland, Russian Federation, Switzerland, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Venezuela (Bolivarian Republic of) on behalf of the Group of NAM; Campaign to Stop Killer Robots, Human Rights Watch, ICRC and Maat for Peace, Development and Human Rights.

19. At the third plenary meeting, on 17 November, delegations addressed financial issues related to the Convention and its annexed Protocols. As requested by the Sixth Review Conference of the High Contracting Parties to the CCW, the report of the Implementation Support Unit (CCW/MSP/2022/4) contained information on the estimated costs and the actual costs of the meetings and conferences of the preceding year and on the status of High Contracting Parties' financial contributions to the CCW and its Protocols. At the same meeting, Mr. Declan Gibbons, Chief of the Programme Planning and Budget Section of the Financial Resources Management Service (FRMS) of the United Nations Offices at Geneva (UNOG), presented the status of contributions and financial outlook of the Convention and responded to questions from delegations. The following delegations participated in the discussions on this matter: Algeria, Cuba, Japan, Netherlands, Republic of Korea, Russian Federation, United States of America and Venezuela (Bolivarian Republic of) on behalf of the Group of NAM.

20. Also at the third plenary meeting, the Meeting considered issues related to the Implementation Support Unit (ISU) and the ISU presented the report on the Implementation Support Unit (CCW/MSP/2022/4).

21. At the same plenary meeting, delegations addressed emerging issues in the context of the objectives and purposes of the Convention. China presented its working paper titled "Position Paper of the People's Republic of China on Strengthening Ethical Governance of Artificial Intelligence (AI)" (CCW/MSP/2022/WP.1). The following delegations made statements: Austria, China, Cuba, and Pakistan.

22. At the same plenary meeting, delegations also visited the issue of the Universalization of the Convention and its annexed Protocols. The following delegation made a statement: Malawi.

23. At the same plenary meeting, due to the current vacancy of the role of Coordinator of the Steering Committee of the Sponsorship Programme, the ISU presented the Report of the Sponsorship Programme (CCW/MSP/2022/3). The following delegation made a statement: Slovenia.

24. At the same plenary meeting, delegations addressed “Other matters”. The President of the 16th Annual Conference of the High Contracting Parties of Protocol V, Ambassador Ignacio Sánchez de Lerín García-Ovies of Spain, in his personal capacity, provided information on the meetings of the Annual Conference of High Contracting Parties to Protocol V. The following delegations participated in the discussions under this agenda item: Australia, Austria, Netherlands, Russian Federation and the United States of America.

25. The third and fourth plenary meetings addressed the status of implementation of and compliance with the Convention and its Protocols. The ISU provided an update on the status of the national annual reporting by the High Contracting Parties in accordance with the Compliance Mechanism for the Convention and its annexed Protocols as decided at the Third Review Conference and the Meeting of High Contracting Parties to the Convention in 2007. The following delegations participated in the deliberations: New Zealand, Russian Federation, Switzerland, the United Kingdom of Great Britain and Northern Ireland on behalf of a group of States and the ICRC.

26. During the course of the Meeting, the following documents were considered: CCW/MSP/2022/1 to CCW/MSP/2022/6, as listed in annex II.

IV. Conclusions and recommendations

27. Reaffirming the commitment to achieving universal adherence to, and compliance with, 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, the amendment to Article 1 and its Protocols, the Meeting recommended that the Secretary-General of the United Nations and the elected Chairperson of the 2023 Meeting of the High Contracting Parties to the Convention work towards achieving the goal of universality of the Convention and its Protocols.

28. Reiterating its appreciation for the report of the CCW Sponsorship Programme and the work of its Steering Committee, the Meeting stressed the importance of the programme to promote the universalization and strengthening the implementation of the Convention and its Protocols. The Meeting also called upon all High Contracting Parties and States not yet party to the Convention and in a position to do so to contribute to the Sponsorship Programme.

29. Stressing the importance of national implementation and compliance with the provisions of the Convention and its Protocols, the High Contracting Parties reaffirmed their commitment to the Compliance Mechanism of the Convention and its Protocols and reiterated the call for all High Contracting Parties to submit national reports on compliance in accordance with the decision taken at the Sixth Review Conference. The Meeting took note of the national reports on compliance submitted by the High Contracting Parties and posted on the website of the Convention.

30. The Meeting recalled that the Sixth Review Conference 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 from 13 to 17 December 2021 at Geneva decided, as contained in Decision 1 of its Final Document (CCW/CONF.VI/11, Part II, Final Declaration, Section III):

- “That the work of the open-ended Group of Governmental Experts related to emerging technologies in the area of lethal autonomous weapon systems established by Decision 1 of the Fifth Review Conference as contained in document CCW/CONF.V/10, adhering to the agreed recommendations contained in document CCW/CONF.V/2, is to continue, to strengthen the Convention.
- In the context of the objectives and purpose of the Convention, the Group is to consider proposals and elaborate, by consensus, possible measures, including taking into account the example of existing protocols within the Convention, and other options related to the normative and operational framework on emerging technologies in the area of lethal autonomous weapon systems, building upon the recommendations

and conclusions of the Group of Governmental Experts related to emerging technologies in the area of lethal autonomous weapon systems, and bringing in expertise on legal, military, and technological aspects.

- International law, in particular the United Nations Charter and international humanitarian law, as well as relevant ethical perspectives should guide the continued work of the Group.
- The rules of procedure of the Review Conference shall apply *mutatis mutandis* to the Group.
- The Group shall conduct its work and adopt its report by consensus and shall submit a report to the meeting of High Contracting Parties. The widest possible participation of all High Contracting Parties is to be promoted in accordance with the goals of the CCW Sponsorship Program.
- The Group shall meet for 10 days in Geneva in 2022.
- The GGE Chair will be designated by consensus through a written silence procedure.”

31. The Meeting took note of the Report of the 2022 session Group of Governmental Experts on emerging technologies in the area of Lethal Autonomous Weapons Systems (CCW/GGE.1/2022/2) and the “Conclusions” and “Recommendations” contained therein.

32. The Meeting decided:

- That the work of the open-ended Group of Governmental Experts related to emerging technologies in the area of lethal autonomous weapon systems established by Decision 1 of the Fifth Review Conference as contained in document CCW/CONF.V/10, adhering to the agreed recommendations contained in document CCW/CONF.V/2, is to continue, to strengthen the Convention. In the context of the objectives and purpose of the Convention, the Group is to intensify the consideration of proposals and elaborate, by consensus, possible measures, including taking into account the example of existing protocols within the Convention, and other options related to the normative and operational framework on emerging technologies in the area of lethal autonomous weapon systems, building upon the recommendations and conclusions of the Group of Governmental Experts related to emerging technologies in the area of lethal autonomous weapon systems, and bringing in expertise on legal, military, and technological aspects.
- The rules of procedure of the Sixth Review Conference shall apply *mutatis mutandis* to the Group.
- The Group shall conduct its work and adopt its report by consensus and shall submit a report to the meeting of High Contracting Parties. The widest possible participation of all High Contracting Parties is to be promoted in accordance with the goals of the CCW Sponsorship Program.
- The Group will be chaired by Ambassador Flavio Soares Damico, Special Representative of Brazil to the Conference on Disarmament.

33. The Meeting stressed that the payment of annual assessed contributions by the High Contracting Parties in a timely manner and in full is of utmost importance and is prerequisite for the sustainability of the CCW and urged all High Contracting Parties to honour their financial obligations under the Convention.

34. The High Contracting Parties reiterated that the ISU is an essential element for effective implementation of the CCW and its operational continuity.

35. The High Contracting Parties also decided to continue monitoring the financial situation of the CCW.

36. The Meeting requested the President of the 17th Annual Conference of High Contracting Parties to Protocol V, on an exceptional basis and without setting a precedent for the future, to hold informal open consultations on Protocol V on 8 November 2023 with interpretation in the six United Nations languages and conference services and to report to the 17th Annual Conference of High Contracting Parties to Protocol V. If required, the

possible decision on substitution of the date of the open consultations on Protocol V will be taken, on an exceptional basis and without setting a precedent for the future, by the CCW High Contracting Parties by consensus, through a written silence procedure.

37. The Meeting decided to organize in 2023, in in-person format in accordance with the regular practice under CCW, and subject to available resources, the following CCW related activities:

(a) The Group of Experts of the High Contracting Parties to Amended Protocol II from 9 to 10 November 2023, in accordance with the relevant decisions taken by the 24th Annual Conference of the High Contracting Parties to Amended Protocol II. If required, the possible decision on substitution of the dates for the Group of Experts of the High Contracting Parties to Amended Protocol II which will take place for a duration of 2 days will be taken, on an exceptional basis and without setting a precedent for the future, by the CCW High Contracting Parties by consensus, through a written silence procedure;

(b) The Group of Governmental Experts of the High Contracting Parties related to emerging technologies in the area of lethal autonomous weapons systems (LAWS), for a duration of 10 days, from 6 to 10 March 2023, and from 15 to 19 May 2023. The Meeting also adopted the relevant cost estimates for 2023 as contained in CCW/MSP/2022/5;

(c) The 17th Conference of the High Contracting Parties to Protocol V on 13 November 2023. The Meeting also adopted the relevant cost estimates for 2023 as contained in CCW/P.V/CONF/2022/4;

(d) The 25th Conference of the High Contracting Parties to Amended Protocol II on 14 November 2023, in accordance with the relevant decisions taken by the 24th Annual Conference of the High Contracting Parties to Amended Protocol II;

(e) The Meeting of the High Contracting Parties to the Convention from 15 to 17 November 2023. The Meeting also adopted the relevant cost estimates as contained in CCW/MSP/2022/6.

38. The Meeting decided to nominate a representative of the Group of the Non-Aligned Movement (NAM) as Chairperson of the 2023 Meeting of the High Contracting Parties to the Convention.

39. The Meeting expressed deep appreciation to UNODA and the ISU for the work carried out in supporting the CCW in 2022. The Meeting requested the ISU to continue to report annually on its activities, including on its estimated costs and actual costs.

40. At the final plenary session, the Meeting adopted its final report, as contained in document CCW/MSP/2022/CRP.1, as orally amended, to be issued as document CCW/MSP/2022/7.

Annex I

Provisional agenda

(As recommended by the 2022 Meeting of the High Contracting Parties at its final plenary meeting on 18 November 2022)

1. Opening of the Meeting
2. Confirmation of the election of the Chairperson of the Meeting
3. Adoption of the agenda
4. Confirmation of the rules of procedure
5. Confirmation of the nomination of the Secretary-General of the Meeting
6. Organization of work, including that of any subsidiary body of the Meeting
7. General exchange of views
8. Consideration of the report of the Group of Governmental Experts (GGE) related to emerging technologies in the area of lethal autonomous weapons systems (LAWS)
9. Financial issues related to the Convention and its annexed Protocols
10. Issues related to the Implementation Support Unit
11. Emerging Issues in the context of the objectives and purposes of the Convention
12. Universalization of the Convention and its annexed Protocols
13. Consideration of the report of the CCW Sponsorship Programme
14. Status of implementation of and compliance with the Convention and its Protocols
15. Other matters
16. Consideration and adoption of the final report
17. Closing of the Meeting

Annex II

List of documents

<i>Symbol</i>	<i>Title</i>
CCW/MSP/2022/1	Provisional agenda
CCW/MSP/2022/2	Provisional programme of work
CCW/MSP/2022/3	Report of the CCW Sponsorship Programme
CCW/MSP/2022/4	Report of the Implementation Support Unit
CCW/MSP/2022/5	Estimated Costs of the 2023 Meeting of the Group of Governmental Experts on Emerging Technologies in the area of Lethal Autonomous Weapons Systems (LAWS)
CCW/MSP/2022/6	Estimated Costs of the 2023 Meeting of the High Contracting Parties to the Convention
CCW/MSP/2022/7	Final report
CCW/P.V/CONF/2022/4	Estimated Costs Seventeenth Conference of the High Contracting Parties to Protocol V
CCW/MSP/2022/WP.1	Position Paper of the People's Republic of China on Strengthening Ethical Governance on Artificial Intelligence (AI). Submitted by China.
CCW/MSP/2022/WP.3	Working Paper on Incendiary Weapons. Submitted by Austria, Ireland, Mexico, New Zealand, Norway and Switzerland.
CCW/MSP/2022/INF.1	List of participants