

**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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Item 10 of the provisional agenda
**Submission of the report of the
Group of Governmental Experts**

Amendment to document CCW/CONF.III/7/Add.7 - CCW/GGE/XV/6/Add.7, titled

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

**Draft Final Document
of the Third Review Conference of the High Contracting Parties to the Convention on
Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be
Deemed to Be Excessively Injurious or to Have Indiscriminate Effects**

1. Throughout the text, remove the brackets which contain references to the origin of the texts from the end of all approved paragraphs

2. In Part II, Final Declaration, amend preambular paragraph 1 to read:

Recalling the precedent Declarations adopted by the First Review Conference in 1996 and the Second Review Conference in 2001,

3. In Part II, Final Declaration, amend preambular paragraph 3 to read:

Recognising that most major armed conflicts are non-international in character, and that such conflicts have been brought within the scope of the Convention by the amendment of Article 1 of the Convention,

4. In Part II, Final Declaration, amend preambular paragraph 9 to read:

Noting the foreseeable effects of explosive remnants of war on civilian populations as a factor to be considered in applying the international humanitarian law rules on proportionality in attack and precautions in attack,

5. In Part II, Final Declaration, insert a new preambular paragraph 9bis to read:

Acknowledging the work accomplished by the Group of Governmental Experts in discussing ways and means to address the issue of Explosive Remnants of War,

6. In Part II, Final Declaration, insert a new preambular paragraph 9ter to read:

Recognising the crucial role of the International Committee of the Red Cross and encouraging it to continue to work to facilitate further ratifications and accessions to the Convention and its annexed Protocols, to disseminate their contents and to lend its expertise to future Conferences and other meetings related to the Convention and its annexed Protocols,

7. In Part II, Final Declaration, amend operative paragraph 1 to read:

Their commitment to respect and comply, in accordance with the norms and principles of international law, with the objectives and provisions of the Convention and its annexed Protocols to which they are party as an authoritative international instrument governing the use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects,

8. In Part II, Final Declaration, insert a new operative paragraph 5 to read:

Their satisfaction at the establishment of the Sponsorship Programme within the framework of the Convention,

9. In Part II, Final Declaration, insert a new operative paragraph 9bis to read:

Their satisfaction at the adoption of the Plan of Action to promote universality of the Convention and its annexed Protocols,

10. In Part II, Final Declaration, amend operative paragraph 13 to read:

Their continuing commitment to assist, to the extent feasible, humanitarian demining missions, operating with the consent of the host State and/or the relevant States Parties to the conflict, in particular by providing all necessary information in their possession covering the location of all known minefields, mined areas, mines, explosive remnants of war, booby-traps and other devices in the area in which the mission is performing its functions,

11. In Part II, Final Declaration, insert a new operative paragraph 14 to read:

Their determination to urge States which do not already do so, to conduct reviews to determine whether any new weapon, means or methods of warfare would be prohibited under international humanitarian law or other rules of international law applicable to them. In this context, the Conference notes that the ICRC has published in 2006 a guide to the legal review of new weapons, means and methods of warfare,

12. In “Decision 4”, amend the paragraph to read:

To adopt the Plan of Action to Promote Universality of 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, as contained in Part III of the Final Document.

13. In “Decision 5”, insert a new paragraph at the place of the brackets to read:

To establish a Sponsorship Programme within the framework of 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, as contained in Part III of the Final Document.

14. In “Review”, “Article 5”, amend the second paragraph to read:

The Conference recalls in particular the provisions of paragraph 3 of this Article which stipulates that each of the Protocols annexed to the Convention shall enter into force six months after the date by which twenty States have notified their consent to be bound by it. The Conference welcomes the entry into force on 12 November 2006 of the Protocol on Explosive Remnants of War (Protocol V).

15. In “Review”, “Article 6”, insert a new paragraph at the place of the brackets to read:

The Conference, in this context, welcomes the establishment of a Sponsorship Programme under the Convention, aimed at, *inter alia*, strengthening the implementation of the Convention and its annexed Protocols, promoting the universal observance of the norms and principles enshrined therein, supporting the universalization of the Convention and its annexed Protocols, and enhancing the cooperation, the exchange of information and the consultations among the High Contracting Parties on issues related to the Convention and its annexed Protocols.

16. In “Review”, “Protocol on Prohibitions and Restrictions on the Use of Mines, Booby-Traps and Other Devices as amended on 3 May 1996 (Amended Protocol II) and technical Annex to the Protocol“, insert a new penultimate paragraph to read:

The Conference recalls that the deferral period, provided for in paragraphs 2 (c) and 3 (c) of the Technical Annex, which allows States Parties to defer compliance with the requirements of Article 4 on detectability of anti-personnel mines and of Article 5 on self-destruction and self-deactivation of anti-personnel mines, will end on 3 December 2007.

17. In “Review”, “Protocol on Explosive Remnants of War (Protocol V) and Technical Annex to the Protocol”, amend the third paragraph to read:

The Conference looks forward to the Conference of the High Contracting Parties which will be convened in 2007 pursuant to Article 10 of the Protocol on Explosive Remnants of War, according to the wish expressed by States which have decided to be bound by the Protocol.
