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: SWITZERLAND

PARTY TO:
yes Protocol I (Protocol on Non-Detectable Fragments)
yes Protocol II (Protocol on Mines Booby-Traps and Other Devices)
yes Amended Protocol II (amended Protocol on Mines Booby-Traps and Other Devices)
yes Protocol III (Protocol on Incendiary Weapons)
yes Protocol IV (Protocol on Blinding Laser Weapons)
yes Protocol V (Protocol on Explosive Remnants of War)

ACCEDED TO:
yes amended Article I

DATE OF SUBMISSION: 30 September 2009

NATIONAL POINT(S) OF CONTACT¹ (Organization, telephones, fax, e-mail):

Véronique Haller
Federal Department of foreign affairs
Directorate of international law
Federal Palace North
CH-3003 Bern
Phone: +41 31 325 07 68 / Fax: +41 325 07 67
E-mail: veronique.haller@eda.admin.ch

François Garraux
Federal Department of Defence, Civil Protection and Sport (DDPS)
Armed Forces Staff
International Relations Defence
Arms Control and Disarmament Policy
Kasernenstrasse 7, CH-3003 Bern
Phone: +41 31 324 49 82 / Fax: +41 31 323 73 99
E-mail: francois.garraux@vtg.admin.ch

¹ Please indicate individually for the CCW and each Protocol (if different)
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: SWITZERLAND

Information to the armed forces

Our country has always seen as one of its main tasks to alleviate the plight of combatants and civilians by formulating rules of conduct in armed conflicts. Switzerland therefore makes every effort to uphold the standards set by the international law of armed conflict with regard to ourselves and the enemy.

Swiss military doctrine and manuals reflect the law of armed conflict and its principles including respectively those of the CCW and its Protocols. Every soldier performing active service (active service is performed as national defence service, public order service, service to improve the level of training of the armed forces, civil affairs support service and service for peace support tasks) is sworn in to respect the law of armed conflict. Illegal orders, especially when their execution is resulting in a violation of international humanitarian law (IHL), must not be carried out. Commanders are obliged to respect and ensure respect of IHL within their sphere of responsibility.

The principles of distinction, necessity, legality and proportionality are implemented in the ROE (Rules of Engagement) planed by military commanders. They also include provisions prohibiting alteration of official weapons and/or ammunitions of the Swiss Armed Forces or any use of not officially approved arms and munitions by members of the Swiss Armed Forces. According to Swiss national law, it is strictly prohibited for members of the Swiss Armed Forces to participate in combat actions for peace-enforcement purposes. Mission oriented ROE are trained during the training sequence preceding a mission. Pocket Cards reminding the mission and its specific ROE are handed out to each member of deployed units.

During active service, Armed Forces personnel are put under oath or vow to observe the Law of Armed Conflict. Armed Forces personnel are educated in the law of armed conflict during basic training (recruit school) and in all military cadre schools.

Dissemination of the law of armed conflict to a wider public is promoted by interactive CD-ROMs and an internet web-site. Officer candidates are regularly instructed in the central officer's school on arms control issues as well as on the CCW and its Protocols. The Swiss Armed Forces International Command SWISSINT gives instructions to soldiers and officers preparing a mission abroad. These instructions (e.g. Mine Risk Education) raise awareness and assure the correct behaviour regarding mines, unexploded remnants of war and booby traps. The Swiss EOD Center (Competence center for explosive ordnance disposal, military and humanitarian demining) gives lectures to its international deployed supervisors on the CCW and its Protocols as part of the internal humanitarian demining course.
Information to the civilian population

The civilian population has been informed on several occasions on the results of the Annual Conferences of the States Parties to Convention and its Protocols by public statements of Government representatives. At the occasion of the ratification-process of amended Protocol II, amended article 1 and Protocol V as well as at the introduction of the Swiss Federal Act on War Material, the Swiss Parliament and the civilian population have been informed repeatedly about the new obligations arising from the said legal instruments.

All legal instruments and federal legislation related to IHL are published under www.admin.ch/ch/d/sr/sr.html.

Any other relevant information

Further information is included in the annual exchange of the OSCE Code of Conduct and on the homepage of the Swiss Armed Forces, Law of the Armed Conflict: http://www.vtg.admin.ch/internet/vtg/de/home/themen/internationale_kooperation/das_kriegsvoelkerrecht.html
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: SWITZERLAND

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

The Swiss Armed Forces conventional weapons and their ammunition fulfil the technical requirements set out in the CCW Convention and its Protocols. Weapons not corresponding to the Convention and its Protocols were decommissioned (i.e. flamethrowers in 1993 and anti-personnel mines in 1999).

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: SWITZERLAND

Legislation

The Convention and its Protocols all entered into force for Switzerland. These international legal instruments are integral parts of the Swiss legislation.

In addition, Switzerland regularly adapts the Swiss Federal Law on War Material to the wording of the relevant Conventions, including the Mine Ban Treaty.

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: SWITZERLAND

International technical co-operation

The Swiss policy on Mine Action addresses the negative impact of mines and explosive remnants of war (ERW), including cluster munitions. The Mine Action Strategy of the Swiss Confederation for the period 2008-2011 outlines the relevant aspects of Switzerland's contribution to mine action and the disposal of explosive remnants of war.

Switzerland provides assistance to mine / ERW affected countries in terms of funds, material and personnel.

Switzerland supports demining projects in Albania, Angola, Bosnia and Herzegovina, Chad, Ethiopia, Laos, Lebanon, Jordan, Somaliland/Puntland and Sudan. In Colombia, the Russian Federation, Georgia, Angola, Mozambique and Laos, Switzerland provides funds for mine risk education. In the field of victim assistance, Switzerland is very active in the framework of the Mine Ban Treaty (together with Afghanistan, Switzerland was the Co-chair of the Standing Committee for Victim Assistance and Socio-Economic Reintegration in 2006). The strategy developed by Switzerland to assist victims without discrimination based on the nature of their handicap is aimed at contributing to achieve substantial progresses by the 2009 Review Conference of the Mine Ban Treaty. Switzerland worked out a new strategy for the years 2008 - 2011 in order to ensure certain durability to the actions initiated.

Swiss Mine Action specialists (both military and civilian) are deployed to UN Mine Action programs as well as to selected NGOs. In 2009, Swiss Mine Action specialists were deployed to programs in Albania, Angola, Jordan/Lebanon, Laos, Somaliland/Puntland and Sudan. Previous assignments (1999-2008), in addition to the aforementioned countries, include Afghanistan, Azerbaijan, Bosnia-Herzegovina, Chad, Eritrea, Ethiopia, Kosovo, Sri Lanka, Sudan and Yemen. In order to ensure adequate and sustainable human resources in the future, Switzerland established during the last years a pool of demining specialists for international deployments. An intensive training course for military staff has been set up specifically for the position of supervisors and is organized each year. In 2004, the Swiss EOD Center (a center of competence for EOD, military and humanitarian demining) has been established by the Swiss Armed Forces.

Among the material provided by Switzerland to international Mine Action Programs, EOD systems are the most prominent items. As far as training capacities go, Switzerland has been offering, since the year 2000 and via the channels of the Partnership for Peace Program (PfP), international training courses on the Information Management System for Mine Action (IMSMA). Since 2009, the DDPS offers together with GICHD a third annual course on Mine Action Technologies and Techniques.
**International technical assistance**

Within the framework of the Trust Fund of the Partnership for Peace (PfP), Switzerland also provided financial assistance to a project aimed at providing assistance to Serbia and Montenegro for the destruction of 1.3 millions stockpiled APM, and thereby at supporting Serbia and Montenegro in meeting its obligations under art. 4 of the Mine Ban Treaty.

Moreover, Switzerland provides annually substantial funding to the Geneva International Centre for Humanitarian Demining (GICHD) which acts as a facilitator, research body and think tank in the field of Mine Action, and which has also been mandated by the State Parties to the Mine Ban Treaty to assist in the implementation of the said convention via a Implementation Support Unit created in 2002.

**Any other relevant information**

Further information is included in the annual exchange of the OSCE Questionnaire on Anti-Personnel Mines.
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: SWITZERLAND

Other relevant matters