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)

Reporting Formats
pursuant to the Decision of the Third Review Conference on the establishment of a Compliance mechanism applicable to the Convention, as contained in its Final Declaration, Annex II, Paragraph 5 (CCW/CONF.III/11, Part II)

NAME OF THE HIGH CONTRACTING PARTY: POLAND
DATE OF SUBMISSION: 18.10.2007

PARTY TO:
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

AND


Amended Article I to the Convention (2001).


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NOTE: Pursuant to paragraph 5 of the above Decision the High Contracting Parties have agreed “to provide information to the Secretary-General in advance of the Meeting, which will be circulated by the Secretary-General to all the High Contracting Parties, on any of the following matters:

(a) Dissemination of information on the Convention and its annexed Protocols to their armed forces and to the civilian population;
(b) Steps taken to meet the relevant technical requirements of the Convention and its annexed Protocols and any other relevant information pertaining thereto;
(c) Legislation related to the Convention and its annexed Protocols;
(d) Measures taken on technical co-operation and assistance; and
(e) Other relevant matters.”

Each of the items listed above are provided as separate individual forms to be filled out by each High Contracting Party accordingly.
Form A  Dissemination of information

Paragraph 5 of the Decision on Compliance:

“The High Contracting Parties will provide information [...] on:

(a) Dissemination of information on the Convention and its annexed Protocols to their armed forces and to the civilian population;”

High Contracting Party: POLAND

Information to the armed forces
Knowledge about the CCW Convention and its protocols is provided to the Armed Forces during routine trainings on international humanitarian law (IHL). This process is continuous. Depending on individual course of service, soldiers of all corps and ranks, as well as civilian employees, take advantage of numerous, repeated opportunities to become acquainted with this subject in the framework of regular and supplementary specialist trainings of different scope, organized at various levels.

Dissemination of knowledge about international humanitarian law is a permanent component of the educational curricula at Military Academies and Higher Officer’s Schools. For example, at the Academy of National Defence, international law of armed conflicts is taught to MA students as a separate course and comprises 64 hours of lectures, seminars and exercises. The program of post-graduate studies in Defence Policy includes a lecture on “Evolution of international humanitarian law”. Moreover, 20 hours of lectures are devoted to international humanitarian law as a separate subject at post-graduate operational-strategic and operational-tactical studies. Specialist courses at the Academy of National Defence, depending on their duration, comprise between 2 and 6 IHL hours. The IHL is also disseminated through exercises conducted during studies and courses at Military Academies, Higher Officers’ Schools and training centers.

A practical test of IHL knowledge is held during the annual exercises code-named “Common Task”, conducted since 2002 at the Academy of National Defence. Special emphasis during these exercises is put on to the compatibility of operational documents prepared in their course with international law of armed conflicts.

Additionally, training in international humanitarian law (IHL) is organized in the framework of various training events and courses held outside the standard system of education in military schools and academies. The training covers, among others, the following topics:
- international humanitarian law of armed conflicts,
- responsibility for violation of the law of war,
- application of international law of armed conflicts in combat.

A number of courses and other training events, focused on a dissemination of the major conventions and other agreements on international humanitarian law, were conducted over the past two years. These courses included:
- a specialist course in international law of armed conflicts and peace operations for the commanders of sub-units of the Land Forces;
- a specialist course in international law of armed conflicts for the commanders of Air Force squadrons and flights;
a special course in international law of armed conflicts for staff of the Armed Forces, members of the Polish Military Contingents in Iraq and Afghanistan;

- specialist courses in international law of armed conflicts and protection of cultural goods for staff of units designated for use in the framework of the NATO Response Force.

The Polish Armed Forces operate a system of legal counseling on the rules of international humanitarian law. Full-time legal advisers in the structure of the Forces are tasked with advising commanders on the application of the IHL. Polish Military Contingents taking part in peace operations abroad have full-time legal advisers, political advisers and military prosecutors. These officers have the job of advising commanders on issues pertaining to the application and observance of the IHL. Organizational documents elaborated within the Armed Forces for the needs of specific military operations, i.e. decisions, regulations of the Minister of National Defence, and orders of the Chief of General Staff, are assessed relative to their compliance with international law, including the CCW Convention and its annexed protocols.

In order to ensure the implementation of the rules of international humanitarian law, the Ministry of National Defence has issued a number of internal publications dealing with the subject.

Information to the civilian population

The Ministry of National Defence, Ministry of Foreign Affairs and other governmental institutions collaborate with the Main Board of the Polish Red Cross (PRC) in promoting the law of armed conflicts. Representatives of the Ministry of National Defence, Military Academies and Higher Officers' Schools serve on the Commission for the Dissemination of Humanitarian Law, attached to the Main Board of the Polish Red Cross. Each year, a group of officers, including students and academic teachers, takes part in the International Humanitarian Law Summer School, organized by the PRC.

In 2006 the Polish Red Cross organized a series of events aimed at promotion of international humanitarian law among different audiences (exhibitions, movie displays, conferences) in cooperation with universities, public institutions, armed forces, foreign embassies and media, e.g.:

1. Organization of the Landmine Days:
   - Conference Mines and the "new weapons" in international humanitarian law – the conference was organized by the Polish Red Cross together with the Warsaw University Faculty of Law and Administration, International Campaign to Ban Landmines, Mines Action Canada, Ius Gentium International Law Society, Embassy of Canada and the International Committee of the Red Cross. The conference was dedicated to the issue of landmines (as regulated by the CCW Amended Protocol II and the Ottawa Convention) but it also brought up topics such as the applicability of CCW Amended Protocol V to cluster munitions. The group of over 100 participants attended the conference including representatives of military, government, academic circles and diplomatic corps;
   - Event The time to stop landmines.

2. Training on landmines for students (mostly of Law Faculties), the Red Cross employees and volunteers in Radzików, was organized with the Canadian Embassy financial support. The speakers included Katarzyna Derlicka from the

3. Training on landmines during the camp for Society Youth Instructors in Sulejów.

4. Translation into Polish and publication of several materials, mainly ICRC and ICBL leaflets and films, e.g. *Pick me up, Ending the Landmine Era, Explosive Remnants of War*. A special article concerning applicability of CCW Amended Protocol V with regard to the problems caused by cluster munitions was published by Bartłomiej Kokoszka in the Polish Red Cross Review.

5. Organization of lectures on means and methods of warfare during the Polish School of International Humanitarian Law, where about a half of all participants were representatives of the armed forces and police.
Form B  Technical requirements and relevant information

Paragraph 5 of the Decision on Compliance:

"The High Contracting Parties will provide information [...] on:

(b) Steps taken to meet the relevant technical requirements of the Convention and its annexed Protocols and any other relevant information pertaining thereto;"

High Contracting Party: POLAND

Steps taken to meet the relevant technical requirements of the Convention and its annexed Protocols

Poland considers that there was no necessity to take additional steps in order to meet relevant technical requirements of the Convention and its annexed protocols. Polish Armed Forces obey provisions of CCW Convention, and all mines remaining within the Polish Armed Forces equipment are detectable, as it is required by para. 2 of the Technical Annex of the Amended Protocol II. All anti-personnel mines are planned for destruction (one hundred thousands mines per year from the beginning of the year 2008).

Any other relevant information
Form C Legislation

Paragraph 5 of the Decision on Compliance:

"The High Contracting Parties will provide information [...] on:

(c) Legislation related to the Convention and its annexed Protocols;"

High Contracting Party: POLAND

Legislation

Through their ratification and publication, the CCW Convention, amendments to it and subsequently the protocols, became an integral part of the Polish legal system. The issue of liability for acts of violation of the relevant treaties, conventions and other agreements, to which Poland is a party, had been regulated earlier in the Polish law. In particular, criminal responsibility for the commitment of crimes during the war and military hostilities is dealt with by the Penal Code of 6 June 1997 (Journal of Laws of 1997 no. 88 position 553 with subsequent amendments), Chapter 14 entitled Crimes Against Peace, Humanity and War Crimes, articles 117-126.

Any other relevant information
Form D  Technical co-operation and assistance

Paragraph 5 of the Decision on Compliance:

"The High Contracting Parties will provide information [...] on:

(d) Measures taken on technical co-operation and assistance;"

High Contracting Party: POLAND

International technical co-operation, International technical assistance

Poland contributed to the alleviation of the humanitarian problem caused by irresponsible use of different conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects, including landmines. Personnel of the Polish Armed Forces engaged in various peacekeeping and stabilisation missions abroad, additionally to their mandatory obligations, executed tasks for the benefit of local populations. These activities included, among others, removal and destruction of the explosive remnants of war (specially in emergency cases), providing warning and risk education to the affected communities and awareness-enhancement activities concerning the mine/explosives threats, addressed to other participants of the mission and to the local population. In particular, these tasks include:
- terrain reconnaissance to determine the presence of mine fields, mines, and explosive remnants,
- extension and marking of passages through mine fields,
- terrain marking, mine clearing and removal of explosive remnants,
- removal of explosive and dangerous objects in response to requests from the local population.

Polish de-miners identified and destroyed huge amounts of dangerous items fulfilling their tasks under auspices of UN - UNDOF in Syria, European Union - EUFOR in Bosnia and Herzegovina, NATO – KFOR in Kosovo, within the framework of Operation 'Enduring Freedom' in Afghanistan and Stabilization Forces in Iraq.

It is estimated that in the years 2003-2006 the Ministry of National Defence spent a total of 5 million euro in connection with the dispatch of 410 engineering troops directly involved in mine clearing and the removal of explosive and dangerous objects.

Additionally, in 2006 Poland has contributed with a sum of 50 thousand Euros for the Bosnia and Herzegovina Mine Action Centre.

More detailed and extensive data on the subject, including the scale of the Polish engagement and quantities of neutralized mines, explosive remnants and abandoned ordnance, is available in annual reports submitted to the UN Secretary General, in accordance with the relevant provisions of Amended Protocol II to the CCW Convention. These reports are available at the website of the UN Office in Geneva, Office for Disarmament Affairs www.unog.ch.

Any other relevant information
Form E  Other relevant matters

Paragraph 5 of the Decision on Compliance:

"The High Contracting Parties will provide information [...] on:

(e) Other relevant matters."

High Contracting Party: POLAND

Other relevant matters