

Fourteenth 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

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Revised report on the 2020 Meeting of Experts of the High Contracting Parties to Protocol V*

Submitted by the President-designate¹

I. Introduction

1. The Meeting of Experts of the High Contracting Parties to Protocol V on Explosive Remnants of War to the Convention on Certain Conventional Weapons (CCW) took place in Geneva on 28 September 2020.²

2. In accordance with the decisions taken at the Thirteenth Annual Conferences of High Contracting Parties to Protocol V³, the Meeting of Experts focused its discussions on universalization; national reporting; Article 4 of the Protocol on “recording, retaining and transmission of information”; clearance of explosive remnants of war (ERW) and technical assistance and victim assistance. The President-designate of the Fourteenth Annual Conference of the High Contracting Parties to Protocol V had informed High Contracting Parties to Protocol V of the outline of the 2020 Meeting of Experts, including guiding questions.

II. Conduct of the meeting (Geneva, 28 September 2020)

A. Universalization

3. As per paragraph 28 of its Final document, the Thirteenth Conference of the High Contracting Parties to Protocol V decided that the 2020 Meeting of Experts should consider the universalization of Protocol V under the overall responsibility of the President-designate of the Fourteenth Conference.

4. The President-designate of the Fourteenth Annual Conference of the High Contracting Parties to Protocol V reminded that out of 125 High Contracting Parties to the Convention on Certain Conventional Weapons, 96 High Contracting Parties had consented to be bound by Protocol V. The President-designate stressed that wide adherence to and full implementation of Protocol V, the first multilateral agreement to address the challenges of unexploded and abandoned ordnance, could significantly reduce the number of civilians

* The present report was submitted after the deadline owing to circumstances beyond the submitter's control.

¹ H. E. Mr. Yury Ambrazevich of Belarus.

² The position of the Russian Federation on the status of the 2020 Meeting of Experts is contained in verbal notes № 3016 of September 15, 2020, № 3078 of September 18, 2020, № 3208 of September 25, 2020, № 3655 of October 20, 2020 and № 4552 of December 25, 2020.

³ CCW/P.V/CONF/2019/5

killed and injured by explosive remnants of war during and after conflicts. It could also mitigate the long-term socio-economic consequences of explosive remnants of war.

5. The President-designate informed the participants of the Meeting that he had sent an official request to the High Contracting Parties to the Convention who are not bound by Protocol V, urging them to join the Protocol. In addition, the President-designate had regularly discussed the universalization of Protocol V in bilateral meetings.

B. National reporting

6. As per paragraph 32 of its Final document, the Thirteenth Annual Conference of the High Contracting Parties to Protocol V decided that 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.⁴ High Contracting Parties were also encouraged to consider measures to improve reporting methodology.

7. National annual reporting is a legal obligation for the High Contracting Parties to Protocol V in accordance with Article 10 Paragraph 2 (b) of the Protocol. Article 8 (5) of Protocol V on the provision of information to the relevant databases on mine action established within the United Nations system, provide the scope and content of the national annual reports. Furthermore, the Guide to National Reporting under CCW Protocol V,⁵ decided upon in the Final document of the Fourth Conference⁶, provides a checklist of questions to be answered under the national report. As outlined in this “Guide to National Reporting under CCW Protocol V,” the High Contracting Parties are requested to provide annual reports containing information on articles 3, 4, 5, 6, 7, 8, 9 and 11 of Protocol V.

8. National annual reporting under CCW Protocol V is not only an essential mechanism for confidence-building and transparency among High Contracting Parties, but it is also an important tool in the monitoring and evaluation of the general status and overall implementation of the Protocol V.

9. The Implementation Support Unit (ISU) of the CCW informed that at the time of the Meeting of Experts, 55 national annual reports had been received.

C. Article 4 on “Recording, retaining and transmission of information”

10. As per paragraph 30 of its Final document, the Thirteenth Annual Conference of the High Contracting Parties to Protocol V decided that, 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. It was requested that these compilations of national best practices be made available on the website of the United Nations Office for Disarmament Affairs (UNODA).

11. Delegations were encouraged to respond in their interventions to the following set of questions:

- i. Are there any national best practices you can share with regard to the recording, retaining and transmission of information on remaining explosive ordnance after the cessation of active hostilities to parties controlling the affected area?
- ii. Are there measures which have proved to be most effective?

12. The discussion touched upon information exchanges on ordnance placement depending on the types of conflict.

⁴ CCW/P.V/2017/5, paragraph 27

⁵ CCW/P.V/CONF/2009/4/Add.1

⁶ CCW/P.V/CONF/2010/11

D. Clearance of explosive remnants of war and Technical Assistance

13. In accordance with paragraph 36 (b) of its Final document, the Thirteenth Annual Conference of the High Contracting Parties to Protocol V decided that the 2020 Meeting of Experts should exchange information on a voluntary basis on methods of clearance of ERW.

14. The Coordinator on Clearance and Technical Assistance, Mr. Muhammad Omar of Pakistan, moderated the panel discussion on the issue. A representative from UN Mine Action Service (UNMAS) Afghanistan stressed that improvised mines and ERW posed risks to civilians even after the cessation of hostilities, due to their direct impacts and the delays they cause in the delivery of humanitarian aid. The representative emphasized the need for risk education using various methods of communication to elicit behavioural change around explosive hazards.

15. A representative of the Geneva International Centre for Humanitarian Demining (GICHD) noted that the majority of explosive ordnances found in former combat zones comprised ERW. The representative also highlighted that ERW posed public safety, security and environmental risks, including lead contamination from small arms ammunition. The representative emphasised the need for better data collection to distinguish unexploded ordnance (UXO) from abandoned explosive ordnance (AXO).

16. After the panel discussion, delegations were encouraged to respond to the following set of questions:

- i. What are the main challenges you encounter with regard to the clearance of ERW?
- ii. Are there any novelties in terms of technical innovations or new means of clearance to overcome these challenges?
- iii. Are there any lessons learned or best practices that you could share?

17. Several delegations highlighted the severe consequences for the population of the disruption of services caused by explosive remnants of war in urban environments. Explosive remnants of war in urban settings constituted a physical threat to civilians, hindered post-conflict reconstruction and impacted negatively the long-term socio-economic development. Participants also reiterated their commitment to ERW clearance and briefed the Meeting on technical assistance provided to date to affected States.

E. Victim Assistance

18. In accordance with paragraph 34 (c) of its Final document, the Thirteenth Annual Conference of the High Contracting Parties to Protocol V decided that the Meeting of Experts should give particular focus to the exchange of information and experiences on the implementation of the commitments on victim assistance at the national and community levels. The Meeting should also provide updates on the latest approaches and innovations in the field of victim assistance, as well as on practical experiences and lessons learned with other relevant legal instruments and fora.

19. The panel discussion on victim assistance was moderated by the President-designate. A representative from the International Committee of the Red Cross (ICRC) noted that the organisation's rehabilitation programme sought to (1) improve access to and the quality of services for people with physical disabilities, (2) ensure the long-term availability of such services and (3) promote the inclusion and participation of persons with physical disabilities. Also, the representative highlighted the importance of providing holistic support to victims of armed conflict, along a "continuum of care", ranging from first aid after injury and physical rehabilitation to socio-economic integration.

20. The Chair of the Committee on Victim Assistance of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (APMBC) stressed the importance of victim assistance to the implementation of Protocol V. He also emphasized inclusive development, which would

allow existing healthcare systems to meet the needs of all citizens, including victims of mines and ERW. For the Chair, the principle of non-discrimination, according to which assistance to landmine and ERW victims should not exclude any person injured or disabled by other causes, was key. The panellist from the Landmine and Cluster Munition Monitor concurred that services provided to victims should be based on need and not on the type of weapon that caused the injury. He also noted that about 97 per cent of all ERW victims are civilians, with children being disproportionately affected.

21. After the panel discussion, delegations were encouraged to respond to the following set of questions:

- i. What preventive actions, e.g. risk education campaigns, are carried out to protect civilians from ERW? Are there any lessons learned and/or best practices you can share? Which measures proved to be most effective?
- ii. Are there any new approaches and/or innovations in the way you are providing victim assistance?
- iii. What are the major challenges you encounter in the provision of victim assistance?

22. Delegations stressed the paramount importance of victim assistance and expressed concern over the increase in the number of ERW victims in recent years, especially children. Several delegations provided updates on efforts undertaken to implement Article 8 (2) of the Protocol on providing assistance to victims of explosive remnants of war. Also, the importance of cooperation between different disarmament bodies to improve victim assistance efforts was repeatedly emphasised. Several High Contracting Parties called for a comprehensive gender-based approach, including gender-sensitive language, to Protocol V.
