

Seventeenth Annual 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

13 November 2023

Original: English

Geneva, 13 November 2023

Item 15 of the agenda

Consideration and adoption of the final document

Draft 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 Sixth Review Conference of the High Contracting Parties to the Convention, CCW/CONF.VI/11, encouraged 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".

5. The 2022 Meeting of the High Contracting Parties to the Convention, in its final report, decided that the Seventeenth Conference of the High Contracting Parties to Protocol V would take place on 13 November 2023 (CCW/MSP/2022/7, paragraph 37 (c)).

6. On 2 December 2022, the High Contracting Parties to Protocol V designated through a written silence procedure, Ambassador Gordan Markotić of Croatia, as President-designate of the Seventeenth Conference.

7. The Seventeenth Conference of Protocol V was prepared for by Informal Open Consultations, which took place on 8 November 2023 in Geneva, as requested by the 2023 Meeting of the High Contracting Parties to the Convention in its final document (CCW/MSP/2022/7, paragraph 36).

II. Participation in the Seventeenth Conference

8. The Seventeenth Conference of the High Contracting Parties to Protocol V on Explosive Remnants of War (ERW) was convened on 13 November 2023 at the Palais des Nations in Geneva.
9. 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, China, Costa Rica, Cote d'Ivoire, Cuba, Czech Republic, Denmark, Dominican Republic, Ecuador, El Salvador, Estonia, Finland, France, Georgia, Germany, Holy See, Hungary, India, Iraq, Ireland, Kuwait, Lao PDR, Latvia, Lithuania, Montenegro, Netherlands, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Romania, Russian Federation, Saudi Arabia, Slovakia, Slovenia, South Africa, Sweden, Switzerland, Tunisia, Türkiye, Ukraine, United Arab Emirates, Ukraine, United States of America and Uruguay].
10. The following High Contracting Parties to the Convention participated in the work of the Conference as Other High Contracting Parties to the Convention: [Israel, Japan, Kazakhstan, Morocco, Serbia, Sri Lanka, Togo and United Kingdom of Great Britain and Northern Ireland].
11. The following High Contracting Parties to the Convention participated in the work of the Conference as observers: [Singapore].
12. The following Signatory State to the Convention participated in the work of the Conference as observer: [none].
13. The representatives of the following organizations took part to the work of the Conference as observers: [European Union, Geneva International Centre for Humanitarian Demining and International Committee of the Red Cross].
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 Maat for Peace, Development and Human Rights].

III. Work of the Seventeenth Conference

15. The Seventeenth Conference of the High Contracting Parties to Protocol V on Explosive Remnants of War was opened on 13 November 2023 by Ambassador Sánchez de Lerín García-Ovies of Spain, as the President of the Sixteenth Conference, who presided over the election of Ambassador Gordan Markotić of Croatia as President of the Seventeenth Conference.
16. The Conference held two plenary meetings. At its first plenary meeting, the Conference also elected Ambassador Abdul-Karim Hashim Mostafa of Iraq and [Representative from WEOG] as Vice-President of the Conference.
17. At the same plenary meeting, the Conference adopted its agenda, as contained in CCW/P.V/CONF/2023/1. In confirming its Rules of Procedure, as contained in 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. C. Mélanie Régimbal, Chief of Service of the Geneva Branch of the United Nations Office for Disarmament Affairs (UNODA), as Secretary-General of the Conference. Ms. Tania Banuelos Mejia, Political Affairs Officer, UNODA Geneva Branch, served as the Secretary of the Conference. 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 Conference.
19. During the course of the meeting, the Conference considered documents CCW/P.V/CONF/2023/1 to CCW/P.V/CONF/2023/4. The documents of the Conference will be made available in all official languages on the CCW website

(<https://meetings.unoda.org/node/67238/>), 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: [...].

21. The Conference considered a report of the 2023 informal open consultations on Protocol V, submitted by the President-designate of the Seventeenth Annual Conference (CCW/P.V/CONF/2023/2). The report reflects the discussions held on clearance of explosive remnants of war and technical assistance and on victim 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, Bosnia and Herzegovina, Bulgaria, Canada, China, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Dominican Republic, Ecuador, Estonia, Finland, France, Georgia, Germany, Holy See, Hungary, India, Iraq, Ireland, Italy, Lao People's Democratic Republic, Latvia, Liechtenstein, Lithuania, Mauritius, Montenegro, Netherlands, New Zealand, Nicaragua, Pakistan, Poland, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Slovakia, Sweden, Switzerland, Tajikistan, Tunisia and United States of America.

IV. Conclusions and recommendations

A. Universalization

23. The Conference welcomed the efforts undertaken by the Secretary-General of the United Nations, the President of the Seventeenth Conference, the CCW ISU, organizations and the CCW Sponsorship Programme to promote the universalization of Protocol V.

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

25. The President informed the Conference of the specific efforts he undertook as President-designate regarding universalization, including meeting with fourteen High Contracting Parties to the Convention that are not parties to Protocol V. The Conference took note of the report of the President on universalization, as reflected in document CCW/P.V/CONF/2023/WP.1.

26. The 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”

27. 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

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

29. 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

30. The Conference also took note of the work undertaken by the Coordinator on Victim Assistance during the informal open consultations on Protocol V, as reflected in the report on those consultations, contained in document CCW/P.V/CONF/2023/2.

31. 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 2024 Meeting of Experts and to report back to the Eighteenth Conference.

E. Clearance of explosive remnants of war

32. The Conference also took note of the work undertaken by the Coordinator on clearance and technical assistance during the open informal consultations on Protocol V.

33. 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 2024 Meeting of Experts and to report back to the Eighteenth Conference.

F. Follow-up

34. The Conference decided that the 2024 Meeting of Experts will be for a duration of one day at a date to be decided by the 2023 Meeting of High Contracting Parties to the Convention, to be held from 15 to 17 November 2023.

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 Eighteenth Conference:

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

(b) National reporting under the overall responsibility of the President-designate of the Eighteenth 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 Seventeenth 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 Representative of the NAM Group as President-designate of the Eighteenth Conference, and a representative of the WEOG and a representative of the EEG as Vice-Presidents-designates.

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

39. The Conference adopted the estimated costs of the 2024 Meeting of Experts and Eighteenth Conference, contained in CCW/P.V/CONF/2023/3 and CCW/P.V/CONF/2023/4 respectively.

40. At its second plenary meeting, the Seventeenth 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/2023/CRP.1, as orally amended, which will be issued as document CCW/P.V/CONF/2023/5.

Annex I

Provisional agenda of the Eighteenth Conference

Submitted by the Seventeenth 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 2025
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>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
Philippines	10 May 2022
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

Annex III

List of documents

<i>Symbol</i>	<i>Title</i>
CCW/P.V/CONF/2023/1	Provisional agenda
CCW/P.V/CONF/2023/2	Report on the Informal Open Consultations on Protocol V
CCW/P.V/CONF/2023/3	Estimated Costs for the 2024 Meeting of Experts of the High Contracting Parties to Protocol V
CCW/P.V/CONF/2023/4	Estimated Costs for the 2024 Eighteenth Conference of the High Contracting Parties to Protocol V
CCW/P.V/CONF/2023/5	Final Document
CCW/P.V/CONF/2022/INF.1	List of participants
CCW/P.V/CONF/2023/WP.1	Working Paper on Efforts undertaken regarding universalization: conclusions and recommendations, submitted by the President of the 17th Annual Conference Protocol V National Annual Reports Analysis.
