

# Twelfth Conference of the High Contracting Parties 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

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Item 15 of the agenda

Consideration and adoption of the final document

## Final document

### 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."

2. The Fifth Review Conference of the High Contracting Parties to the Convention, CCW/CONF.V/10, encouraged the High Contracting Parties to Protocol V to "continue with their efforts to encourage a higher rate of national reporting, including through the consideration of an appropriate mechanism; to convene an Article 4 workshop to consider in-depth the clearance of explosive remnants of war and generic preventive measures; and to prioritize the work on cooperation and assistance and victim assistance."

3. The Twelfth Conference for Protocol V was prepared for by a Meeting of Experts, which took place from 12 (afternoon) to 13 June 2018 in Geneva, as decided by the Eleventh Conference in paragraph 28 of its final document (CCW/P.V/CONF/2017/5).

4. The Eleventh Conference decided, as stipulated in paragraph 30 of its final document (CCW/P.V/CONF/2017/5), that to progress universalization of the Protocol, the Meeting of Experts should consider the issue of the universalization of Protocol V, under the overall responsibility of the President-designate of the Conference of the High Contracting Parties to Protocol V.

5. The Eleventh Conference also decided, as stipulated in paragraph 31 of its final document (CCW/P.V/CONF/2017/5), that in 2018 the work under Protocol V is to focus "on the clearance of explosive remnants of war (paragraph 26, CCW/P.V/CONF/2016/8); to complete the consideration of Article 4 (paragraph 27(e), CCW/P.V/CONF/2016/8); and to continue on national reporting (paragraphs 32 (a), (b) and (c), CCW/P.V/CONF/2016/8)".



6. The Eleventh Conference also recommended, as stipulated in paragraph 23 of its final document (CCW/P.V/CONF/2017/5), that the Secretary-General of the United Nations and President-designate of the Twelfth Conference, on behalf of the High Contracting Parties, exercise their authority to achieve the goal of universality of the Protocol. The Conference also called on the High Contracting Parties to Protocol V and the Implementation Support Unit to promote wider adherence to Protocol V.

7. 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.

8. The Eleventh Conference also decided in paragraph 32 of its final document (CCW/P.V/CONF/2017/5), to nominate Ambassador Mouayed Saleh of Iraq as President-designate of the Twelfth Conference, and Ambassador Terhi Hakala of Finland and Ambassador Yuri Ambrazevich of Belarus as Vice-President-designates.

## **II. Participation in the Twelfth Conference**

9. The Twelfth Conference of the High Contracting Parties to Protocol V on Explosive Remnants of War (ERW) was convened at the Palais des Nations in Geneva on 19 November 2018.

10. 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, Canada, Chile, China, Costa Rica, Croatia, Cuba, Cyprus, Czechia, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Holy See, Hungary, India, Iraq, Ireland, Italy, Kuwait, Lao People's Democratic Republic, Latvia, Lithuania, Montenegro, Netherlands, New Zealand, Pakistan, Panama, Peru, Poland, Qatar, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Senegal, Slovakia, Slovenia, South Africa, Spain, State of Palestine, Sweden, Switzerland, the former Yugoslav Republic of Macedonia, Ukraine, United States of America and Uruguay.

11. The following High Contracting Parties to the Convention participated in the work of the Conference as observers: Colombia, Israel, Japan, Kazakhstan, Morocco, Philippines, Serbia, Sri Lanka, Togo, Turkey and the United Kingdom of Great Britain and Northern Ireland.

12. The following Signatory States to the Convention participated in the work of the Conference as observer: Egypt and Sudan.

13. The representatives of Mozambique, Myanmar and Singapore participated in the work of the Conference as observers.

14. The representatives of the following organizations also took part in the work of the Conference as observers: United Nations Institute for Disarmament Research (UNIDIR), United Nations Mine Action Service (UNMAS), European Union, International Committee for the Red Cross (ICRC) and the Geneva International Centre for Humanitarian Demining (GICHD).

15. The representatives of the following non-governmental organizations and other entities also took part in the work of the Conference as observers: Campaign to Stop Killer Robots, Center for International Security and Policy (CISP), International Committee for Robot Arms Control (ICRAC), Human Rights Watch, PAX, PAX Christi International, University of Turku (Finland), Seguridad Humana en Latinoamérica (SEHLAC), Slovenian Artificial Intelligence Society, Women's International League for Peace and Freedom (WILPF), Mines Advisory Group (MAG), Pax Christi Ireland and Safe Ground.

### III. Work of the Twelfth Conference

16. The Twelfth Conference of the High Contracting Parties to Protocol V on Explosive Remnants of War was opened by Ambassador Andre Pung of Estonia, as President of the Eleventh Conference, in the morning of Monday 19 November 2018.

17. The Conference held two plenary meetings. At its first plenary meeting, the Conference confirmed the nomination of Ambassador Mouayed Saleh of Iraq as President of the Twelfth Conference. It also confirmed the nominations of Ambassador Terhi Hakala of Finland and Ambassador Yury Ambrazevich of Belarus, as Vice-Presidents.

18. In accordance with Rule 4 of the Rules of Procedure (CCW/P.V/CONF/2013/10), Ambassador Terhi Hakala of Finland presided over the first plenary meeting of the Conference and Ambassador Yury Ambrazevich of Belarus over the second plenary meeting.

19. At the same plenary meeting, the Conference adopted its agenda (CCW/P.V/CONF/2018/1). In confirming its Rules of Procedure, as contained in CCW/P.V/CONF/2013/10, the Conference, in accordance with paragraph 42 of the final document of the Seventh Conference, decided to suspend Rule 2.

20. The Conference confirmed the nomination of Ms. Anja Kaspersen, Director of the United Nations Office for Disarmament Affairs (UNODA), Geneva Branch, as Secretary-General of the Conference. Ms. Melanie Gerber, Political Affairs Officer, UNODA Geneva Branch, served as Secretary.

21. The following delegations participated in the general exchange of views: Argentina, Australia, Belarus, Belgium, Brazil, China, Croatia, Cuba, Estonia, European Union, Finland, Germany, India, Iraq, Ireland, Italy, Latvia, Montenegro, Morocco, Netherlands, Pakistan, Republic of Korea, Russian Federation, Spain, State of Palestine, United States of America, United Nations Inter-agency Group on Mine Action and the International Committee of the Red Cross (ICRC).

22. 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 High Contracting Parties: Albania, Argentina, Australia, Austria, Belarus, Belgium, Brazil, Bulgaria, Canada, China, Croatia, Cuba, Ecuador, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, Holy See, Hungary, India, Iraq, Ireland, Italy, Lao People's Democratic Republic, Latvia, Liechtenstein, Lithuania, Luxembourg, Montenegro, Netherlands, Norway, Pakistan, Peru, Portugal, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland, United States of America and Uruguay.

23. During the course of the meeting the Conference considered documents the CCW/P.V/CONF/2018/1 to CCW/P.V/CONF/2018/5. 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

24. The Twelfth Conference welcomed additional consents to be bound by Protocol V. The Twelfth Conference also welcomed the efforts undertaken by the Secretary-General of the United Nations, the President of the Twelfth Conference, organizations and the CCW Sponsorship Programme to promote universalization of Protocol V.

25. The Conference recommended that the Secretary-General of the United Nations and the President-designate of the Thirteenth 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 United Nations Office for Disarmament Affairs to promote wider adherence to Protocol V.

## **B. Article 4 of the Protocol on "Recording, retaining and transmission of information"**

26. In line with paragraph 26 (f) of the Tenth Conference's final Document (CCW/P.V/CONF/2016/8) and paragraphs 24 and 31 of the Eleventh Conference's final Document (CCW/P.V/CONF/2017/5), during the 2018 Meeting of Experts a workshop on Article 4 took place. The Conference took note of the report by the President on the 2018 Meeting of Experts (P.V/CONF/2018/4), reporting on this workshop.

27. In welcoming that the workshop on article 4 took place during the 2018 Meeting of Experts, the Conference decided that, the President-designate, with the support of the United Nations Office for Disarmament Affairs, be tasked to work with High Contracting Parties to share national best practices on the implementation of Article 4 and generic preventive measures following also the guidance provided in the Technical Annex of the Protocol, and make the compilations of national best practices available on the website of the United Nations Office for Disarmament Affairs.

## **C. National Reporting**

28. The Conference took note of the report by the President covering national reporting, as contained in P.V/CONF/2018/4.

29. At the Eleventh Conference, in accordance with paragraphs 32(b) and (d) of the Tenth Conference's final Document (CCW/P.V/CONF/2016/8) and the proposal of the President of the Eleventh Conference, contained in document (CCW/P.V/2017/2), the Conference had decided on a set of measures to increase the rate of national reporting as contained in paragraph 27 of its final Document (CCW/P.V/CONF/2017/5). In the absence of an Implementation Support Unit in 2018, the implementation of these measures has not started.

30. The Conference decided that, under the overall responsibility of the President-designate, High Contracting Parties are to continue with their efforts to encourage a higher rate of national reporting, including but not limited to the implementation of the measures adopted at the Eleventh Annual Conference (CCW/P.V/2017/5, paragraph 27). High Contracting Parties are also encouraged to consider measures to improve reporting methodology.

## **D. Victim assistance**

31. The Conference took note of the report by the President covering victim assistance, as contained in P.V/CONF/2018/4.

32. The Conference decided:

(a) To encourage all High Contracting Parties to promote the work of Protocol V on victim assistance and in particular the Plan of Action on Victim Assistance;

(b) To encourage High Contracting Parties affected by explosive remnants of war to implement Article 8(2) of the Protocol and the Plan of Action on Victim Assistance, and to report on these actions in Form E(a) of the national annual report;

(c) To give particular focus to the exchange of information and experiences on implementation of the commitments on victim assistance at the national and community levels; to updates on the latest approaches and innovations in the field of victim assistance;

and to exchanges of practical experiences and lessons learned with other relevant legal instruments and fora.

## **E. Follow-up**

33. The Conference decided that the next Meeting of Experts will be for a duration of up to one-and-a-half days at dates to be decided by the 2018 Meeting of the High Contracting Parties to the Convention, to be held on 21 to 23 November 2018.

34. The Conference also decided that the Meeting of Experts will take place under the overall responsibility of the President-designate of the Thirteenth Conference.

35. The Conference decided that to progress universalization of the Protocol the Meeting of Experts should consider the issue of the universalization of Protocol V under the overall responsibility of the President-designate of the Thirteenth Conference

36. The Conference encouraged High Contracting Parties to support the work of the President-designate in advancing the substantive discussions on national reporting, Article 4, generic preventive measures and victim assistance.

37. The Conference encouraged High Contracting Parties in a position to do so to provide technical assistance to the High Contracting Parties in need of support.

38. The Conference decided to nominate Ambassador Terhi Hakala of Finland as President-designate of the Thirteenth Conference, and Ambassador Yury Ambrazevich of Belarus and a representative of the Non-Aligned Movement as Vice-Presidents-designates.

39. The Conference considered and approved a provisional agenda of the Thirteenth Conference, as contained in Annex I. The Conference adopted the estimated costs of the 2019 Meeting of Experts and Thirteenth Conference, contained in CCW/P.V/CONF/2018/2 and CCW/P.V/CONF/2018/3, as orally amended and to be reissued as documents CCW/P.V/CONF/2018/2/Rev.1 and CCW/P.V/CONF/2018/3/Rev.1.

40. The Conference decided to adopt an 8-4-4 weeks' submission pattern<sup>1</sup> for pre-session documents for future Annual Conferences of the High Contracting Parties to Protocol V of the Convention.

41. At its second plenary meeting, the Twelfth 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/2018/CRP.1, as orally amended, which is being issued as document CCW/P.V/CONF/2018/5.

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<sup>1</sup> Documents submitted at least 8 weeks before the Meeting will be released in the six official language of the United Nations 4 weeks before the Meeting.

## **Annex I**

### **Provisional agenda of the Thirteenth Conference**

#### **Submitted by the Twelfth Conference**

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 2020
14. Other matters
15. Consideration and adoption of the final document.

## Annex II

### List of High Contracting Parties which have notified the Depositary of their consent to be bound by Protocol V on Explosive Remnants of War

| <i>High Contracting Parties</i> | <i>Date of notification of consent to be bound</i> |
|---------------------------------|--|
| Afghanistan                     | 9 August 2017                                      |
| Albania                         | 12 May 2006  |
| Argentina                       | 7 October 2011                                     |
| Australia                       | 4 January 2007                                     |
| Austria                         | 1 October 2007                                     |
| Bahrain                         | 11 March 2016                                      |
| Bangladesh                      | 26 September 2013                                  |
| Belarus                         | 29 September 2008                                  |
| Belgium                         | 25 January 2010                                    |
| Bosnia and Herzegovina          | 28 November 2007                                   |
| Brazil                          | 30 November 2010                                   |
| Bulgaria                        | 7 November 2005                                    |
| Burkina Faso                    | 10 October 2016                                    |
| 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                                      |
| Côte d'Ivoire                   | 25 May 2016  |
| Croatia                         | 7 February 2005                                    |
| Cuba                            | 14 November 2012                                   |
| 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                                    |
| Gabon                           | 22 September 2010                                  |

| <i>High Contracting Parties</i>  | <i>Date of notification of consent to be bound</i> |
|----------------------------------|--|
| Georgia                          | 22 December 2008                                   |
| Germany                          | 3 March 2005                                       |
| Greece                           | 21 October 2014                                    |
| Grenada                          | 10 December 2014                                   |
| Guatemala                        | 28 February 2008                                   |
| Guinea-Bissau                    | 6 August 2008                                      |
| Holy See                         | 13 December 2005                                   |
| Honduras                         | 16 August 2010                                     |
| Hungary                          | 13 November 2006                                   |
| Iceland                          | 22 August 2008                                     |
| India                            | 18 May 2005  |
| Iraq                             | 24 September 2014                                  |
| Ireland                          | 8 November 2006                                    |
| Italy                            | 11 February 2010                                   |
| Jamaica                          | 25 September 2008                                  |
| Kuwait                           | 24 May 2013  |
| Lao People's Democratic Republic | 2 February 2012                                    |
| Latvia                           | 16 September 2009                                  |
| Lesotho                          | 5 April 2016                                       |
| Liberia                          | 16 September 2005                                  |
| Liechtenstein                    | 12 May 2006  |
| Lithuania                        | 29 September 2004                                  |
| Luxembourg                       | 13 June 2005                                       |
| Madagascar                       | 14 March 2008                                      |
| Mali                             | 24 April 2009                                      |
| Malta                            | 22 September 2006                                  |
| Mauritius                        | 2 November 2018                                    |
| Montenegro                       | 20 May 2016  |
| Netherlands                      | 18 July 2005                                       |
| New Zealand                      | 2 October 2007                                     |
| Nicaragua                        | 15 September 2005                                  |
| Norway                           | 8 December 2005                                    |
| Pakistan                         | 3 February 2009                                    |
| Panama                           | 29 November 2010                                   |
| Paraguay                         | 3 December 2008                                    |
| Peru                             | 29 May 2009  |
| Poland                           | 26 September 2011                                  |



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| <i>High Contracting Parties</i>           | <i>Date of notification of consent to be bound</i> |
|---|--|
| Portugal                                  | 22 February 2008                                   |
| Qatar                                     | 16 November 2009                                   |
| Republic of Korea                         | 23 January 2008                                    |
| Republic of Moldova                       | 21 April 2008                                      |
| Romania                                   | 29 January 2008                                    |
| Russian Federation                        | 21 July 2008                                       |
| Saudi Arabia                              | 8 January 2010                                     |
| Senegal                                   | 6 November 2008                                    |
| Sierra Leone                              | 30 September 2004                                  |
| Slovakia                                  | 23 March 2006                                      |
| Slovenia                                  | 22 February 2007                                   |
| South Africa                              | 24 January 2012                                    |
| Spain                                     | 9 February 2007                                    |
| St. Vincent and the Grenadines            | 6 December 2010                                    |
| State of Palestine                        | 29 December 2017                                   |
| Sweden                                    | 2 June 2004  |
| Switzerland                               | 12 May 2006  |
| Tajikistan                                | 18 May 2006  |
| The former Yugoslav Republic of Macedonia | 19 March 2007                                      |
| Tunisia                                   | 7 March 2008                                       |
| Turkmenistan                              | 23 July 2012                                       |
| Ukraine                                   | 17 May 2005  |
| United Arab Emirates                      | 26 February 2009                                   |
| United States of America                  | 21 January 2009                                    |
| Uruguay                                   | 7 August 2007                                      |
| Zambia                                    | 25 September 2013                                  |

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## **Annex III**

### **List of documents**

| <i>Symbol</i>             | <i>Title</i>   |
|---------------------------|--|
| CCW/P.V/CONF/2018/1       | Provisional agenda   |
| CCW/P.V/CONF/2018/2       | Estimated Costs 2019 Meeting of Experts of the High Contracting Parties to Protocol V            |
| CCW/P.V/CONF/2018/2/Rev.1 | Revised Estimated Costs 2019 Meeting of Experts of the High Contracting Parties to Protocol V    |
| CCW/P.V/CONF/2018/3       | Estimated Costs 2019 Thirteenth Conference of the High Contracting Parties to Protocol V         |
| CCW/P.V/CONF/2018/3/Rev.1 | Revised Estimated Costs 2019 Thirteenth Conference of the High Contracting Parties to Protocol V |
| CCW/P.V/CONF/2018/4       | Report on the 2018 Meeting of Experts of the High Contracting Parties to Protocol V              |
| CCW/P.V/CONF/2018/5       | Final document   |
| CCW/P.V/CONF/2018/CRP.1   | Draft final document   |
| CCW/P.V/CONF/2018/INF.1   | List of participants   |
| CCW/P.V/CONF/2018/MISC.1  | Provisional list of participants   |