Article 4 “Recording, retaining and transmission of information” of 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 (CCW)
“… to minimize the risks and effects of explosive remnants of war” (CCW Protocol V preamble)
- CCW Amended protocol II, Art.9 on “Recording and use of information on minefields, mined areas, mines, booby traps and other devices

- CCW Amended protocol II, Technical Annex, part 1 on “Recording”
Rule 82. “A party to the conflict suing landmines must record their placement as far as possible”

2003 mandate to the GGE Working Group on Explosive Remnants of War:

(i) To negotiate an instrument […]. Abandoned munitions would have to be included. In these negotiations, questions need to be considered regarding, inter alia, […] the provision of information to facilitate clearance and risk education, warnings to civilian populations […].

(ii) To explore and determine whether these negotiations could successfully address preventive generic measures […] through voluntary best practices concerning the management of manufacturing, quality control, handling and storage of munitions. Exchange of information, assistance and cooperation would be important elements of such best practices.“
“The issue is ensuring that accurate information is released in a timely manner and in a useable format. Failure to release the information by the military means that humanitarian organisations have no alternative but to try to find the answers themselves, as the information is essential to the safety and effectiveness of their work. This inevitably has significant resource implications, not just in terms of cost for field surveys, or in the substantial amount of time involved, but potentially also in human lives and limbs that could otherwise have been saved.”

(CCW/GGE/V/WG.1/WP.4, dated 16 June 2003)
Article 4. “Recording, retaining and transmission of information”:

1. High Contracting Parties and parties to an armed conflict shall to the maximum extent possible and as far as practicable record and retain information on the use of explosive ordnance or abandonment of explosive ordnance, to facilitate the rapid marking and clearance, removal or destruction of explosive remnants of war, risk education and the provision of relevant information to the party in control of the territory and to civilian populations in that territory.

2. High Contracting Parties and parties to an armed conflict which have used or abandoned explosive ordnance which may have become explosive remnants of war shall, without delay after the cessation of active hostilities and as far as practicable, subject to these parties’ legitimate security interests, make available such information to the party or parties in control of the affected area, bilaterally or through a mutually agreed third party including *inter alia* the United Nations or, upon request, to other relevant organizations which the party providing the information is satisfied are or will be undertaking risk education and the marking and clearance, removal or destruction of explosive remnants of war in the affected area.

3. In recording, retaining and transmitting such information, the High Contracting Parties should have regard to Part 1 of the Technical Annex.
**ARTICLE 4 GENERIC ELECTRONIC TEMPLATE**

(As adopted by the Second Conference at its fourth plenary meeting on 11 November 2008)

**Part A**

This template is intended to facilitate the recording and retention of information relevant to obligations under Article 4.1 and Technical annex of Protocol V. Forms A-E under Part A are only indicative in nature and may be adapted nationally.

<table>
<thead>
<tr>
<th>Form A</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Period of Armed Conflict:</strong></td>
</tr>
<tr>
<td><strong>States in which potential/suspected ERW is located:</strong></td>
</tr>
<tr>
<td>Location of affected areas</td>
</tr>
<tr>
<td><strong>Estimated Total Number of ERW</strong></td>
</tr>
<tr>
<td>Unexploded Ordnance</td>
</tr>
<tr>
<td>Abandoned Ordnance</td>
</tr>
<tr>
<td><strong>Information prepared/updated by:</strong></td>
</tr>
<tr>
<td><strong>Information retained and stored by:</strong></td>
</tr>
</tbody>
</table>
“The Conference decided to recommend that, in a case where another State has not been chosen, the United Nations would be the “mutually agreed third party” referred to in Article 4 (2) of Protocol V.”
(Final Document of the First Conference of the High Contracting Parties, document CCW/P.V/CONF/2007/1, paragraph 32)

“(d) To encourage States to consider using the CCW Secretariat (Implementation Support Unit) as the Third Party in the event a Third Party is needed for collecting and transmitting information pursuant to article 4 (2).” (CCW/P.V/CONF/2010/5 – Dated 14 February 2011)
QUESTIONS?

For more information visit CCW website at www.unog.ch/ccw