

**THIRD REVIEW CONFERENCE OF THE
STATES 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**

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PROCEDURAL REPORT

**GROUP OF GOVERNMENTAL EXPERTS OF THE STATES 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**

**Fifteenth Session
Geneva, 28 August – 6 September 2006**

Addendum

REPORT OF THE WORK ON EXPLOSIVE REMNANTS OF WAR

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Prepared by the Coordinator on ERW and
the Chairperson of the Meetings of Military and Technical Experts¹

I. MANDATES OF THE GGE ON ERW

A. INITIAL MANDATE ADOPTED BY THE SECOND REVIEW CONFERENCE IN 2001

1. At the Second Review Conference the States Parties to the CCW decided to establish an open-ended Group of Governmental Experts (GGE) with two separate Coordinators on Mines Other Than Anti-Personal Mines (MOTAPM) and Explosive Remnants of War (ERW). The GGE on ERW was mandated to:

- “(a) discuss ways and means to address the issue of Explosive Remnants of War (ERW). In this context the Group shall consider all factors, appropriate measures and proposals, in particular:
1. factors and types of munitions that could cause humanitarian problems after a conflict;
 2. technical improvements and other measures for relevant types of munitions, including sub-munitions, which could reduce the risk of such munitions becoming ERW;
 3. the adequacy of existing International Humanitarian Law in minimizing post-conflict risks of ERW, both to civilians and to the military;
 4. warning to the civilian population, in or close to, ERW-affected areas, clearance of ERW, the rapid provision of information to facilitate early and safe clearance of ERW, and associated issues and responsibilities;
 5. assistance and co-operation.”²

2. Under the same decision the Coordinator on ERW had to “undertake work in an efficient manner so as to submit recommendations, adopted by consensus, at an early date for consideration by the States Parties, including whether to proceed with negotiating a legally-binding instrument or instruments on ERW and/or other approaches”.

3. The 2002 Meeting of the States Parties to the CCW decided that:

“the Working Group on Explosive Remnants of War would continue its work in the year 2003 with the following mandate:

¹ In cooperation with the Geneva International Centre for Humanitarian Demining (GICHD).

² CCW/CONF.II/2.

(a) (i) To negotiate an instrument on post-conflict remedial measures of a generic nature which would reduce the risks of ERW. These measures would be based on a broad definition covering most types of explosive munitions, with the exception of mines. Abandoned munitions would have to be included. In these negotiations, questions need to be considered regarding, inter alia, responsibility for clearance, existing ERW, the provision of information to facilitate clearance and risk education, warnings to civilian populations, assistance & co-operation, and a framework for regular consultations of High Contracting Parties. These negotiations would have to establish the scope of this instrument consistent with Article I of the Convention as amended at its Second Review Conference.

(a) (ii) To explore and determine whether these negotiations could successfully address preventive generic measures for improving the reliability of munitions that fall within the agreed broad definition, through voluntary best practices concerning the management of manufacturing, quality control, handling and storage of munitions. Exchange of information, assistance and co-operation would be important elements of such best practices.

(b) Separate from the negotiations under (a): to continue to consider the implementation of existing principles of International Humanitarian Law and to further study, on an open ended basis, possible preventive measures aimed at improving the design of certain specific types of munitions, including sub-munitions, with a view to minimize the humanitarian risk of these munitions becoming ERW. Exchange of information, assistance and co-operation would be part of this work.

(c) In the context of the activities described above, meetings of military experts can be conducted to provide advice in support of these activities.”³

B. MANDATE AFTER THE ADOPTION OF PROTOCOL V

4. Following recommendations of the GGE, the 2003 Meeting of the States Parties to the CCW decided⁴ that the GGE would continue its work on ERW in 2004 with the following mandate⁵:

“To continue to consider the implementation of existing principles of International Humanitarian Law and to further study, on an open-ended basis, and initially with particular emphasis on meetings of military and technical experts, possible preventive measures aimed at improving the design of certain specific types of munitions, including sub-munitions, with a view to minimize the humanitarian risk of these munitions becoming explosive remnants of war. Exchange of information, assistance and co-operation would be part of this work.”

³ CCW/MSP/2002/2.

⁴ CCW/MSP/2003/3.

⁵ CCW/GGE/VI/2.

5. Following recommendations of the GGE, the 2004 Meeting of the States Parties to the CCW decided⁶ that the GGE would continue its work on ERW in 2005 with the following mandate⁷:

“To continue to consider, including through participation of legal experts, the implementation of existing principles of International Humanitarian Law and to further study, on an open-ended basis, with particular emphasis on meetings of military and technical experts, possible preventive measures aimed at improving the design of certain specific types of munitions, including sub-munitions, with a view to minimizing the humanitarian risk of these munitions becoming explosive remnants of war. Exchange of information, assistance and co-operation would be part of this work. The Group will report on the work done to the next Meeting of the States Parties.”

6. The mandate of 2005 was also adopted by the States Parties for the year 2006⁸.

II. PROTOCOL ON EXPLOSIVE REMNANTS OF WAR (PROTOCOL V). ADOPTION, RATIFICATION, UNIVERSALIZATION AND IMPLEMENTATION EFFORTS

7. The Protocol on Explosive Remnants of War was negotiated by the GGE under the mandate established by the 2002 Meeting of the States Parties as a result of the considerable advancement of the work of the Group on ERW in 2001-2002.

8. The Protocol on Explosive Remnants of War was adopted as the Fifth CCW protocol by the Meeting of the States Parties to the CCW in 2003:

“Following the recommendations of the Group of Governmental Experts, the Meeting of the States Parties decided to adopt the Protocol on Explosive Remnants of War, which is contained in Appendix II attached to the Procedural Report of the Sixth Session of the Group of Governmental Experts (CCW/GGE/VI/2), annexed to this Report as Annex V.”⁹

9. Protocol V was adopted by the States Parties on 28 November 2003. The Protocol was adopted on the understanding that it was subject to checking of the official translation into United Nations language versions by States whose working language was not English. Accordingly, proposed corrections from different delegations on the Chinese, French, Russian and Spanish texts of the Protocol had been received, considered and approved by the CCW States parties, and effected by the Secretary-General of the United Nations, acting as depositary of the Convention.

10. For their national ratification procedures, some States Parties needed the consolidated corrected versions of the certified true copies of the original Protocol (in all 6 United Nations language versions). The Treaty Section of the UN Office of Legal Affairs has been approached accordingly by the President-designate of the Third Review Conference, States Parties, the

⁶ CCW/MSP/2004/2.

⁷ CCW/GGE/IX/2.

⁸ CCW/MSP/2005/2.

⁹ CCW/MSP/2003/3.

Presidency of the European Union and others. In this regard, the following depositary notifications in relation to the authentic texts of Protocol V were issued:

- C.N.241.2006.TREATIES-1 “Issuance of the corrected French version of the Protocol”;
- C.N.379.2006.TREATIES-4 “Issuance of the corrected version (Spanish authentic text) of the Protocol”;
- C.N.437.2006.TREATIES-9 “Issuance of the corrected version (Chinese authentic text) of the Protocol”;
- C.N.440.2006.TREATIES-9 “Issuance of the corrected version (Russian authentic text) of the Protocol”.

11. In order to promote the early entry into force of the Protocol the President-designate of the Third Review Conference, the Coordinator on ERW and the Presidency of the European Union on behalf of its Member States carried out demarches in a number of the States Parties to the CCW that have not yet ratified Protocol V.

12. On 12 May 2006 – the date by which 20 States Parties to the CCW notified their consent to be bound by Protocol V, the conditions for the entry into force of the Protocol were met. In accordance with Article 5 (3) of the CCW, Protocol V will enter into force on 12 November 2006¹⁰, six months after the submission of the 20th instrument of ratification, during the Third Review Conference of the States Parties to the CCW.

13. For the present, the following 23 States are party to Protocol V (as listed in alphabetical order): Albania, Bulgaria, the Czech Republic, Croatia, Denmark, El Salvador, Finland, Germany, Holy See, India, Liberia, Liechtenstein, Lithuania, Luxembourg, the Netherlands, Nicaragua, Norway, Sierra Leone, Slovakia, Sweden, Switzerland, Tajikistan, and Ukraine.

14. The Protocol provides for the Contracting Parties to undertake consultations and cooperate with each other on all issues related to the operation of the Protocol. In accordance with Article 10, paragraph 1: “For this purpose, a Conference of High Contracting Parties shall be held as agreed to by a majority, but not less than eighteen High Contracting Parties”.

15. There is no decision yet concerning the timing of the First Conference of the High Contracting Parties. The High Contracting Parties to the Protocol noted it might be possible to hold a meeting in preparation for the First Conference in 2007 taking into consideration other CCW-related meetings and, *inter alia*, address procedural matters, discuss substantive issues with the aim to make the Protocol operational as soon as feasible. In preparations for the First Conference of High Contracting Parties to Protocol V, issues related to the implementation of Protocol V could be also considered in informal meetings within various existing venues.

16. In recognition of the importance that the Protocol should become operational after its entry into force without delay, certain efforts have already been undertaken with this regard.

¹⁰ C.N.382.2006.TREATIES-6 (Depositary Notification).

17. In 2006, a series of formal GGE meetings and consultations of different settings took place at the initiative of, and in cooperation with, the President-designate of the Third Review Conference, the Coordinator on ERW, the Netherlands, UNDDA, UNMAS, ICRC, GICHD and others.

18. At the request of the Coordinator on ERW, UNMAS, on behalf of the Inter Agency Coordination Group on Mine Action (IACG-MA), prepared and submitted to the GGE a document titled “The United Nations and the Implementation of Protocol V”¹¹. The GICHD presented some practical ideas on the same issue and, in particular, on existing mine action tools that have the potential to equally support the implementation of Protocol V as well as to establish synergies between Protocol V and the implementation of the 1997 Convention on Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Convention).

19. Consultations and practical steps taken at the national level have also been reported by some States Parties that have ratified Protocol V.

20. The States Parties have agreed that the Third Review Conference of the States Parties to the CCW should hold a Special (High Level) Segment to mark the entry into force of Protocol V on 13 November 2006. In this regard, the States Parties drafted and recommended for adoption to the Third Review Conference a special Declaration on the Entry into Force of Protocol V.

III. DISCUSSIONS ON IMPLEMENTATION OF INTERNATIONAL HUMANITARIAN LAW

A. THE COORDINATOR’S THREE-STEP APPROACH

21. During the Sixth session of the GGE in March 2004 the Coordinator on ERW suggested a “three-step” approach¹² (hereinafter – the Coordinator’s Three Step Approach) in considering the implementation of existing principles of International Humanitarian Law (IHL). Step one would seek to deliberate and agree upon which of the existing principles of IHL could be considered as applicable to ERW, step two – to consider the status of implementation of these principles by the States Parties, taking into account the obligations of the States Parties under the Conventions and/or Protocols from which they are derived, and, step three would include consideration of the adequacy of the mechanisms provided for in these Conventions and/or Protocols for promoting implementation of these principles and whether any further measures are required in this regard.

B. IHL-8 INITIATIVE: IHL QUESTIONNAIRE. McCORMACK REPORT, ITS CONCLUSIONS AND RECOMMENDATIONS

22. In pursuance of the goal outlined in the Coordinator’s Three-Step Approach in March 2005, eight States Parties – Australia, Canada, New Zealand, Norway, Sweden, Switzerland, United

¹¹ CCW/GGE/XV/WG.1/WP.2.

¹² CCW/GGE/VII/WG.1/WP.1.

Kingdom and United States of America (hereinafter – IHL-8) in consultation with the ICRC submitted a proposal¹³ to facilitate the work of the GGE on step one and step two of the Coordinator’s Three Step Approach. States Parties were invited to consider responding to the questionnaire (IHL Questionnaire) introduced by IHL-8. The proposal enjoyed a broad support. This encouraged a follow-up action, and during the GGE Twelfth session of in November 2005 Canada presented a working paper titled “A Way Ahead for IHL Questionnaire Response Analysis”¹⁴. It was suggested by IHL-8 that written responses to the IHL Questionnaire and compiled oral intervention transcripts will be analyzed on a “*without prejudice*” basis for the purpose of identifying general trends with the overall aim of establishing a baseline or baselines from which further discussion can proceed in accordance with step three of the Coordinator’s Three Step Approach.

23. Professor Tim McCormack of the Faculty of Law, University of Melbourne, Australia, has offered to undertake the required analysis. By 26 January 2006, 33 States Parties had submitted their responses to the IHL Questionnaire. In accordance with the proposed course of action, the findings and analysis by Prof. McCormack and his team were presented to the Coordinator in the form of a report (McCormack Report¹⁵) and later released to States Parties. The Coordinator also invited ICRC and GICHD to provide their critical analysis of the McCormack Report, which they did accordingly¹⁶.

24. The McCormack Report concluded that “Protocol V to the CCW and the existing rules of IHL are specific and comprehensive enough to deal adequately with the problem of ERW provided that those rules are effectively implemented.”¹⁷

25. The following recommendations for practical steps that the GGE might consider in order to advance their work on IHL and ERW were offered in McCormack Report:

“Recommendation 1: All States Parties to the CCW should be encouraged to ratify Protocol V on ERW as expeditiously as possible. ...

Recommendation 2: The GGE should continue to stress to all CCW States Parties the significance of legally binding rules of International Humanitarian Law applicable to all weapons types and to the specific problem of ERW. ...

Recommendation 3: The GGE should consider the development of a set of non-legally binding Guidelines on ‘best practice’ application of relevant rules of International Humanitarian Law to the problem of ERW. ...

¹³ CCW/GGE/X/WG.1/WP.2.

¹⁴ CCW/GGE/XII/WG.1/WP.12.

¹⁵ CCW/GGE/XIII/WG.1/WP.12, CCW/GGE/XIII/WG.1/WP.12/Add.1, CCW/GGE/XIII/WG.1/WP.12/Add.2, CCW/GGE/XIII/WG.1/WP.12/Corr.1, CCW/GGE/XIII/WG.1/WP.12/Corr.2.

¹⁶ CCW/GGE/XIII/WG.1/WP.15 and CCW/GGE/XIII/WG.1/WP.13.

¹⁷ CCW/GGE/XIII/WG.1/WP.12.

Recommendation 4: The GGE should encourage all States Parties to the CCW which do not already do so to establish a process for legal review of all new and modified weapons systems. ...

Recommendation 5: The GGE should consider introducing a system of written confidence building reports by States as to their unilateral destruction of old or outmoded weapons to reduce potential sources of ERW.”¹⁸

26. During the Thirteenth, Fourteenth and Fifteenth sessions of the GGE, the discussion on the implementation of existing principles of IHL that are applicable to ERW took place mainly on the basis of the IHL Questionnaire, the McCormack Report, in particular its conclusions and recommendations, “A Critical Analysis by the Geneva International Center for Humanitarian Demining”¹⁹, the “Comments by the International Committee of Red Cross”²⁰, and the remarks²¹ prepared by the Asia Pacific Centre for Military Law, University of Melbourne, which were meant to form a constituent part of the analysis by Prof. McCormack and his team and be essential in interpreting its findings.

27. In order to narrow down the persisting divergence of views, particularly on Recommendation 3, a new document titled “Preliminary Thoughts on a Possible Approach to Recommendation 3”²² was prepared by Prof. Tim McCormack, presented and discussed at the Fourteenth session of GGE and debated.

28. After the presentation of McCormack Report for the consideration by the GGE and by the end of the Fifteenth session of GGE, 9 (nine) more States Parties submitted their responses to the IHL Questionnaire.

IV. MEETINGS OF THE MILITARY AND TECHNICAL EXPERTS ON THE ASSESSMENT OF THE HUMANITARIAN THREAT AND ON TECHNICAL PREVENTIVE MEASURES

29. After the adoption of Protocol V, subsequent meetings of the Military and Technical Expert Group focussed on the following points:

- (i) Specific types of munitions and threat assessment from an ERW perspective
- (ii) Technical preventive measures with a view to reducing humanitarian risk
- (iii) Consideration of the relevance and feasibility of these measures
- (iv) Possible assistance and cooperation with regard to implementing these measures.

¹⁸ CCW/GGE/XIII/WG.1/WP.12.

¹⁹ CCW/GGE/XIII/WG.1/WP.13.

²⁰ CCW/GGE/XIII/WG.1/WP.15.

²¹ CCW/GGE/XIV/WG.1/WP.1.

²² CCW/GGE/XIV/WG.1/WP.4.

30. These points were reflected in the agendas of the meetings (see Annex “List of Documents of the GGE on the Issue of ERW”).

31. The following substantive proposals and achievements were made:

A. **SPECIFIC TYPES OF MUNITIONS AND THREAT ASSESSMENT FROM AN ERW PERSPECTIVE**

(a) Classification of munitions and common understanding

32. As a first step to come to a common understanding of “certain specific types of munitions, including sub-munitions”, as per mandate, it was necessary to get a consistent overview of explosive ordnance. For this, a “Draft Table of Explosive Ordnance Types and Systems”²³ was produced, continuously updated and improved. A workable version has been achieved, but finalisation will be required.

33. Germany has initiated a common understanding of the term “Cluster Munitions”²⁴, and has collected on request of the Coordinator other delegation’s input. Common positions have been identified as well as controversial points. Further work on a common understanding would be required. The common understanding forms part of a German 8-Point-Position on Cluster Munitions, which has been presented for discussion during the sessions, and which aims at replacing Cluster Munitions by alternative munitions in the long term.

(b) Assessment of humanitarian threat

34. The Coordinator on Explosive Remnants of War noted on 8 March 2004: “As the Group is mandated to study preventive measures aimed at improving the design of certain specific munitions, the first task for the Group, therefore, is to specify which type of munitions, including sub-munitions, need to be considered for improving the design through possible preventive measures,”²⁵. Generic preventive measures are already dealt with in Article 9 and part 3 of the Technical Annex of Protocol V.

35. The aim of the Military and Technical Expert’s sessions was to define ERW that present a specific humanitarian risk, having in mind that all ERW in large quantities present a humanitarian problem, but some munitions may by design have a greater potential to present a specific humanitarian threat as ERW. The definition of ERW that present a specific humanitarian risk has been a difficult task, because there is no existing methodology and there is a significant lack of detailed data for many ammunition types. The approaches taken were the following:

²³ CCW/GGE/XIV/WG.1/1/Add.2.

²⁴ CCW/GGE/XV/WG.1/WP.3.

²⁵ CCW/GGE/VII/WG.1/WP.1.

36. The former Swiss chair of the Meeting of Military and Technical Experts had prepared a Matrix which considered humanitarian risk of ERW (latest version: CCW/GGE/IX/WG.1/1, referred to as “Swiss Matrix”), but this matrix was not meant to provide a methodology to define it. It was meant to provide a structure for the collection of information on possible technical preventive measures. In this regard, the Swiss Matrix is open for further development.

37. The United Kingdom had prepared a Humanitarian Threat Matrix²⁶, which was considered to be too subjective. Consequently, the United Kingdom developed a methodology²⁷ with the aim to assess the relative risk of categories of explosive ordnance becoming Explosive Remnants of War more objectively. However, in the given framework it has not been possible to achieve results through the application of the methodology. Hence this approach has been discontinued and essential elements are available for incorporation into the French Matrix (see below).

38. UNMAS presented preliminary findings of a survey undertaken in 2005 together with UNDP²⁸. UNMAS and UNDP had requested UN programme managers and technical experts from a number of mine action programmes to give their assessment on the risks posed by specific ERW from a clearance perspective. The main preliminary finding was that Cluster Munitions and their associated sub-munitions present a specific humanitarian threat and a particular challenge to clearance operations.

39. Several Non-governmental organisations (NGOs) have published numerous studies and gave presentations in side meetings indicating that from a humanitarian point of view Cluster Munitions remain the key explosive remnants of war to be addressed.

40. General thoughts or presentations on how to define more precisely “certain specific types of munitions, including sub-munitions” were encouraged and presented. Furthermore, the GICHD conducted a review of publications, presentations and statements in the context of the CCW on the issue.

41. The munitions mentioned so far presenting a specific humanitarian risk have been Cluster Munitions. Some delegations argued that all munitions present a risk as ERW and no distinction should be made.

B. TECHNICAL PREVENTIVE MEASURES WITH A VIEW TO REDUCING THE HUMANITARIAN RISK

42. There have been numerous presentations on this issue during the GGE sessions. Some of the presentations focussed on generic preventive measures and national practices, some of them on preventive measures for specific ammunition types, namely Cluster Munitions. Other delegations presented detailed statements on these issues.

²⁶ CCW/GGE/IX/WG.1/1.

²⁷ CCW/GGE/XIII/WG.1/WP.7.

²⁸ CCW/GGE/XII/WG.1/WP.11.

43. France addressed steps to prevent munitions from becoming ERW in their working paper “Munitions – A Method to reduce the Risks associated with Explosive Remnants of War (ERW)”²⁹ (called “French Matrix”). The Matrix has been continuously improved and is evolving into a common document for the Group of Military and Technical Experts by including elements of the explosive ordnance table, of the methodology of the United Kingdom, of the Swiss Matrix, of national practices on how to prevent munitions from becoming ERW, and of experts, for example in the fields of munitions design, production and training. The Matrix at this stage is meant to provide a catalogue of questions and proposals, allowing countries to assess technical preventive measures for all ERW, and thus facilitating the implementation of Protocol V. The development of the Matrix has not been completed yet.

C. CONSIDERATION OF THE RELEVANCE AND FEASIBILITY OF THE MEASURES

44. There have been only preliminary discussions on this issue so far, because no suitable technical measures had been identified yet. Once these measures are identified, their relevance for the reduction of the humanitarian threat of ERW and their feasibility would need to be discussed.

D. POSSIBLE ASSISTANCE AND COOPERATION WITH REGARD TO IMPLEMENTING THE MEASURES

45. There have been only preliminary discussions on this issue so far. Once concrete results have been achieved on technical preventive measures, their relevance and feasibility, ideas on exchange of information, assistance and co-operation should be addressed.

E. WAY AHEAD OPTIONS FOR THE WORK OF THE GROUP OF MILITARY AND TECHNICAL EXPERTS ON ERW:

46. Continuation of the Threat Assessment process:

- (i) Completion of the ammunition table to form a technical base for further discussions
- (ii) Further development of the common understanding of the term “Cluster Munitions”, with Germany continuing to compile input from other delegations and reporting to the Group
- (iii) Agreement on munitions that present a specific humanitarian threat.

47. Continuation of the research for Technical Preventive Measures:

- (i) Further work on the French Matrix, which would then become a common document of the group and incorporate other delegation’s working papers and presentations
- (ii) Focus on munitions, including Cluster Munitions, deemed to present a specific humanitarian threat

²⁹ CCW/GGE/XIII/WG.1/WP.14.

- (iii) Extension of the mandate from design issues to the consideration of the whole life cycle of munitions
- (iv) Consideration of the relevance and feasibility of the identified measures
- (v) Consideration of technical cooperation and assistance.

48. Shifting of the non-technical aspects of Cluster Munitions to the meetings on ERW of the GGE.

V. ASSESSMENT OF THE OUTCOME OF THE WORK OF THE GROUP ON EXPLOSIVE REMNANTS OF WAR

49. There is an agreement that the major achievement of the Working Group on Explosive Remnants of War since the 2001 Review Conference is the adoption and entry into force of Protocol on Explosive Remnants of War (Protocol V). Its universalization and effective implementation is the most important goal in addressing the humanitarian problems related to ERW.

50. There is a common understanding that all States Parties to the CCW shall be encouraged to ratify Protocol V as expeditiously as possible. Protocol V does impose basic obligations upon States that are parties to armed conflicts to minimize the risks and effects of ERW as well as encourages them to take generic preventive measures aimed at minimizing the occurrence of ERW.³⁰

51. In preparations for the First Conference of High Contracting Parties to Protocol V, its implementation issues have already been addressed, and could be also further considered in informal meetings within various existing venues.

52. It was commonly recognized by the States Parties that the effective implementation of IHL principles and rules pertinent to ERW should be pursued.

53. The Group agreed on the value that all States Parties recognize the significance of legally binding rules of International Humanitarian Law applicable to all weapons types and in particular to the specific problem of ERW. The State Parties should acknowledge the serious consequences of violation of customary and/or treaty-based legal obligations applicable to the problem of ERW.³¹

54. The Group also concluded that the States Parties to the CCW which are the parties to the Additional Protocol I to the Geneva Conventions and which do not already do so should be encouraged to establish a process for legal review of all new and modified weapons systems falling under the scope of CCW as a way to increase the likelihood of compliance with international legal obligations relating to the means and methods of warfare in military operations and thus preventing the occurrence of ERW.³²

³⁰ As recommended in McCormack Report, Recommendation 1.

³¹ As recommended in McCormack Report, Recommendation 2.

³² As recommended in McCormack Report, Recommendation 4.

55. Divergence of views remained concerning an introduction of a system of voluntary confidence building reports by the States Parties as to their unilateral destruction of old or outmoded weapons to reduce potential sources of ERW.³³

56. At the same time the common understanding on whether Protocol V and the existing rules of IHL are specific and comprehensive enough to deal adequately with the problem of ERW was not reached. Some States Parties agreed to the conclusions of the McCormack Report that the existing rules of IHL are sufficient, provided that those rules are faithfully and effectively implemented. Other States Parties felt that there was a need of specific regulations for certain types of munitions, including cluster munitions. Some States Parties noted a need to concentrate particularly on cluster munitions.

57. In this context, a number of States Parties have supported the idea proposed in Recommendation 3 of McCormack Report that one of the feasible means to reinforce the effective implementation of IHL principles and rules pertinent to ERW could be the development of a set of non-legally binding guidelines on the best practice of application of relevant rules of IHL to the problem of ERW. Prof. McCormack has proposed preliminary thoughts on the possible structure of such guidelines³⁴.

58. At the same time, during the discussions on this subject, some concerns were expressed that the interpretation of legally binding obligations of IHL within the CCW might encounter certain ambiguity or that legally binding regulations rather than non-legally binding guidelines should be general practice of the CCW regime. A number of States Parties indicated that further clarification of this idea or consideration of other means to reinforce the effective implementation and application of IHL principles and rules pertinent to ERW would be possible. Some States Parties, in particular those of the opinion that existing rules of IHL were sufficient, believed that those rules did not need to be supplemented, but rather faithfully implemented.

59. According to the mandate to further study possible preventive measures aimed at improving the design of certain specific type of munitions, including sub-munitions, with a view to minimize the humanitarian risk of these munitions becoming ERW, the Group put its particular emphasis on meetings of military and technical experts.

60. In the period 2004-2006, the Group of Military and Technical Experts identified types of munitions, including sub-munitions, which needed to be considered for improving the design through possible preventive measures. While considering such measures, the Group of Military and Technical Experts needed to determine whether these preventive measures were essential, effective in substantially enhancing reliability of munitions, including sub-munitions, technologically and economically feasible. Given the disparity in military, technological and economic capabilities among States Parties to the CCW, the Group has agreed to the necessity to take into account the financial and technological implications for the States Parties, particularly for the developing

³³ As recommended in McCormack Report, Recommendation 5.

³⁴ CCW/GGE/XIV/WG.1/WP.4.

countries, of producing or stockpiling the new munitions with improved design and for decommissioning/retro-fitting or destruction of the existing stockpiles³⁵.

61. Divergence of views remained on what type of munitions posed the greatest humanitarian threat and thus should be further considered with the view to improving their technical characteristics and design in accordance with the mandate of the Group.

62. In the opinion of some States Parties most of the problems caused by ERW could be attributed to the use of cluster munitions. Other States Parties continue to consider cluster munitions as one in a number of types of munitions, which could possibly contribute to the problems caused by ERW.

63. There is an understanding that the Group of Military and Technical Experts was able to deepen discussion and should continue the work in progress until its completion, in particular on classification of munitions and common understanding and technical preventive measures with a view to reducing the humanitarian risk, as presented in chapter 4 of this report.

64. Cooperation and assistance, in particular of technical nature, forms an important aspect in addressing the problems caused by ERW and therefore merits attention by the States Parties. Having taken into account the broad scope of positions of the States Parties with regard to the work accomplished by the Group of Governmental Experts on ERW since the last Review Conference, few options could be considered as a follow-up on ERW.

65. A large number of States Parties recognize the value of the work accomplished by the Group at this stage and favor continuation of the work in the CCW beyond the Third Review Conference on munitions which may become ERW in order to fulfill the tasks outlined in the present mandate. As proposed by some States Parties, without prejudice to the issues under the jurisdiction of Protocol V, the work on ERW could be continued on the basis of the present mandate to further study, on an open-ended basis, with particular emphasis on participation of military and technical experts, possible preventive measures aimed at improving the design of certain specific types of munitions, including sub-munitions, with a view to minimizing the humanitarian risk of these munitions becoming explosive remnants of war and to consider, including through participation of legal experts, the implementation of existing principles of International Humanitarian Law. Exchange of information, assistance and co-operation should be part of this work.

66. A number of States Parties have indicated the need to establish preferably legally binding regulations, within the CCW, aimed to reduce the risks of certain specific munitions, including cluster munitions, or specifically cluster munitions. It was repeatedly mentioned by some States Parties that, the work on ERW could focus without prejudice to the issues under the jurisdiction of Protocol V on requirements for such specific munitions, including their reliability and accuracy, training, transfers, use, management, destruction of stockpiles, etc.

³⁵ CCW/GGE/VII/WG.1/WP.1.

67. Some States Parties expressed an opinion that upon the entry into force of Protocol V on 12 November 2006 the basic mandate of the GGE on ERW would be considered to be completed. One state however recognized that the ongoing work of the Military and Technical Expert Group with regard to possible preventive measures should be encouraged to continue until the completion of its respective mandate.

68. In any case, the States Parties to the CCW should be called upon to make their every best effort to promote universalization and implementation of Protocol V in its full scope, including voluntary provisions of its Annexes. At the same time, the implementation of IHL principles and rules applicable to ERW should stay under review of the States Parties to the CCW, as appropriate.

VI. RECOMMENDATIONS

69. It would be recommended:

- (i) To continue consideration and consultations on ERW-related issues, in preparation of the Third Review Conference, within the scope of the mandate of the GGE on ERW for 2006, including the work of the military and technical experts.
- (ii) To endorse the draft declaration on the occasion of the entry into force of CCW Protocol on Explosive Remnants of War (Protocol V) as contained in Annex VI of this Procedural Report, and transmit it to the Third Review Conference for adoption.
- (iii) To consider continuation of the work on ERW beyond the Third Review Conference, including the work of the military and technical experts, and in particular taking into account the formal proposals submitted by the States Parties.

Annex

LIST OF DOCUMENTS OF THE GROUP OF GOVERNMENTAL EXPERTS ON THE ISSUE OF EXPLOSIVE REMNANTS OF WAR

Symbol	Title	Submitted by
CCW/GGE/I/WP.2	Discussion Paper on Clearance of Explosive Remnants of War	Coordinator on ERW
CCW/GGE/I/WP.3	Explosive Remnants of War – Assistance and Cooperation	Brazil, Japan and Peru
CCW/GGE/I/WP.4	Technical improvements and other measures for relevant types of munitions, including sub-munitions, which could reduce the risk of such munitions becoming ERW	Switzerland
CCW/GGE/I/WP.5	The types of munitions which become explosive remnants of war – Factors which contribute to the occurrence of explosive remnants of war	GICHD and ICRC
CCW/GGE/WP.5/Add.1	Information on Explosive Remnants of War Useful to Mine/UXO Action Organizations	GICHD and ICRC
CCW/GGE/I/WP.6	Discussion paper on “Warning to civilians”	Norway and Landmine Action (UK)
CCW/GGE/I/WP.7	European Union Position on the Issue of Explosive Remnants of War	European Union
CCW/GGE/I/WP.8	Information Sharing as a Tool to Protect Civilians from the Effects of UXO/ ERW	United States of America
CCW/GGE/I/WP.9	The adequacy of existing international law in minimizing the post –conflict risks of Explosive Remnants of War	Sweden
CCW/GGE/I/WP.9/Corr.1 (English only)	The adequacy of existing international law in minimizing the post –conflict risks of Explosive Remnants of War	Sweden
CCW/GGE/I/WP.10	Legal Issues Regarding Explosive Remnants of War	United Kingdom of Great Britain and Northern Ireland
CCW/GGE/I/WP.11	Discussion paper on the issue of explosive remnants of war	Russian Federation
CCW/GGE/II/WP.1	Core questions on ERW by the Coordinator	Coordinator on ERW
CCW/GGE/II/WP.3	Elements for an EU paper on AVM	European Union

Symbol	Title	Submitted by
CCW/GGE/II/WP.4	A Survey of Questions and Issues for the Group of Governmental Experts on Explosive Remnants of War	Canada
CCW/GGE/II/WP.6	Technical Improvements to Submunitions	France
CCW/GGE/II/WP.8	Explosive remnants of war – An examination of legal issues raised in the ERW discussions	ICRC
CCW/GGE/II/WP.10	Group of Governmental Experts on Explosive Remnants of War – Explosive Ordnance Disposal from a field and donor perspective	Landmine Action (UK)
CCW/GGE/II/WP.11	Group of Governmental Experts on Explosive Remnants of War – Information needs from a field perspective	Landmine Action (UK)
CCW/GGE/II/WP.13	Explosive Remnants of War – Experience from Field Operations	UNMAS
CCW/GGE/II/WP.15	Explosive Remnants of War	Russian Federation
CCW/GGE/II/WP.19	ERW Information Requirements – Render Safe Procedures (RSPs) during Humanitarian Clearance Operations	GICHD
CCW/GGE/II/WP.20	Joint Discussion Paper on Technical Improvements of Ammunitions to Prevent and Reduce ERW	China and Russian Federation
CCW/GGE/II/WP.22	The relevance of the principle of precautions in attack in the ERW context	Sweden
CCW/GGE/II/INF.2	Letter to military participants of the Group of Governmental Experts of States Parties to the CCW concerning the meetings of military experts on ERW – Proposed Programme of Work and provisional Agenda	Chairperson of the Meetings of Military and Technical Experts
CCW/GGE/III/WP.1	Explosive Remnants of War: The way forward – Note by the Coordinator on ERW – Draft Proposal	Coordinator on ERW
CCW/GGE/III/WP.3	Measures to Prevent ERW: Good Practice in Munition Management	United Kingdom of Great Britain and Northern Ireland
CCW/GGE/III/WP.6	International Humanitarian Law and Targeting: An Australian Approach	Australia
CCW/GGE/III/WP.8	Report on the Meeting of Military Experts at the Third Session of the Group of Governmental Experts of the States Parties to the CCW, Geneva, 4 th December 2002	Switzerland

Symbol	Title	Submitted by
CCW/GGE/IV/WG.1/WP.1	ERW Framework Paper: Possible Structure for an ERW Instrument	Coordinator on ERW
CCW/GGE/IV/WG.1/WP.2	Explosive Remnants of War: Victim Assistance	South Africa
CCW/GGE/IV/WG.1/WP.3	Explosive Remnants of War: Assistance and Cooperation	Pakistan
CCW/GGE/IV/WG.1/WP.4	Amendments on the Protection of the Civilian Population from the Effects of ERW (Article 6 of the ERW Framework Paper)	ICRC
CCW/GGE/IV/WG.1/WP.5	ERW Framework Paper: Article 7	Australia
CCW/GGE/IV/WG.1/WP.6	Definition of Explosive Remnants of War	Russian Federation
CCW/GGE/V/WG.1/WP.1/Rev.1	Draft Proposal for an Instrument on Explosive Remnants of War	Coordinator on ERW
CCW/GGE/V/WG.1/WP.2	The United Nations and Explosive Remnants of War	UNMAS
CCW/GGE/V/WG.1/WP.3	The Provision of Warnings and Risk Education for Explosive Remnants of War	GICHD
CCW/GGE/V/WG.1/WP.4	Information Requirements for Explosive Remnants of War	GICHD
CCW/GGE/V/WG.1/WP.5	Ensuring the Reliability of Munitions Through Their Proper Handling	Russian Federation
CCW/GGE/V/WG.1/WP.6	International Humanitarian Law and Explosive Remnants of War	Norway
CCW/GGE/VI/WG.1/WP.1	Draft Proposal for an Instrument on Explosive Remnants of War	Coordinator on ERW
CCW/GGE/VI/WG.1/WP.2	Comments of the Inter-Agency Coordination Group on Mine Action on the draft proposed Instrument on Explosive Remnants of War	UNMAS
CCW/GGE/VI/WG.1/WP.3	National interpretation and implementation of International Humanitarian Law with regard to the risk of Explosive Remnants of War	Norway
CCW/GGE/VII/WG.1/WP.1	Note by the Coordinator	Coordinator on ERW
CCW/GGE/VII/WG.1/WP.2	Proposal for the Structuring of IHL/ERW Discussions during CCW Experts' Meetings in 2004	Sweden

Symbol	Title	Submitted by
CCW/GGE/VII/WG.1/WP.3 and Corr.1 (English only)	Questions and Issues with regard to Preventive Technical Measures for Certain Specific Types of Explosive Ordnance	Switzerland
CCW/GGE/VII/WG.1/WP.4	Exchange of Information on a Voluntary Basis on Protocol V	Netherlands
CCW/GGE/VIII/WG.1/1	Provisional Agenda of the Meetings of the Military Experts on Explosive Remnants of War (ERW)	Chairperson of the Meetings of Military and Technical Experts
CCW/GGE/VIII/WG.1/WP.1	Methodological approach to evaluation in the context of improvement of the design of certain specific types of munitions	France
CCW/GGE/IX/WG.1/1	Meetings of military and technical experts	Chairperson of the Meetings of Military Experts on MOTAPM
CCW/GGE/IX/WG.1/WP.1 and Corr.1 (English only)	Dealing with the Impact of Cluster Munitions	Cluster Munition Coalition
CCW/GGE/IX/WG.1/WP.2	Reliability, Safety, and Performance of Conventional Munitions and Submunitions	Germany
CCW/GGE/X/WG.1/1	Provisional Agenda for the Meeting of Military Experts on ERW	Chairperson of the Meeting of Military and Technical Experts
CCW/GGE/X/WG.1/WP.1	Military Utility of Cluster Munitions	United Kingdom of Great Britain and Northern Ireland
CCW/GGE/X/WG.1/WP.2	International Humanitarian Law and ERW	Australia, Canada, New Zealand, Norway, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland and United States of America in consultation with the ICRC
CCW/GGE/X/WG.1/WP.3	Proposed definitions for cluster munitions and sub-munitions	UNMAS, UNDP and UNICEF

Symbol	Title	Submitted by
CCW/GGE/X/WG.1/WP.4	Reliability and Use of Cluster Munitions	Germany
CCW/GGE/X/WG.1/WP.5	Review 2004	Chairperson of the Meetings of Military and Technical Experts
CCW/GGE/X/WG.1/WP.6	Perspectives 2005	Chairperson of the Meetings of Military and Technical Experts
CCW/GGE/XI/WG.1/1	Provisional Agenda for the Meeting of the Military and Technical Experts on ERW	Chairperson of the Meetings of Military and Technical Experts
CCW/GGE/XI/WG.1/WP.1 and Corr.1 (English only)	Responses to Document CCW/GGE/X/WG.1/WP.2, Entitled IHL and ERW Dated 8 March 2005	United Kingdom of Great Britain and Northern Ireland
CCW/GGE/XI/WG.1/WP.2	Responses to Document CCW/GGE/X/WG.1/WP.2, Entitled IHL and ERW Dated 8 March 2005	Canada
CCW/GGE/XI/WG.1/WP.3	Responses to Document CCW/GGE/X/WG.1/WP.2, Entitled IHL and ERW Dated 8 March 2005	Poland
CCW/GGE/XI/WG.1/WP.4	Responses to Document CCW/GGE/X/WG.1/WP.2, Entitled IHL and ERW Dated 8 March 2005	United States of America
CCW/GGE/XI/WG.1/WP.5	Responses to Document CCW/GGE/X/WG.1/WP.2, Entitled IHL and ERW Dated 8 March 2005	Norway
CCW/GGE/XI/WG.1/WP.6	Responses to Document CCW/GGE/X/WG.1/WP.2, Entitled IHL and ERW Dated 8 March 2005	Australia
CCW/GGE/XI/WG.1/WP.7	Existing Principles and Rules of International Humanitarian Law Applicable to Munitions that May Become Explosive Remnants of War	ICRC
CCW/GGE/XI/WG.1/WP.8	Responses to Document CCW/GGE/X/WG.1/WP.2, Entitled IHL and ERW Dated 8 March 2005	Sweden
CCW/GGE/XI/WG.1/WP.9	Responses to Document CCW/GGE/X/WG.1/WP.2, Entitled IHL and ERW Dated 8 March 2005	Germany

Symbol	Title	Submitted by
CCW/GGE/XI/WG.1/WP.10	Replies to Document CCW/GGE/X/WG.1/WP.2, Entitled "International Humanitarian Law and ERW", Dated 8 March 2005	Argentina
CCW/GGE/XI/WG.1/WP.11	Preventive Technical Measures in Munitions Management	Argentina
CCW/GGE/XI/WG.1/WP.12	Responses to Document CCW/GGE/X/WG.1/WP.2, Entitled IHL and ERW Dated 8 March 2005	Japan
CCW/GGE/XI/WG.1/WP.13	Responses to Document CCW/GGE/X/WG.1/WP.2, Entitled IHL and ERW Dated 8 March 2005	Switzerland
CCW/GGE/XI/WG.1/WP.14	Responses to Document CCW/GGE/X/WG.1/WP.2, Entitled IHL and ERW Dated 8 March 2005	Austria
CCW/GGE/XI/WG.1/WP.15	Discussions on Improving Munition Reliability	Australia
CCW/GGE/XI/WG.1/WP.16 and Corr.1 (Arabic, English and French Only)	Responses to Document CCW/GGE/X/WG.1/WP.2, Entitled IHL and ERW Dated 8 March 2005	New Zealand
CCW/GGE/XI/WG.1/WP.17	Explosive Remnants of War and International Humanitarian Law	France
CCW/GGE/XI/WG.1/WP.18	Responses to Document CCW/GGE/X/WG.1/WP.2, Entitled IHL and ERW Dated 8 March 2005	Denmark
CCW/GGE/XI/WG.1/WP.19	International Humanitarian Law Principles and Explosive Remnants of War (Working Paper based on the Presentation by Prof. Tim McCormack, University of Melbourne, Australia)	Prepared at the request of the Coordinator on Explosive Remnants of War
CCW/GGE/XII/WG.1/WP.1 and Corr.1 (English, French, Russian and Spanish only)	Responses to document CCW/GGE/X/WG.1/WP.2, entitled IHL and ERW, dated 8 March 2005	Brazil
CCW/GGE/XII/WG.1/WP.2	Responses to document CCW/GGE/X/WG.1/WP.2, entitled IHL and ERW, dated 8 March 2005	Belarus
CCW/GGE/XII/WG.1/WP.3	Responses to document CCW/GGE/X/WG.1/WP.2, entitled IHL and ERW, dated 8 March 2005	Russian Federation
CCW/GGE/XII/WG.1/WP.4	Responses to document CCW/GGE/X/WG.1/WP.2, entitled IHL and ERW, dated 8 March 2005	Netherlands

Symbol	Title	Submitted by
CCW/GGE/XII/WG.1/WP.5	Responses to document CCW/GGE/X/WG.1/WP.2, entitled IHL and ERW, dated 8 March 2005	Estonia
CCW/GGE/XII/WG.1/WP.6	Responses to document CCW/GGE/X/WG.1/WP.2, of 8 March 2005, entitled International Humanitarian Law and Explosive Remnant of War	Belgium
CCW/GGE/XII/WG.1/WP.7	Responses to document CCW/GGE/X/WG.1/WP.2, entitled IHL and ERW, dated 8 March 2005	Croatia
CCW/GGE/XII/WG.1/WP.8	Responses to document CCW/GGE/X/WG.1/WP.2, entitled IHL and ERW, dated 8 March 2005	Finland
CCW/GGE/XII/WG.1/WP.9	Working Paper on Submunitions	France
CCW/GGE/XII/WG.1/WP.10	Responses to document CCW/GGE/X/WG.1/WP.2, entitled IHL and ERW, dated 8 March 2005	Lithuania
CCW/GGE/XII/WG.1/WP.11	Survey on the Humanitarian Threat Posed by Munitions and Submunitions that Have Become ERW - Preliminary Assessment Based on Responses and Findings	UNMAS and UNDP
CCW/GGE/XII/WG.1/WP.12	A Way Ahead for IHL Questionnaire Response Analysis	Presented by Canada. Prepared by IHL Questionnaire Co-Authoring Delegations: Australia, Canada, New Zealand, Norway, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland and United States of America
CCW/GGE/XII/WG.1/WP.13	Explosive Remnants of War - A View from an Operational Theatre	Australia

Symbol	Title	Submitted by
CCW/GGE/XII/WG.1/WP.14	Responses to document CCW/GGE/X/WG.1/WP.2, entitled IHL and ERW, dated 8 March 2005	Republic of Korea
CCW/GGE/XII/WG.1/WP.15	How Does Existing International Law Address the Issue of Explosive Remnants of War?	Prepared at the request of the Coordinator on ERW
CCW/GGE/XII/WG.1/WP.16	General Requirements for Safety and Suitability for Service of Cluster Munition	Germany
CCW/GGE/XIII/WG.1/1	Provisional Agenda for the Meeting of the Military and Technical Experts on ERW	Chairperson of the Meeting of Military and Technical Experts
CCW/GGE/XIII/WG.1/WP.1	Responses to document CCW/GGE/X/WG.1/WP.2, entitled IHL and ERW, dated 8 March 2005	Italy
CCW/GGE/XIII/WG.1/WP.2	Responses to document CCW/GGE/X/WG.1/WP.2, entitled IHL and ERW, dated 8 March 2005	Czech Republic
CCW/GGE/XIII/WG.1/WP.3	Responses to document CCW/GGE/X/WG.1/WP.2, entitled IHL and ERW, dated 8 March 2005	Ireland
CCW/GGE/XIII/WG.1/WP.4	Responses to document CCW/GGE/X/WG.1/WP.2, entitled IHL and ERW, dated 8 March 2005	South Africa
CCW/GGE/XIII/WG.1/WP.5	Responses to document CCW/GGE/X/WG.1/WP.2, entitled IHL and ERW, dated 8 March 2005	Mexico
CCW/GGE/XIII/WG.1/WP.6	Responses to document CCW/GGE/X/WG.1/WP.2, entitled IHL and ERW, dated 8 March 2005	Portugal
CCW/GGE/XIII/WG.1/WP.7	Assessment of the relative risk of categories of explosive ordnance becoming Explosive Remnants of War: Methodology	United Kingdom of Great Britain and Northern Ireland
CCW/GGE/XIII/WG.1/WP.8	Draft Table of Conventional Ammunition Types and Systems	Chairperson of the Meetings of Military and Technical Experts
CCW/GGE/XIII/WG.1/WP.9	Responses to document CCW/GGE/X/WG.1/WP.2, entitled IHL and ERW, dated 8 March 2005	China

Symbol	Title	Submitted by
CCW/GGE/XIII/WG.1/WP.10	German Understanding of Cluster Munitions	Germany
CCW/GGE/XIII/WG.1/WP.11	Cluster Weapons - a Real Humanitarian Threat, or an Imaginary One?	Russian Federation
CCW/GGE/XIII/WG.1/WP.12 and Corr.1 (English only)	Report on States Parties' Responses to the Questionnaire on International Humanitarian Law and Explosive Remnants Of War, CCW/GGE/X/WG.1/WP.2, dated 8 March 2005. Introduction to the Report	Asia Pacific Centre for Military Law, University of Melbourne
CCW/GGE/XIII/WG.1/WP.12/Add.1	Report on States Parties' Responses to the Questionnaire on International Humanitarian Law and Explosive Remnants Of War, CCW/GGE/X/WG.1/WP.2, dated 8 March 2005	Asia Pacific Centre for Military Law, University of Melbourne
CCW/GGE/XIII/WG.1/WP.12/Add.2	Report on States Parties' Responses to the Questionnaire on International Humanitarian Law and Explosive Remnants Of War, CCW/GGE/X/WG.1/WP.2, dated 8 March 2005. Introduction to the Report	Asia Pacific Centre for Military Law, University of Melbourne
CCW/GGE/XIII/WG.1/WP.13	A Critical Analysis on the "Report On States Parties' Responses to the Questionnaire" on International Humanitarian Law and Explosive Remnants of War	GICHD
CCW/GGE/XIII/WG.1/WP.14	Munitions - A Method to Reduce the Risks Associated with Explosive Remnants of War	France
CCW/GGE/XIII/WG.1/WP.15	Comments on the "Report On States Parties' Responses to the Questionnaire" on International Humanitarian Law and Explosive Remnants of War	ICRC
CCW/GGE/XIII/WG.1/WP.16	Responses to the Survey on the humanitarian threat posed by munitions and sub-munitions that have become ERW - preliminary assessment based on responses and findings, document CCW/GGE/XII/WG.1/WP.11, Dated 12 December 2005	Belarus

Symbol	Title	Submitted by
CCW/GGE/XIV/WG.1/1	Provisional Agenda for the Meeting of the Military and Technical Experts on ERW	Chairperson of the Meeting of Military and Technical Experts
CCW/GGE/XIV/WG.1/1/Add.1	Provisional Agenda for the Meeting of the Military and Technical Experts on ERW-Annotated Provisional Agenda	Chairperson of the Meeting of Military and Technical Experts
CCW/GGE/XIV/WG.1/1/Add.2 and Corr.1 (English and Russian only)	Provisional Agenda for the Meeting of the Military and Technical Experts on ERW-Draft Table of Explosive Ordnance Types and Systems	Chairperson of the Meeting of Military and Technical Experts
CCW/GGE/XIV/WG.1/WP.1	Remarks on documents CCW/GGE/XIII/WG.1/WP.12, CCW/GGE/XIII/WG.1/WP.12/Add.1 and CCW/GGE/XIII/WG.1/WP.12/Add/2	Asia Pacific Centre for Military Law, University of Melbourne
CCW/GGE/XIV/WG.1/WP.2	Responses to document CCW/GGE/X/WG.1/WP.2, entitled IHL and ERW, dated 8 March 2005	Hungary
CCW/GGE/XIV/WG.1/WP.3	Technical Comments on document CCW/GGE/XIII/WG.1/WP.8,	Argentina
CCW/GGE/XIV/WG.1/WP.4	Preliminary Thoughts on a Possible Approach to Recommendation 3	Asia Pacific Centre for Military Law, University of Melbourne
CCW/GGE/XV/WP.1	Proposal for a Mandate to Negotiate a Legally-Binding Instrument that Addresses the Humanitarian Concerns Posed by Cluster Munitions	Austria, Holy See, Ireland, Mexico, New Zealand, Sweden
CCW/GGE/XV/WP.3	Proposal for a Mandate on Explosive Remnants of War (ERW)	European Union
CCW/GGE/XV/WG.1/1	Provisional Agenda for the Meeting of the Military and Technical Experts on ERW	Chairperson of the Meeting of Military and Technical Experts
CCW/GGE/XV/WG.1/1/Add.1	Provisional Agenda for the Meeting of the Military and Technical Experts on ERW-Annotated Provisional Agenda	Chairperson of the Meeting of Military and Technical Experts
CCW/GGE/XV/WG.1/1/Add.2	Provisional Agenda for the Meeting of the Military and Technical Experts on ERW- Draft Table of Explosive Ordnance Types and Systems	Chairperson of the Meeting of Military and Technical Experts

Symbol	Title	Submitted by
CCW/GGE/XV/WG.1/WP.1	Responses to document CCW/GGE/X/WG.1/WP.2, entitled IHL and ERW, dated 8 March 2005	Spain
CCW/GGE/XV/WG.1/WP.2	The United Nations and the Implementation of Protocol V	UNMAS on behalf of IACG-MA
CCW/GGE/XV/WG.1/WP.3	Initiative on a Common Understanding of Cluster Munitions within the Military Experts Group of the CCW	Germany
