

Fifteenth 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

29 December 2021

Original: English

Geneva, 9 December 2021

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 First Conference of the High Contracting Parties decided, as stipulated in paragraph 38 of its final document (CCW/P.V/CONF/2007/1), to establish a mechanism for consultation and cooperation under Protocol V, consisting of informal meetings of experts, chaired by Coordinators, on issues relevant to the implementation of the Protocol.

3. The First Conference also 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.

4. 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".

5. The Fourteenth Annual Conference of the High Contracting Parties to Protocol V did not take place in view of extraordinary circumstances of the COVID-19 pandemic.

6. The High Contracting Parties to Protocol V decided in paragraph 3 of their Technical Decisions of 13 April 2021 (CCW/P.V/2020/1), to nominate Mr. Angus September of the Republic of South Africa as President-designate of the Fifteenth Conference, and a representative of the Western European and Others Group and a representative of the Non-Aligned Movement as Vice-Presidents-designates.



7. In accordance with the decision taken by the Thirteenth Annual Conference of the High Contracting Parties to Protocol V¹, work under Protocol V is to focus on “article 4 of the Protocol” (CCW/P.V/CONF/2019/CRP.1, paragraph 38. (a)), “national reporting” (CCW/P.V/CONF/2019/CRP.1, paragraph 38. (b)), “victim assistance” (CCW/P.V/CONF/2019/CRP.1, paragraph 38. (c)), and “clearance of explosive remnants of war under the overall responsibility of the Coordinator on clearance and technical assistance” (CCW/P.V/CONF/2019/CRP.1, paragraph 38. (d)).

8. The Fifteenth Conference for Protocol V was prepared by a Meeting of Experts, which took place on 18 August 2021 in Geneva, as decided by the technical decisions of the High Contracting Parties to Protocol V (CCW/P.V/2020/1).

II. Participation in the Fifteenth Conference

9. The Fifteenth Conference of the High Contracting Parties to Protocol V on Explosive Remnants of War (ERW) was convened on 09 December 2021 at the Palais des Nations in Geneva.

10. The following High Contracting Parties to Protocol V participated in the work of the Conference: Albania, Argentina, Australia, Austria, Belarus, Belgium, Brazil, Bulgaria, Burkina Faso, Canada, Chile, China, Costa Rica, Côte d’Ivoire, Cuba, Cyprus, Czech Republic, Dominican Republic, Ecuador, Estonia, France, Georgia, Germany, Guatemala, Holy See, Hungary, India, Iraq, Ireland, Italy, Kuwait, Latvia, Luxembourg, Madagascar, Malta, Montenegro, Netherlands, North Macedonia, Norway, Pakistan, Panama, Peru, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Tunisia, Ukraine, United Arab Emirates, United States of America and Uruguay.

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

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

13. The representatives of the following organizations took part to the work of the Conference as observers: European Union, ICRC and UNMAS.

14. The representatives of the following non-governmental organizations and other entities also took part in the work of the Conference as observers: Human Rights Watch and the University of Edinburgh.

III. Work of the Fifteenth Conference

15. The Fifteenth Conference of the High Contracting Parties to Protocol V on Explosive Remnants of War was opened on 09 December 2021 by Ambassador Yury Ambrazevich of Belarus, as the President-designate of the Fourteenth Conference, who presided over the election of Mr. Angus September of the Republic of South Africa as President of the Fifteenth Conference.

16. The Conference held two plenary meetings. At its first plenary meeting, the Fifteenth Conference of the High Contracting Parties to Protocol V on Explosive Remnants of War elected Mr. Angus September as President of the Fifteenth Conference. Ambassador Sánchez de Lerín García-Ovies of Spain served as Vice-President of the Conference.

17. At the same plenary meeting, the Conference adopted its agenda, as contained in CCW/P.V/CONF/2021/1. In confirming its Rules of Procedure, as contained in

¹ The Fourteenth Conference of the High Contracting Parties to Protocol V did not take place in view of extraordinary circumstances of the COVID-19 pandemic.

CCW/P.V/CONF/2013/10, the Conference decided to suspend Rule 2, in accordance with paragraph 42 of the final document of the Seventh Conference.

18. The Conference confirmed the nomination of Ms. Radha Day, Director a.i. of the United Nations Office for Disarmament Affairs (UNODA) Geneva Branch, as Secretary-General of the Conference. Ms. Heegyun Jung, Political Affairs Officer, UNODA Geneva Branch, served as Secretary.

19. During the course of the meeting the Conference considered documents contained in CCW/P.V/CONF/2021/1, CCW/P.V/CONF/3 and CCW/P.V/CONF/4. The documents of the Conference will be made available in all official languages on the CCW website (<https://meetings.unoda.org/meeting/ccw-pv-2021/>), as well as through the United Nations Official Document System (ODS), at <http://documents.un.org>.

20. The following delegations participated in the general exchange of views: Australia, Brazil, Chile, China, Cuba, France, Germany, India, Iraq, Ireland, Italy, Netherlands, Pakistan, Poland, Russian Federation, Ukraine, European Union, ICRC, UNMAS.

21. The Conference considered a report by the President of the 2021 Meeting of Experts of the High Contracting Parties to Protocol V (CCW/P.V/CONF/2021/2), reflecting the discussions held on national reporting, clearance of explosive remnants of war, Article 4 on “Recording, retaining and transmission of information” and Article 8 on Co-operation and assistance.

22. Pursuant to the decision of the First Conference to establish a database on Protocol V, in accordance with Article 10 (2) (b) of Protocol V, 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 the final document of the First Conference, the Conference had before it national annual reports from the following High Contracting Parties: Argentina, Australia, Austria, Belarus, Belgium, Bulgaria, Chile, China, Cuba, Czech Republic, Denmark, Estonia, Finland, France, Georgia, Germany, Greece, Guatemala, India, Iraq, Ireland, Italy, Lao People’s Democratic Republic, Latvia, Liechtenstein, Lithuania, Luxembourg, Mauritius, Moldova, Netherlands, New Zealand, Norway, Panama, Peru, Poland, Portugal, Republic of Korea, Russian Federation, Saudi Arabia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine, United States.

IV. Conclusions and recommendations

A. Universalization

23. The Fifteenth Conference stressed the importance of continuing efforts to promote the universalization of the Protocol V, notwithstanding the extraordinary circumstances caused by the COVID-19 pandemic.

24. The Fifteenth Conference recommended that the Secretary-General of the United Nations and the President-designate of the Sixteenth Conference, on behalf of the High Contracting Parties, exercise their authority to achieve the goal of universality of Protocol V.

25. The Fifteenth Conference called on all States that have not yet done so to consider consenting to be bound by Protocol V. The Conference also called on the High Contracting Parties to Protocol V and the Implementation Support Unit to promote wider adherence to Protocol V.

B. Article 4 of the Protocol on “Recording, retaining and transmission of information”

26. The Conference decided that under the overall responsibility of the President-designate, High Contracting Parties should, on a voluntary basis and subject to national policies on the protection of sensitive information, continue 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.

C. National reporting

27. The Fifteenth Conference took note of the report by the President on national reporting.

28. The Fifteenth 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

29. The Conference took note of the work undertaken by the Coordinator on Victim Assistance during the Meeting of Experts, in accordance with the decision of the Thirteenth Conference (paragraph 34(d), CCW/P.V/CONF/2019/5).

30. 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) The Meeting of Experts should 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; (d) To request the Coordinator on Victim Assistance to prepare and chair relevant work of the 2022 Meeting of Experts and to report back to the Sixteenth Conference.

E. Clearance of explosive remnants of war

31. The Conference took note of the work undertaken by the Coordinator on clearance and technical assistance during the Meeting of Experts, in accordance with the decision of the Thirteenth Conference (paragraph 36(a), CCW/P.V/CONF/2019/5).

32. The Conference decided that the Meeting of Experts should, under the overall responsibility of the Coordinator on clearance and technical assistance, exchange information on a voluntary basis on methods of clearance of ERW. The Conference also decided to request the Coordinator on clearance and technical assistance to prepare and chair relevant work of the 2022 Meeting of Experts and to report back to the Sixteenth Conference.

F. Text for the Sixth Review Conference

33. Under agenda item 11, the Conference agreed to a text on the review of the implementation of Protocol V for submission to the Sixth Review Conference, which is attached in Annex II.

G. Follow-up

34. The Conference decided that the 2022 Meeting of Experts will be for a duration of one day at a date to be decided by the Sixth Review Conference of the Convention.

35. The Conference decided that the Meeting of Experts should especially focus on the following issues, at the discretion of the President-designate of the Sixteenth Conference:

(a) Article 4 of the Protocol under the overall responsibility of the President-designate of the Sixteenth Conference;

(b) National reporting under the overall responsibility of the President-designate of the Sixteenth Conference;

(c) Victim assistance under the overall responsibility of the Coordinator on victim assistance;

(d) Clearance of explosive remnants of war under the overall responsibility of the Coordinator on clearance and technical assistance.

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

37. The Conference decided to nominate Ambassador Sánchez de Lerín García-Ovies of Spain as President-designate of the Sixteenth Conference, and a representative of the Eastern European Group and a representative of the Non-Aligned Movement as Vice-Presidents-designates.

38. The Conference considered and approved a provisional agenda of the Sixteenth Conference, as contained in Annex I.

39. The Conference adopted the estimated costs of the 2022 Meeting of Experts and Sixteenth Conference, contained in CCW/P.V/CONF/2021/3 and CCW/P.V/CONF/2021/4 respectively, as orally amended.

40. At its second plenary meeting, the Fifteenth 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/2021/CRP.1, as orally amended, which will be issued as document CCW/P.V/CONF/2021/5.

Annex I

Provisional agenda of the Sixteenth Conference

Submitted by the Fifteenth 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 2023
14. Other matters
15. Consideration and adoption of the final document.

Annex II

Text to be submitted to the Sixth Review Conference

1. The Conference notes the provisions of this Protocol.
2. The Conference welcomes the efforts of the High Contracting Parties to Protocol V to address the deleterious humanitarian effects of explosive remnants of war.
3. The Conference appreciates the fact that since the Fifth Review Conference 5 new High Contracting Parties joined the Protocol which brings the total number to 96 and reiterates the need for further vigorous efforts from High Contracting Parties, United Nations, international and regional organizations, International Committee of the Red Cross and non-governmental organizations to promote universalization of the Protocol.
4. The Conference notes with appreciation achievements within Protocol V, especially the progress on the promotion and implementation of Articles 3 and 4, efforts to raise awareness of the needs of affected States in the area of cooperation and assistance; promotion of Article 8(2) and the Plan of Action on Victim Assistance along with the adoption of a reporting template on Victim Assistance; the discussion on clearance and technical assistance including on methods of ERW clearance; the discussion on the safe storage of munitions and the management of munitions sites; and that 47 High Contracting Parties have submitted a national report in 2021.
5. The Conference encourages the High Contracting Parties to Protocol V to continue with their efforts to encourage a higher rate of national reporting, including through consideration at the Meeting of Experts; 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.
6. The Conference acknowledges the cooperative approach of High Contracting Parties to Protocol V and that this has been facilitated through the decision of the First Conference of the High Contracting Parties to Protocol V in 2007 to establish a mechanism for consultation and cooperation consisting of informal meetings of experts chaired by coordinators of which there have been nine meetings. Each year the High Contracting Parties shall determine the focus of the meetings of experts to be chaired by coordinators.
7. The Conference further acknowledges that, in accordance with Article 10 of Protocol V, fifteen Conferences of the High Contracting Parties have been held for the purpose of consultations and cooperation on all issues related to the operation of Protocol V.
8. The Conference notes with appreciation the decision of the Thirteenth Conference of High Contracting Parties to Protocol V to appoint a Coordinator on Victim Assistance, also in view of liaising with other relevant legal instruments and fora, in order to ensure complementarity of efforts regarding victim assistance.
9. The Conference acknowledges the valuable contributions and work of relevant agencies and bodies of the United Nations, relevant international and regional organizations, International Committee of the Red Cross, Geneva International Centre for Humanitarian Demining, as well as of non-governmental organizations in a number of fields relevant to Protocol V, in particular the care and rehabilitation of victims of explosive remnants of war, risk education, and clearance, removal or destruction of unexploded ordnance and abandoned explosive ordnance.
10. The Conference recommends that future Conferences of the High Contracting Parties to Protocol V be held back-to-back with Meetings of the High Contracting Parties to the Convention and the Annual Conferences of the High Contracting Parties to Amended Protocol II.

Annex III

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

<i>State</i>	<i>Date</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
Benin	27 September 2019
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
Cote 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

<i>State</i>	<i>Date</i>
Finland	23 March 2005
France	31 October 2006
Gabon	22 September 2010
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
Montenegro	20 May 2016
The Netherlands	18 July 2005
New Zealand	2 October 2007
Nicaragua	15 September 2005
Norway	8 December 2005
Pakistan	3 February 2009

<i>State</i>	<i>Date</i>
Panama	29 November 2010
Paraguay	3 December 2008
Peru	29 May 2009
Poland	26 September 2011
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 Republic of Yugoslavia	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
