

**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**

FINAL DOCUMENT

Geneva, 7-17 November 2006

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PART I

REPORT OF THE THIRD REVIEW CONFERENCE

I. Introduction

1. The First 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 (CCW) agreed, *inter alia*, that “future review conferences should be held more frequently, with consideration to be given to holding a review conference every five years.” (CCW/CONF.I/16, Part I, Annex C, Final Declaration, Article 8)

2. The Second Review Conference of the High Contracting Parties to the Convention agreed, *inter alia*, that future Review Conferences should continue to be held on a regular basis. In this connection, the Conference decided, consistent with Article 8.3(c) of the Convention, “to convene a further Conference five years following the entry into force of the amendments adopted at the Second Review Conference, but in any case not later than 2006, with preparatory meetings starting as early as 2005, if necessary.” (CCW/CONF.II/2, Part II, Final Declaration, Article 8)

3. At its sixtieth session, the General Assembly of the United Nations, in operative paragraph 8 of its resolution 60/93 of 6 January 2006, *inter alia*, recalled the decision of the High Contracting Parties to convene a further conference not later than 2006; requested that the Conference be held in November 2006 in Geneva and be preceded by as many preparatory meetings as deemed necessary; and also requested the Meeting of the States Parties on 24 and 25 November 2005 to take a final decision on these matters. Furthermore, in operative paragraph 9 of its resolution 60/93, the General Assembly noted that, “in conformity with Article 8 of the Convention, the Third Review Conference may consider any proposal for amendments to the Convention or the Protocols thereto as well as any proposal for additional protocols relating to other categories of conventional weapons not covered by existing protocols to the Convention.”

4. Following the decision of the Second Review Conference and the recommendation of United Nations General Assembly resolution 60/93, the Meeting of the States Parties to the Convention (Geneva, 24 and 25 November 2005) decided, as contained in paragraphs 26, 27 and 29 of CCW/MSP/2005/2, to convene the Third Review Conference of the High Contracting Parties to the Convention from 7 to 17 November 2006 at Geneva in conjunction with the Eighth Annual Conference of the High Contracting Parties to Amended Protocol II. In this connection, the Meeting of the States Parties decided to commission follow-up work under the oversight of the President-designate of the Third Review Conference of the High Contracting Parties to the Convention, and that all necessary preparations for the Third Review Conference be undertaken within the framework of the existing Group of Governmental Experts. The Meeting of the States Parties also approved the estimated costs of the Third Review Conference and the three sessions of the Group of Governmental Experts in 2006, as contained in paragraph 39 of CCW/MSP/2005/2.

5. The 2005 Meeting of the States Parties unanimously decided, as contained in paragraph 38 of CCW/MSP/2005/2, to designate Ambassador François Rivasseau of France as President of the Third Review Conference of the High Contracting Parties to the Convention to be held in 2006. In this connection, the Meeting of the States Parties agreed that “the principle of equitable geographical rotation among the regional groups shall be ensured when addressing the presidency of future Review Conferences” of the High Contracting Parties to the Convention.

6. The Meeting of the States Parties decided, as contained in paragraph 30 of CCW/MSP/2005/2, that the Working Group on Explosive Remnants of War would continue its work in the year 2006 with the following mandate:

“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 minimising 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 Third Review Conference in 2006.”

7. The Meeting of the States Parties decided, as contained in paragraph 31 of CCW/MSP/2005/2, that the Working Group on Mines Other Than Anti-Personnel Mines would continue its work in the year 2006 with the following mandate:

“a) To continue to consider all proposals on Mines Other Than Anti-Personnel Mines put forward since the establishment of the Group of Governmental Experts with the aim of elaborating appropriate recommendations on Mines Other Than Anti-Personnel Mines for submission to the Third Review Conference in 2006.

b) Meetings of military experts shall also be conducted to provide advice on these activities.”

8. The Meeting of the States Parties decided, as contained in paragraph 32 of CCW/MSP/2005/2 that the President-designate shall undertake consultations during the intersessional period on possible options to promote compliance with the Convention and its annexed Protocols, taking into account proposals put forward, and shall submit a report, adopted by consensus, to the High Contracting Parties.

9. The Meeting of the States Parties decided, as contained in paragraph 33 of CCW/MSP/2005/2, that the President-designate shall undertake consultations during the intersessional period on the possibility to establish a sponsorship programme under the Convention and on the modalities of such a sponsorship programme, and shall report to the High Contracting Parties.

10. The Meeting of the States Parties decided, as contained in paragraph 35 of CCW/MSP/2005/2, to recommend that the Secretary-General of the United Nations, as Depositary of the Convention and its annexed Protocols, and the President-designate, on behalf of the High Contracting Parties, exercise their authority to achieve the goal of universality of the Convention and its annexed Protocols.

11. Following the decision of the 2005 Meeting of the States Parties to the Convention, the Group of Governmental Experts held three sessions at Geneva, as follows:

- Thirteenth Session: 6 to 10 March 2006;
- Fourteenth Session: 19 to 23 June 2006;
- Fifteenth Session: 28 August to 6 September 2006.

12. The Thirteenth Session of the Group of Governmental Experts decided, *inter alia*, to recommend for adoption by the Third Review Conference the Provisional Agenda of the Third Review Conference (CCW/GGE/XIII/1), as well as the Draft Rules of Procedure of the Third Review Conference (CCW/GGE/XIII/3). The Group also decided to nominate Mr. Peter Kolarov, Political Affairs Officer, United Nations Department for Disarmament Affairs (Geneva Branch), as Provisional Secretary-General of the Third Review Conference.

13. The Fourteenth Session of the Group of Governmental Experts decided, *inter alia*, to recommend to the Third Review Conference its Provisional Programme of Work (CCW/CONF.III/2), as well as the Provisional Agenda of its Main Committee I (CCW/CONF.III/4), and the Provisional Agenda of its Main Committee II (CCW/CONF.III/5). The Group also decided to recommend to the Third Review Conference the Plan of Action to Promote Universality of the CCW (CCW/CONF.III/6).

14. The Fifteenth Session of the Group of Governmental Experts decided, *inter alia*, to recommend to the Third Review Conference the Provisional Programme of Work of Main Committee I of the Third Review Conference (CCW/CONF.III/7/Add.4-CCW/GGE/XV/6/Add.4), and Provisional Programme of Work of Main Committee II of the Third Review Conference (CCW/CONF.III/7/Add.5-CCW/GGE/XV/6/Add.5). The Group also decided to recommend to the Third Review Conference the Draft Final Document of the Third Review Conference (CCW/CONF.III/7/Add.7-CCW/GGE/XV/6/Add.7), the Draft Declaration on the Entry into force of CCW Protocol V on ERW (CCW/CONF.III/7/Add.6-CCW/GGE/XV/6/Add.6), as well as the Draft Decision on the Establishment of a Sponsorship Programme under the Convention (CCW/CONF.III/7/Add.8-CCW/GGE/XV/6/Add.8).

II. Organisation of the Third Review Conference

15. The Third Review Conference was held at Geneva from 7 to 17 November 2006.

16. On 7 November 2006, the Conference was opened by Mr. Tim Caughley, Director, United Nations Department for Disarmament Affairs (Geneva Branch).

17. At its first plenary meeting, on 7 November 2006, the Conference confirmed by acclamation the nomination of Ambassador François Rivasseau of France as President of the Third Review Conference.

18. At the same plenary meeting, the Conference adopted its Agenda as recommended by the Group of Governmental Experts (CCW/CONF.III/1).

19. At the same plenary meeting, the Conference adopted the Rules of Procedure, as orally amended, as recommended by the Group of Governmental Experts. In connection with the

adoption of the Rules of Procedure, the President of the Third Review Conference made the following statement:

“With regard to Rule 34 of the Rules of Procedure, it is affirmed that, in the deliberations and negotiations relating to the Convention and its annexed Protocols, High Contracting Parties have proceeded on the basis of consensus and no decisions have been taken by vote.”

20. At the same plenary meeting, the Conference unanimously confirmed the nomination of Mr. Peter Kolarov, Political Affairs Officer, United Nations Department for Disarmament Affairs (Geneva Branch) as Secretary-General of the Conference.

21. At the same plenary meeting, the Conference adopted the Programme of Work as recommended by the Group of Governmental Experts (CCW/CONF.III/2). The Conference also decided to distribute its work between the two Main Committees as follows:

- Main Committee I: Review of the scope and operation of the Convention and its annexed Protocols; consideration of any proposal for the Convention and its existing Protocols; and preparation and consideration of the final documents;
- Main Committee II: Consideration of proposals for additional protocols to the Convention.

22. At the same plenary meeting, the Conference, in accordance with its Rules of Procedure, unanimously elected 10 Vice-Presidents from the following High Contracting Parties: Bulgaria, China, Cuba, Czech Republic, Germany, Japan, Morocco, Philippines, Poland and Switzerland.

23. At the same plenary meeting, the Conference unanimously elected the Chairpersons and Vice-Chairpersons of the Credentials Committee, the two Main Committees and the Drafting Committee, as follows:

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| Credentials Committee: | Chairperson | Mr. Gordan Markotić (Croatia) |
| | Vice-Chairperson | Mr. Enrique Ochoa Martínez (Mexico) |
| Main Committee I: | Chairperson | Mr. Edvardas Borisovas (Lithuania) |
| | Vice-Chairperson | Ms. Katherine Baker (United States) |
| Main Committee II: | Chairperson | Mr. Carlos Antonio da Rocha Paranhos (Brazil) |
| | Vice-Chairperson | Mr. Vladimir Novokhatskiy (Russian Federation) |
| Drafting Committee: | Chairperson | Mr. Jayant Prasad (India) |
| | Vice-Chairperson | Mr. Itzhak Levanon (Israel) |

24. The Conference also appointed, on the proposal of the President, representatives from the following three High Contracting Parties as members of the Credentials Committee: Australia, Slovakia and South Africa.

25. At the same plenary meeting, the Conference received a message from the Secretary-General of the United Nations which was delivered by Mr. Tim Caughley, Director of the Department for Disarmament Affairs (Geneva Branch). Subsequently, the President of the Third

Review Conference, Ambassador François Rivasseau of France, submitted the Report of the Group of Governmental Experts for consideration by the Conference.

26. The following High Contracting Parties to the Convention participated in the work of the Conference: Albania, Argentina, Australia, Austria, Bangladesh, Belarus, Belgium, Benin, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, China, Colombia, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Holy See, Hungary, India, Ireland, Israel, Italy, Japan, Jordan, Lao People's Democratic Republic, Latvia, Lesotho, Liechtenstein, Lithuania, Luxembourg, Malta, Mexico, Moldova, Monaco, Mongolia, Morocco, Netherlands, New Zealand, Norway, Pakistan, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Senegal, Serbia, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America and Venezuela.

27. The following Signatory States also participated in the work of the Conference: Afghanistan and Egypt.

28. The following States not parties to the Convention participated as observers: Azerbaijan, Cameroon, Côte d'Ivoire, Democratic Republic of the Congo, Guinea, Kuwait, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malaysia, Myanmar, Nepal, Qatar, Saudi Arabia, Singapore, Syrian Arab Republic, United Arab Emirates, Yemen and Zimbabwe.

29. The representatives of the League of Arab States also participated in the work of the Conference.

30. The representatives of the United Nations Department for Disarmament Affairs (UNDDA), United Nations Development Programme (UNDP), United Nations Institute for Disarmament Research (UNIDIR) and United Nations Mine Action Service (UNMAS) as well as of the International Committee of the Red Cross (ICRC) participated in the work of the Conference. The representatives of the Geneva International Centre for Humanitarian Demining (GICHD) also participated in the work of the Conference.

31. The representatives of the Actiongroup Landmine.de, American Bar Association, Center for Preventive Diplomacy & Alternative Dispute Resolution, Cluster Munition Coalition, Danchurchaid, FAFO Institute for Applied International Studies, Geneva Call, Handicap International, Human Rights Watch, International Campaign to Ban Landmines (ICBL), Landmine Action (UK), Mines Action Canada, Norwegian People's Aid, Pax Christi International, Swiss Campaign to Ban Landmines and Women's International League for Peace and Freedom (WILPF) attended public meetings of the Conference.

III. Work of the Third Review Conference

32. Under the presidency of Ambassador François Rivasseau of France, the Conference held 10 plenary meetings. The documentation and summary records of these meetings are included in the Final Document.

33. On 7 and 8 November 2006, the Conference held a general exchange of views. The

following delegations participated in the general exchange of views: Argentina, Australia, Brazil, Canada, Chile, China, Colombia, Cuba, Czech Republic, Finland (on behalf of the European Union, Bulgaria and Romania, Croatia and the former Yugoslav Republic of Macedonia, Albania, Bosnia and Herzegovina, Montenegro, Serbia, as well as Ukraine and Moldova), Germany, Holy See, India, Israel, Italy, Japan, Lebanon, Mexico, New Zealand, Norway, Pakistan, Peru, Philippines, Republic of Korea, Russian Federation, Switzerland, Turkey, Ukraine, United States of America, and Zimbabwe. The representatives of the United Nations Mine Action Team, ICRC and GICHD also participated in the general exchange of views. Non-governmental organisations, namely Cluster Munition Coalition, Handicap International, Human Rights Watch, Landmine Action, and Mines Action Canada also participated in the general exchange of views.

34. On 13 November 2006, the Conference held a special plenary meeting to mark the entry into force, on 12 November 2006, of Protocol V on Explosive Remnants of War. The following delegations participated in the exchange of views on the occasion of the entry into force of the Protocol: Australia, Austria, Belarus, Brazil, China, Croatia, Estonia, Finland (on behalf of the European Union, Bulgaria and Romania, Croatia and the former Yugoslav Republic of Macedonia, Albania, Bosnia and Herzegovina, Montenegro, Serbia, as well as Ukraine and Moldova), France, India, Italy, Japan, Jordan, Lithuania, Netherlands, New Zealand, Norway, Pakistan, Republic of Korea, Russian Federation, Switzerland, Ukraine and United Kingdom of Great Britain and Northern Ireland. The representatives of the United Nations Mine Action Team, ICRC, as well as GICHD also participated in the exchange of views. The representatives of the Human Rights Watch and Mines Action Canada also participated in the exchange of views.

35. At the same special plenary meeting, the Conference received a message from the Secretary-General of the United Nations which was delivered by the Under Secretary-General for Disarmament Affairs, Mr. Nobuaki Tanaka.

36. Main Committee I held meetings from 8 to 16 November 2006. The Chairperson of the Committee, Ambassador Edvardas Borisovas of Lithuania presented its report to the Conference at its final plenary meeting on 17 November 2006.

37. Main Committee II held meetings from 8 to 16 November 2006. The Chairperson of the Committee, Ambassador Carlos da Rocha Paranhos of Brazil, presented its report to the Conference at its final plenary meeting on 17 November 2006.

38. The Credentials Committee held two meetings on 10 and 17 November 2006. The Chairperson of the Committee, Ambassador Gordan Markotić of Croatia, presented its report to the Conference at its final plenary meeting on 17 November 2006.

39. The Drafting Committee held meetings from 9 to 17 November 2006. The Chairperson of the Committee, Ambassador Jayant Prasad of India, presented its report to the Conference at its final plenary meeting on 17 November 2006.

IV. Decisions and Recommendations of the Third Review Conference

40. At its special plenary meeting to mark the entry into force of Protocol V on Explosive

Remnants of War, on 12 November 2006, the Conference adopted the Declaration on the Occasion of the Entry into force of the Protocol on Explosive remnants of War, as contained in Final Document, Part II, Final Declaration, Annex A (CCW/CONF.III/11).

41. At its seventh plenary meeting, on 15 November 2006, the Conference adopted the Plan of Action to Promote Universality of the Convention, as contained in Final Document, Part II, Final Declaration, Annex C (CCW/CONF.III/11), and the Decision on the Establishment of a Sponsorship Programme Within the Framework of the Convention, as contained in Final Document, Part II, Final Declaration, Annex D (CCW/CONF.III/11).

42. At its eighth plenary meeting, on 16 November 2006, the Conference took note of the reports of Main Committee I, as contained in CCW/CONF.III/9, Main Committee II, as contained in CCW/CONF.III/10 and the Drafting Committee, as contained in CCW/CONF.III/DC/1.

43. At its ninth plenary meeting, on 17 November 2006, the Conference adopted the Decision on a Compliance Mechanism Applicable to the Convention, as contained in Final Document, Part II, Final Declaration, Annex B (CCW/CONF.III/11).

44. At its final plenary meeting, on 17 November 2006, the Conference approved the report of the Credentials Committee, as contained in CCW/CONF.III/CC/1 and adopted the draft resolution contained therein.

45. At the same plenary meeting, the Conference adopted its Final Declaration, as orally amended, as contained in CCW/CONF.III/11, Part II, and the Estimated Costs of the Meeting of the High Contracting Parties to the Convention and the 2007 meeting of the Group of Governmental Experts, as contained in CCW/CONF.III/11, Part III.

46. The Third Review Conference expressed deep gratitude to all office holders of the Group of Governmental Experts since its establishment by the Second Review Conference for their contribution to the work of the Group.

47. At its final plenary meeting, the Conference adopted its final report, as contained in document CCW/CONF.III/CRP.1, as orally amended, which is being issued as document CCW/CONF.III/11, Part I.
