CERTAIN CONVENTIONAL WEAPONS CONVENTION

SOUTH AFRICA’S RESPONSE TO PARAGRAPH 2 OF DECISION 3 ON COMPLIANCE

1. The Note Verbale from the Secretary-General of the United Nations reference ODA/38-2007/CCW MSP of 19 July 2007 on the decision on compliance taken during the 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, also referred to as the Certain Conventional Weapons Convention (hereinafter the Convention) has reference.

2. The aforementioned Note Verbale requests the provision of information in advance of a proposed meeting of High Contracting Parties to be held in 2007. South Africa is in a position to respond as follows to the respective points raised in the Note Verbale, as agreed to by the High Contracting Parties:

   a. **Dissemination of information on the Convention and its annexed Protocols to their armed forces and to the civilian population.**

      Training in the Law of Armed Conflict, including references to the Convention, is a standard subject for all members of the armed forces during their induction and again for officers during their young officer training. Law of Armed Conflict training is also accredited with the South African Qualifications Authority and credit-bearing training is presented at the Warrant Officers Academy, the South African Air Force College and School of Military Justice.

   b. **Steps taken to meet the relevant technical requirements of the Convention and its annexed Protocols and any other relevant information pertaining thereto.**

      i. Compliance with Protocol I on non-detectable fragments does not pose any difficulty for South Africa as the use of a weapon, the primary effect of which is to injure by fragments which in the human body escape detection by X-rays, would never be contemplated, nor are such weapons an envisaged threat.

      ii. Compliance with Amended Protocol II is standard practice in mine warfare and mine awareness training of ground troops.

      iii. Information on Protocol III on incendiary weapons is included in training and weapons development related to land, air and naval troops.

      iv. Protocol IV on Blinding Laser Weapons refers to prohibited weapons (and the taking of safety precautions in the use of other types of laser systems to limit the possibility of causing
 inadvertent permanent blindness). Troops are trained in the safe use of other types of laser systems such as laser range finders.

v. Information on Protocol V on Explosive Remnants of War is not yet formally included in policy directives, as South Africa has not yet ratified this Protocol.

c. Legislation related to the Convention and its annexed Protocols.

Draft legislation on the framework Convention and annexed Protocols I, AII, III and IV is currently awaiting Parliamentary approval. South Africa's consent to be bound by the amendment to Article 1 of the framework Convention and ratification of Protocol V is currently still subject to the necessary Parliamentary processes. It is envisaged that once South Africa has notified the Secretary-General of the completion of these processes, draft legislation will be prepared in the form of an amendment to what will be the Parliamentary Act for the Convention.

The present text of the draft legislation currently allows for research in the development of countermeasures against prohibited weapons (Protocols I and IV).

d. Measures taken on technical co-operation and assistance.

Co-operative information exchange and assistance with stockpile destruction of mines and unexploded ordnance has taken place with neighbouring States, including that related to former conflicts in Angola. Recent assistance was rendered to the Government of Mozambique in the clearance of explosive debris resulting from an ammunition depot explosion in March 2007.

e. Other relevant matters.

South Africa remains seized of developments on the issue of cluster munitions through the Convention’s Group of Governmental Experts.


The following persons are nominated to serve on the pool of experts (the nominees are not Protocol-specific):

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