ISRAEL

✓ Signature:

✓ Ratification, Acceptance, Approval, Accession, Succession:

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✓ Reservation:

✓ Declarations:

  • Declarations:
    "(a) With reference to the scope of application defined in article 1 of the Convention, the Government of the State of Israel will apply the provisions of the Convention and those annexed Protocols to which Israel has agreed become bound to all armed conflicts involving regular armed forces of States referred to in article 2 common to the General Conventions of 12 August 1949, as well as to all armed conflicts referred to in article 3 common to the Geneva Conventions of 12 August 1949.

(b) Article 7, paragraph 4 of the Convention will have no effect.

(c) The application of this Convention will have no effect on the legal status of the parties to a conflict.”

  • Declaration: 2
    "With reference to the scope of application defined in Article 1 of the Convention, the Government of the State of Israel will apply the provisions of the Protocol on Blinding Laser Weapons as well as the Convention and those annexed Protocols to which Israel has agreed to become bound, to all armed conflicts involving regular armed forces of States referred to in article 2 common to the Geneva Convention of 12 August 1949, as well as to all armed conflicts referred to in Article 3 common to the Geneva Convention of 12 August 1949."
Understandings:

“(a) It is the understanding of the Government of the State of Israel that the compliance of commanders and others responsible for planning, deciding upon, or executing attacks to which the Convention and its Protocols apply, cannot be judged on the basis of information which subsequently comes to light, but must be assessed on the basis of the information available to them at the time that such actions were taken.

(b) With respect to Protocol I, it is the understanding of the Government of Israel that the use of plastics or similar materials for detonators or other weapon parts not designed to cause injury is not prohibited.

(c) With respect to Protocol I, it is the understanding of the Government of Israel that:

   (i) Any obligation to record the location of remotely delivered mines pursuant to sub-paragraph 1 (a) of article 5 refers to the location of mine fields and not to the location of individual remotely delivered mines;

   (ii) The term pre-planned, as used in sub-paragraph 1 (a) of article 7 means that the position of the minefield in question should have been determined in advance so that an accurate record of the location of the minefield, when laid, can be made."

- Declarations: 3

"Article 1:
The declaration made by Israel upon accession to the [Convention], shall be equally applicable regarding the Amended Protocol II.

Article 2 (3):
Israel understands that the word 'primarily' is included in article 2, paragraph 3 of the Amended Protocol II, to clarify that mines designed to be detonated by the presence, proximity or contact of vehicles as opposed to persons, that are equipped with anti-handling devices are not considered Anti-personnel mines as a result of being so equipped.

Article 3 (9):
Israel understands, regarding article 3, paragraph 9, that an area of land can itself be a legitimate military objective for the purpose of the use of landmines, if its neutralization or denial of its use, in the circumstances ruling at the time, offers a definite military advantage.

Article 4:
It is the understanding of the State of Israel, regarding article 4 of the Amended Protocol II and the Technical Annex, that article 4 of the Amended Protocol II shall not apply to mines already emplaced. However, provisions of the Amended Protocol II, such as those regarding marking, monitoring and protection of areas containing mines under the control of a high contracting party, shall apply to all areas containing mines, regardless of when the mines were emplaced.

3 Made upon consent to be bound by Amended Protocol II.
Article 5 (2) (b):
Israel understands that article 5 paragraph 2 (b) does not apply to the transfer of areas pursuant to peace treaties, agreements on the cessation of hostilities, or as part of a peace process or steps leading thereto.

Article 7 (f) (1):
Israel reserves the right to use other devices (as defined in Article 2 (5) of the Amended Protocol II) to destroy any stock of food or drink that is judged likely to be used by an enemy military force, if due precautions are taken for the safety of the civilian population.

Article 11 (7):
(a) Israel understands that the provision on technical assistance mentioned on article 11 paragraph 7, will be without prejudice to a High contracting Party's constitutional and other legal provisions.

(b) No provision of the Amended Protocol II may be construed as affecting the discretion of the State of Israel to refuse assistance or to restrict or deny permission for the export equipment, material or scientific or technological information for any reason.

Article 14:
(a) It is the understanding of the Government of the State of Israel that the compliance of commanders and others responsible for planning, deciding upon, or executing military actions to which the Convention on Conventional Weapons and its Protocols apply, cannot be judged on the basis of information which subsequently but comes to light, but must be assessed on the basis of the information available to them at the time that such actions were taken.

(b) Article 14 of the Amended Protocol II (insofar as it relates to penal sanctions) shall apply only in a situation in which an individual-

1) Knew, or should have known, that his action was prohibited under the Amended Protocol II,
2) intended to kill or cause serious injury to a civilian; and
3) knew or should have known, that the person he intended to kill or cause serious injury to was a civilian.

(c) Israel understands that the provisions of article 14 of the amended Protocol II relating to penal sanctions refer to measures by authorities of States Parties to the Protocol and do not authorize the trial of any person before an international criminal tribunal. Israel shall not recognize the jurisdiction of any international tribunal to prosecute an Israel citizen for violation of the Protocol or the Convention on Conventional Weapons.

General:
Israel understands that nothing in the Amended Protocol II may be construed as restriction or affecting in any way non-lethal weapon technology that is designed to temporarily disable, stun, signal the presence of a person, or operate in any other fashion, but not to cause permanent incapacity.