

**Tenth 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**

10 October 2016

Original: English

Geneva, 29 August 2016

Item 15 of the provisional 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 Fourth Review Conference of the High Contracting Parties to the Convention, CCW/CONF.IV/4/Add.1, encouraged the High Contracting Parties to Protocol V to “continue their much needed work on implementation in the areas of the clearance of explosive remnants of war, including existing explosive remnants of war as referred to in Article 7, recording and transferring information on explosive ordnance and abandoned explosive ordnance under Article 4, generic preventive measures, victim assistance, cooperation and assistance, national reporting as well as the maintenance of the Web-based Information System for Protocol V (WISP.V).”

3. The Tenth Conference for Protocol V was prepared for by a Meeting of Experts, which took place from 6 to 7 April 2016 in Geneva, as decided by the Ninth Conference in paragraph 38 of its final document, CCW/P.V/CONF/2015/11.

4. The Ninth Conference decided, as stipulated in paragraphs 27 to 37 of its final document that the Meeting of Experts should especially focus on the following issues: clearance, removal or destruction of ERW, pursuant to Article 3 of the Protocol, and Article 4; cooperation and assistance and requests for assistance pursuant to Articles 7 and 8 of the Protocol; generic preventive measures, pursuant to Article 9 and the Technical

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Annex of the Protocol; national reporting, pursuant to Article 10 (2) (b) of the Protocol; victim assistance, pursuant to Article 8(2) of the Protocol; and the impact of the Protocol on preventing and alleviating the suffering caused by ERW. The Ninth Conference further decided, as stipulated in paragraph 39 of its final document, that the Meeting of Experts would be under the responsibility of the President-designate of the Tenth Conference, who would be assisted by Mr. Julio Mercado of Argentina, Ms. Carola Muñoz of Chile and Colonel Jim Burke of Ireland.

5. The Ninth Conference also decided, as stipulated in paragraph 26 of its final document, that the Secretary-General of the United Nations and President of the Tenth Conference, to exercise their authority to achieve the goal of universality of the Protocol.

6. 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.

7. The 2015 Meeting of High Contracting Parties to the Convention in paragraph 38(d) of its final document decided that the Tenth Conference of Protocol V would be held on 29 August 2016.

8. The Ninth Conference also decided in paragraph 40 of its final document, to nominate Mr. Henk Cor van der Kwast, Ambassador of the Netherlands as President-designate of the Tenth Conference, Mr. Andre Pung, Ambassador of Estonia and Mr. Mouayed Saleh, Ambassador of Iraq, as Vice-Presidents-designates.

II. Participation in the Tenth Conference

9. The Tenth 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 29 August 2016.

10. The following High Contracting Parties to Protocol V participated in the work of the Conference: Argentina, Australia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Cameroon, Canada, China, Chile, Côte d'Ivoire, Cuba, Cyprus, Czech Republic, Dominican Republic, 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, Malta, Montenegro, Netherlands, New Zealand, Panama, Pakistan, Peru, Poland, Portugal, Republic of Korea, Republic of Moldova, Russian Federation, Saudi Arabia, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Ukraine, United States of America and Zambia.

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

12. The following States Signatories to the Convention participated in the work of the Conference as observers: Sudan and Viet Nam.

13. The representatives of Bhutan, Democratic Republic of the Congo, Ghana, Libya, Mozambique, Myanmar, Thailand, Yemen, and Zimbabwe 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), United Nations Office for Disarmament

Affairs (UNODA), European Union, Geneva International Centre for Humanitarian Demining (GICHD) and International Committee of the Red Cross (ICRC).

15. 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, Campaign to Stop Killer Robots, International Campaign to Ban Landmines (ICBL), Mines Advisory Group (MAG), and Walther-Schücking-Institut für Internationales Recht.

III. Work of the Tenth Conference

16. The Tenth Conference of the High Contracting Parties to Protocol V on Explosive Remnants of War was opened on the morning of Monday 29 August 2016 by Ms. Mary Soliman, Acting Director of the United Nations Office of Disarmament Affairs, Geneva Branch.

17. The Conference held two plenary meetings. At its first plenary meeting, the Conference confirmed the nomination of Ambassador Henk Cor van der Kwast as President of the Tenth Conference of the High Contracting Parties to Protocol V. It also confirmed Ambassador Andre Pung and Ambassador Mouayed Saleh as Vice-Presidents.

18. At the same plenary meeting, the Conference adopted its agenda, (CCW/P.V/CONF/2016/1). 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.

19. Ms. Mary Soliman served as Secretary-General of the Conference. Ms. Hine-Wai Loose, CCW Implementation Support Unit, served as Secretary.

20. The following delegations participated in the general exchange of views: Argentina, Australia, Belgium, Brazil, China, Cuba, Ecuador, Fiji, France, Georgia, Germany, India, Iraq, Italy, Pakistan, Peru, Republic of Korea, Russian Federation, Spain, Ukraine, United States of America, Zambia, European Union and UNMAS on behalf of the United Nations Inter-Agency Coordination Group on Mine Action.

21. 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 States: Albania, Argentina, Australia, Austria, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, China, Croatia, Cuba, Czech Republic, Ecuador, Estonia, Finland, France, Georgia, Germany, Greece, Holy See, Hungary, India, Iraq, Ireland, Italy, Laos' Democratic Republic, Latvia, Liechtenstein, Lithuania, Luxembourg, Netherlands, New Zealand, Norway, Pakistan, Peru, Poland, Republic of Korea, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland, Tunisia, United States of America and Uruguay.

22. During the Conference the following documents were considered CCW/P.V/CONF/2016/1 to CCW/P.V/CONF/2016/7 as set out in Annex V. 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

Universalization

23. The Tenth Conference welcomed that since the Ninth Conference, Bahrain, Cote d'Ivoire, Lesotho and Montenegro have consented to be bound by Protocol V. The Tenth Conference also welcomed the efforts undertaken by the Secretary-General of the United Nations, President of the Tenth Conference, organizations, CCW Sponsorship Programme, and Implementation Support Unit to promote universalization of Protocol V.

24. The Conference recommended that the Secretary-General of the United Nations and the President-designate of the Eleventh 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 Implementation Support Unit to promote wider adherence to Protocol V.

Clearance, removal or destruction of Explosive Remnants of War

25. The Conference took note of the report by the President covering Clearance, Removal or Destruction of ERW, as contained in CCW/P.V/CONF/2016/5.

26. The Conference decided:

(a) In accordance with the Protocol V Guide on National Reporting, affected High Contracting Parties are encouraged to report on the following issues:

(i) Who is the national focal point in your country on the clearance and destruction of ERW?

(ii) What steps have been taken to survey and assess the threat posed by ERW?

(iii) What steps have been taken to assess and prioritize the needs and practicability of marking, clearance and removal or destruction of ERW?

(iv) What steps have been taken to mark and clear the contaminated areas and destroy ERW?

(v) What steps have been taken to mobilize resources to carry out these activities?

(b) High Contracting Parties are encouraged to exchange experiences on challenges in completing clearance programmes.

(c) High Contracting Parties are encouraged to report on a voluntary basis on their readiness to contribute to facilitating the marking and clearance, removal or destruction of ERW.

(d) During the next review cycle the work on clearance should consider, *inter alia*, how States are prioritizing areas for clearance, measures to ensure the efficiency of surveillance and clearance operations, exchange of experiences on clearance challenges such as the clearance of urban areas, and new technologies to assist clearance operations, where appropriate.

(e) All High Contracting Parties are called on to implement Article 4 procedures, provide appropriate training to their armed forces and ensure such procedures are reflected in their standard operating procedures, as adaptable to national circumstances.

(f) The 2017 Meeting of Experts will include a workshop on Article 4, based on the provisional programme set out in Annex I.

Cooperation and assistance and requests for assistance

27. The Conference took note of the report by the Coordinator on Cooperation and Assistance and Requests for Assistance, as contained in CCW/P.V/CONF/2016/3.

28. The Conference decided:

(a) For the Protocol V Meetings of Experts to prioritize the discussions and exchange of information on cooperation and assistance. These exchanges could explore sharing best practices for donors in addressing ERW, including experiences under other frameworks, without any prejudice to their legal obligations; enhancing the effectiveness and efficiency of cooperation and assistance; and encouraging affected countries, South-South and inter-regional cooperation.

(b) To encourage High Contracting Parties, relevant international organizations and institutions in a position to do so to provide assistance for addressing the impact of ERW in a cost effective way and keeping in mind the priority needs of those countries seeking assistance.

(c) To encourage countries, which have requested assistance, to ensure they have specified their exact needs, have ensured an adequate level of productive engagement, have allocated appropriate national resources and provide regular updates on the status of those requests.

Generic preventive measures

29. The Conference took note of the report by the Coordinator on Generic Preventive Measures, pursuant to Article 9 and the Technical Annex of the Protocol, as contained in CCW/P.V/CONF/2016/2.

30. The Conference decided:

(a) All High Contracting Parties and observer States are encouraged to implement Article 9 and Part 3 of the Technical Annex to Protocol V and to implement the International Ammunition Technical Guidelines on a voluntary basis adapted as required to national circumstances.

(b) All High Contracting Parties and observer States will continue to raise awareness of the importance of management of munitions over their whole life cycle in accordance with their national regulations and remain informed of the latest research, findings and practices from the field.

(c) All High Contracting Parties and observer States are encouraged to contribute to a better understanding of the challenges related to the safe and secure management of ammunition stockpiles.

(d) All High Contracting Parties and observer States in support of Article 9 and Part 3 of the Technical Annex and taking into account the importance of national ownership, will throughout the next review cycle prioritize: (i) cooperation and assistance; (ii) implementation of national standard operating procedures for the management of munitions; (iii) training and capacity building; (iv) provision of the essential infrastructure required for storage sites; and (v) record keeping on the age, types and numbers of munitions.

National reporting

31. The Conference took note of the report by the President covering national reporting, pursuant to Article 10 (2) (b) of the Protocol, as contained in CCW/P.V/CONF/2016/5.

32. The Conference decided:

(a) All High Contracting Parties and observer States are called on to submit national annual reports and in preparing those reports are encouraged to use the Protocol V Guide to National Reporting.

(b) For the President-designate, High Contracting Parties and the CCW Implementation Support Unit to engage those High Contracting Parties that have never reported, with a view to providing assistance with their reporting.

(c) For the President-designate with the assistance of the Implementation Support Unit to prepare a report on the rate of reporting under Form G – Article 11 on compliance.

(d) For High Contracting Parties to consider establishing an expert mechanism to assist High Contracting Parties on a voluntary basis over the next review cycle, on national reporting.

Victim assistance

33. The Conference took note of the report by the Coordinator on Victim Assistance, as contained in CCW/P.V/CONF/2016/4.

34. 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. Further, to encourage affected High Contracting Parties to implement Article 8(2) and the Plan of Action, and to report on these actions in Form E (a) of the national reporting form.

(b) Over the next review cycle to prioritize the consideration of victim assistance, in particular the exchange of information and experiences on implementation of the commitments on victim assistance at the national and community levels; continuing to be updated on the latest approaches and innovations in the field of victim assistance; and exchanging practical experiences and lessons learned with other relevant legal instruments and *fora*.

Text for the Fifth Review Conference

35. Under agenda item 11, the Conference agreed to a text on Protocol V for submission to the Fifth Review Conference, which is attached in Annex II.

Follow-up

36. The Conference decided that the next Meeting of Experts will be for a duration of one and a half days and the dates to be determined by the Fifth Review Conference of the Convention.

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

38. 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 Eleventh Conference of the High Contracting Parties to Protocol V.

39. The Conference decided to nominate Ambassador Andre Pung of Estonia, as President-designate of the Eleventh Conference, and Ambassador Mouayed Saleh of Iraq and a representative of the Western European and Others Group as Vice-Presidents-designates.

40. The Conference considered and approved a provisional agenda of the Eleventh Conference, as contained in Annex I. The Conference adopted the estimated costs of the 2016 Meeting of Experts and Eleventh Conference, as contained in CCW/P.V/CONF/2016/6 and CCW/P.V/CONF/2016/7. The dates for the Eleventh Conference will be determined by the Fifth Review Conference of the Convention.

41. At its second plenary meeting, the Tenth 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/2016/CRP.1, as orally amended, which is being issued as document CCW/P.V/CONF/2016/8.

Annex I

Practical workshop on Article 4

1. Introduction to Article 4 – what are its objectives and requirements? What is Article 4 seeking to achieve?
2. How to develop Article 4 procedures. Presentations by States Parties on the development and implementation of Article 4 procedures.
3. The priorities and challenges in recording, sharing and storing information on the use and abandonment of explosive ordnance during an armed conflict.
4. Implementation and military training, education and experiences.
5. Practical exercise on processing data received from armed forces in the field and inserting it into a template.
6. Report back and lessons learnt from the practical exercise.
7. Summary – way forward on encouraging implementation of Article 4 procedures.

Annex II

Text to be submitted to the Fifth 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 Fourth Review Conference 15 new High Contracting Parties joined the Protocol which brings the total number to 91 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 the safe storage of munitions and the management of munitions sites; and that 66 High Contracting Parties have submitted a national report.
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 the consideration of an expert 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.
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, ten 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 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.
9. 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

Provisional agenda of the Eleventh Conference

Submitted by the President-designate

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 2018
14. Other matters
15. Consideration and adoption of the final document.

Annex IV

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>
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
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
Finland	23 March 2005

<i>State</i>	<i>Date</i>
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

<i>State</i>	<i>Date</i>
Pakistan	3 February 2009
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
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 V

List of documents

<i>Symbol</i>	<i>Title</i>
CCW/P.V/CONF/2016/1	Provisional agenda of the Tenth Conference
CCW/P.V/CONF/2016/2	Report on generic preventive measures
CCW/P.V/CONF/2016/3	Report on cooperation and assistance. Submitted by the Coordinator and Friend of the Coordinator on Cooperation and Assistance
CCW/P.V/CONF/2016/4	Report on victim assistance. Submitted by the Coordinator and Friend of the Coordinator
CCW/P.V/CONF/2016/5	Report on taking stock of progress on the implementation of Protocol V
CCW/P.V/CONF/2016/6	Estimated Costs 2017 meeting of Experts of the high contracting Parties to Protocol V to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons
CCW/P.V/CONF/2016/7	Estimated Costs of the Eleventh Conference of the High Contracting Parties to Protocol V to the convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons
CCW/P.V/CONF/2016/MISC.1	Provisional List of Participants
CCW/P.V/CONF/2016/INF.1/Rev.1	List of Participants