

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

23 November 2023

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Agenda item 16

Consideration and adoption of the final report

Final report

I. Introduction

1. The 2022 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 (CCW), held from 16 to 18 November 2022 in Geneva decided, as contained in its Final Report (CCW/MSP/2022/7, paragraph 32):

- 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.

2. The 2022 Meeting of the High Contracting Parties to the CCW also decided to continue monitoring the financial situation of the CCW (CCW/MSP/2022/7, paragraph 35).

3. The 2022 Meeting of the High Contracting Parties to the CCW also decided to organize in 2023, in in-person format in accordance with the regular practice under CCW, and subject to available resources, the Meeting of the High Contracting Parties to the Convention from 15 to 17 November 2023 (CCW/MSP/2022/7, paragraph 37).

4. The 2022 Meeting of the High Contracting Parties to the CCW also 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.

(CCW/MSP/2022/7, paragraph 38). The Group of the NAM subsequently decided to renounce this right.

5. The High Contracting Parties to the CCW endorsed, through a written silence procedure, Ambassador Federico Villegas, Permanent Representative of Argentina to the United Nations Office and other international organizations in Geneva, nominated by the Western European and Others Group (WEOG), as Chairperson of the 2023 Meeting of the High Contracting Parties to the Convention.

6. The 2022 Meeting of the High Contracting Parties to the CCW requested the Implementation Support Unit (ISU) to continue to report annually on its activities, including on its estimated costs and actual costs (CCW/MSP/2022/7, paragraph 39).

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

7. The Meeting of the High Contracting Parties to the Convention was held in Geneva from 15 to 17 November 2023, under the chairmanship of Ambassador Federico Villegas, Permanent Representative of Argentina to the United Nations Office and other international organizations in Geneva, elected as Chairperson through a written silence procedure.

8. 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 of the Meeting.

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

10. The following signatory States participated in the work of the Meeting: Egypt and Nigeria.

11. The following observer delegations participated in the work of the Meeting: Myanmar and Singapore.

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

13. The following non-governmental organizations participated in the work of the Meeting : Article 36, Campaign to Stop Killer Robots, Center for Countermeasures Against Chemical and Biological Warfare Agents Nigeria, Centre for Humanitarian Dialogue, Center for International Security and Policy, Future of Life Institute, Geneva Science and Diplomacy Anticipator, Human Rights Watch, Maat for Peace, Development and Human Rights, Norwegian People's Aid, Pax Christi International, Seguridad Humana en Latino America y el Caribe Network, Stockholm International Peace Research Institute, University of Cambridge, University of Queensland, Women's International League for Peace and Freedom, and World Council of Churches.

III. Work of the Meeting of the High Contracting Parties

14. The Meeting was opened on 15 November 2023 by the Chairperson-elect, Ambassador Federico Villegas, Permanent Representative of Argentina to the United Nations Office and other international organizations in Geneva. The Conference was provided with the documents listed in Annex II. The documents of the Conference are available in all official languages on the CCW website (<https://meetings.unoda.org/ccw-mhcp/convention-on-certain-conventional-weapons-meeting-of-high-contracting-parties-2023>), as well as through the United Nations Official Document System (ODS), at <http://documents.un.org>. At its first plenary meeting, on 15 November 2023, the Meeting adopted the agenda contained in CCW/MSP/2023/1 dated 8 September 2023. The High Contracting Parties were not able to confirm the rules of procedure as contained in CCW/CONF.V/4, as no consensus on this matter was reached. The Meeting held two plenary meetings.

IV. Conclusions and recommendations

15. 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 2024 Meeting of the High Contracting Parties to the Convention work towards achieving the goal of universality of the Convention and its Protocols.

16. 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.

17. 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.

18. The Meeting recalled that the 2022 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 (CCW), held from 16 to 18 November 2022 in Geneva decided, as contained in its Final Report (CCW/MSP/2022/7, paragraph 32):

- “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.”

19. The Meeting took note of the Report of the 2023 session Group of Governmental Experts on emerging technologies in the area of Lethal Autonomous Weapons Systems (CCW/GGE.1/2023/2) and the “Conclusions” and “Recommendations” contained therein.

20. 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 further consider and formulate, by consensus, a set of elements of an instrument, without prejudging its nature, and other possible measures to address emerging technologies in the area of lethal autonomous weapon systems, taking into account the example of existing Protocols within the Convention, proposals presented by High Contracting Parties 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, 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 Seventh Review Conference. The Group should complete its work as soon as possible, preferably before the end of 2025, and the Chair of the Group will update the annual Meeting of the High Contracting Parties on the work of the Group. 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 meet for 10 days every year.
- The Group will be chaired by a representative of the Eastern European Group.

21. 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.

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

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

24. The Meeting decided to organize in 2024, in in-person format in accordance with the regular practice under CCW, and subject to available resources, the following CCW related activities:

(a) The Meeting of Experts of the High Contracting Parties to Protocol V on 2 September 2024, in accordance with the relevant decisions taken by the 17th Annual Conference of the High Contracting Parties to Protocol V;

(b) The Group of Experts of the High Contracting Parties to Amended Protocol II from 3 to 4 September 2024, in accordance with the relevant decisions taken by the 25th Annual Conference of the High Contracting Parties to Amended Protocol II;

(c) 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 4 to 8 March 2024 and from 26 to 30 August 2024. The Meeting also adopted the relevant cost estimates for 2024 as contained in CCW/MSP/2023/5;

(d) The 18th Conference of the High Contracting Parties to Protocol V on 11 November 2024, in accordance with the relevant decisions taken by the 17th Annual Conference of the High Contracting Parties to Protocol V;

(e) The 26th Conference of the High Contracting Parties to Amended Protocol II on 12 November 2024, in accordance with the relevant decisions taken by the 25th Annual Conference of the High Contracting Parties to Amended Protocol II;

(f) The Meeting of the High Contracting Parties to the Convention from 13 to 15 November 2024. The Meeting also adopted the relevant cost estimates as contained in CCW/MSP/2023/6.

25. The Meeting decided to nominate a representative of the Eastern European Group as Chairperson of the 2024 Meeting of the High Contracting Parties to the Convention.

26. The Meeting expressed deep appreciation to UNODA and the ISU for the work carried out in supporting the CCW in 2023. The Meeting requested the ISU to continue to report annually on its activities, including on its estimated costs and actual costs.

27. At its final meeting, the Meeting adopted its final report, as contained in document CCW/MSP/2023/CRP.1, as orally amended, to be issued as document CCW/MSP/2023/7.

Annex I

Provisional agenda

(As recommended by the 2023 Meeting of the High Contracting Parties at its final meeting on 17 November 2023)

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. Update by the Chair 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/2023/1	Provisional agenda
CCW/MSP/2023/2	Provisional programme of work
CCW/MSP/2023/3	Report of the CCW Sponsorship Programme
CCW/MSP/2023/4	Report of the Implementation Support Unit
CCW/MSP/2023/5	Estimated Costs of the 2024 Meeting of the Group of Governmental Experts on Emerging Technologies in the area of Lethal Autonomous Weapons Systems (LAWS)
CCW/MSP/2023/6	Estimated Costs of the 2024 Meeting of the High Contracting Parties to the Convention
CCW/MSP/2023/7	Final report
CCW/MSP/2023/INF.1	List of participants
CCW/MSP/2023/WP.1	Working Paper submitted by the Russian Federation
CCW/MSP/2023/WP.2	Working Paper submitted by Austria, Belgium, Costa Rica, Ireland, Mexico, New Zealand, Norway and Switzerland
CCW/MSP/2023/WP.3	Working Paper submitted by Australia
CCW/MSP/2023/WP.4	Working Paper submitted by the State of Palestine, on behalf of the Organization of Islamic Countries (OIC) Group, Bolivia, Colombia, Cuba, South Africa, Namibia, Nicaragua and Venezuela
CCW/MSP/2023/WP.5	Working Paper submitted by Ukraine
CCW/MSP/2023/WP.6	Working Paper submitted by Iraq on behalf of the Arab States
CCW/MSP/2023/WP.7	Working Paper submitted by Australia on behalf of a Group of 56 States
CCW/MSP/2023/WP.8	Working Paper submitted by the European Union, Albania Georgia, Republic of Moldova, Montenegro, North Macedonia and Ukraine
CCW/MSP/2023/WP.9	Working Paper submitted by the United Kingdom of Great Britain and Northern Ireland
CCW/MSP/2023/WP.10	Working Paper submitted by Estonia, Latvia and Lithuania
CCW/MSP/2023/WP.11	Working Paper submitted by a Group of 45 States and the European Union
CCW/MSP/2023/WP.12	Working Paper submitted by the Bolivarian Republic of Venezuela on behalf of the Non-Aligned Movement (NAM) and Other States Parties to the CCW
CCW/MSP/2023/WP.13	Working Paper submitted by the Bolivarian Republic of Venezuela on behalf of the Non-Aligned Movement (NAM) and Other States Parties to the CCW

CCW/MSP/2023/WP.14	Working Paper submitted by the Bolivarian Republic of Venezuela on behalf of the Non-Aligned Movement (NAM) and Other States Parties to the CCW
CCW/MSP/2023/WP.15	Working Paper submitted by Israel
CCW/MSP/2023/WP.16	Working Paper submitted by the Chairperson

Advance version