

**DECISION
ON A COMPLIANCE MECHANISM
APPLICABLE 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**

(As adopted by the Third Review Conference on 17 November 2006)

PART I

1. With a view to ensuring compliance, the High Contracting Parties undertake to consult each other and to co-operate with each other bilaterally, through the Secretary-General of the United Nations, or through other voluntary international procedures, regarding any concerns which relate to the fulfilment of their legal obligations or to resolve any issue that may arise with regard to the interpretation and application of the provisions of this Convention and any of its annexed Protocols by which they are bound.
2. For this purpose, the Secretary-General is requested to convene a separate Meeting of the High Contracting Parties within one year, in the context of other meetings of the High Contracting Parties to the Convention or its annexed Protocols. Subsequent meetings could be held as agreed by the High Contracting Parties.
3. Participation in the Meeting will be determined following the Rules of Procedure of the Third Review Conference, applied *mutatis mutandis*.
4. The work of the Meeting will include:
 - (a) Review of the operation and status of the Convention and its annexed Protocols;
 - (b) Consideration of matters arising from the information provided by the High Contracting Parties according to paragraph 5 of this Decision;
 - (c) Preparation for the next Review Conference;
 - (d) Consideration of international co-operation and assistance to facilitate the implementation of the Convention and its annexed Protocols; and
 - (e) Consideration and undertaking of any additional actions that may be required for the achievement of the objectives of the Convention and its annexed Protocols.
5. The High Contracting Parties will 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.

6. The cost of the Meeting of the High Contracting Parties is to be borne by the High Contracting Parties and States not parties participating in the work of the Meeting, in accordance with the United Nations scale of assessment adjusted appropriately.

PART II

7. Each High Contracting Party will take all appropriate steps, including legislative and other measures, as required, to prevent and suppress violations of the Convention and any of its annexed Protocols by which it is bound by persons or on territory under its jurisdiction or control.

8. The measures envisaged in paragraph 7 of this Decision include, where necessary, appropriate measures to ensure the imposition of penal sanctions against persons who, in relation to an armed conflict and in contravention of the prohibitions imposed by the Convention and its annexed Protocols, wilfully kill or cause serious injury to civilians, and to bring such persons to justice.

9. Each High Contracting Party will also require that its armed forces issue relevant military instructions and operating procedures and that armed forces personnel receive training commensurate with their duties and responsibilities to comply with the provisions of the Convention and any of its annexed Protocols by which it is bound.

10. A pool of experts is hereby established. Each High Contracting Party may provide one expert per each of the annexed Protocols to the Convention, to be included in the pool. Any expert included in the pool shall be of acknowledged impartiality and recognized technical, legal or other appropriate competence.

11. The High Contracting Parties invite the Secretary-General of the United Nations to prepare and update a list containing the names, nationalities and other relevant data of the experts included in the pool and communicate it to the High Contracting Parties.

12. Any High Contracting Party may seek assistance from the pool of experts regarding any concerns which relate to the fulfilment of its own legal obligations under the provisions of the Convention and any of its annexed Protocols by which it is bound.
 13. For that purpose, the Secretary-General is invited to select, upon such a request and in consultation with the requesting High Contracting Party concerned and on a case by case basis, an expert or a group of experts from the pool, who will consider any concern mentioned in paragraph 12 of this Decision. In the selection of experts, the Secretary-General shall give particular consideration to their appropriate competence, as well as to equitable geographical distribution.
 14. The expert or experts selected shall fulfil their duties in their personal capacity.
 15. The expert or experts selected shall submit to the High Contracting Party concerned and to the Secretary-General the report containing his or their views and possible recommendations on the issue raised by the High Contracting Party concerned. Upon request by a High Contracting Party, the Secretary-General, after previously informing the High Contracting Party concerned by the report, shall communicate this report to the High Contracting Party requesting such communication.
 16. The costs of the work undertaken and expertise conducted by the expert or experts selected are to be borne by the High Contracting Party concerned or through voluntary contributions.
 17. The provisions contained in this Decision are without prejudice to any possible future provisions on compliance to be decided upon by the High Contracting Parties.
 18. Upon its adoption, this decision will apply to all High Contracting Parties to the Convention and its annexed Protocols. States not parties to the Convention shall be informed by the Secretary-General of the United Nations of this decision and its operation for the benefit of all High Contracting Parties. This decision is intended to complement, but not to substitute, the existing relevant provisions on compliance contained in Protocols annexed to the Convention.
-