

**THIRD REVIEW CONFERENCE OF THE  
STATES 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**

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Item 18 of the Agenda

**Consideration and adoption of the final documents**

**DRAFT FINAL DOCUMENT  
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## PART I

### REPORT OF THE THIRD REVIEW CONFERENCE OF THE STATES 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

#### I. Introduction

1. The First Review Conference of the States 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 agreed, *inter alia*, that “future review conferences should be held more frequently, with consideration to be given to holding a review conference every five years” (CCW/CONF.I/16, Part I, Annex C, Final Declaration, Article 8).

2. The Second Review Conference of the States Parties to the Convention agreed, *inter alia*, that future Review Conferences should continue to be held on a regular basis. In this connection, the Conference decided, “consistent with Article 8.3(c) of the Convention, to convene a further Conference five years following the entry into force of the amendments adopted at the Second Review Conference, but in any case not later than 2006, with preparatory meetings starting as early as 2005, if necessary” (CCW/CONF.II/2, Part II, Final Declaration, Article 8).

3. At its sixtieth session, the General Assembly of the United Nations, in operative paragraph 8 of its resolution 60/93 of 6 January 2006, *inter alia*, recalled the decision of the States Parties to convene a further conference not later than 2006; requested that the Conference be held in November 2006 in Geneva and be preceded by as many preparatory meetings as deemed necessary; and also requested the Meeting of the States Parties on 24 and 25 November 2005 to take a final decision on these matters. Furthermore, in operative paragraph 9 of its resolution 60/93, the General Assembly noted that, “in conformity with Article 8 of the Convention, the Third Review Conference may consider any proposal for amendments to the Convention or the Protocols thereto as well as any proposal for additional protocols relating to other categories of conventional weapons not covered by existing protocols to the Convention”.

4. Following the decision of the Second Review Conference and the recommendation of United Nations General Assembly resolution 60/93, the Meeting of the States Parties to the Convention (Geneva, 24 and 25 November 2005) decided, as contained in paragraphs 26, 27 and 29 of CCW/MSP/2005/2, “to convene the Third Review Conference of the States Parties to the Convention from 7 to 17 November 2006 at Geneva in conjunction with the Eighth Annual Conference of the States Parties to Amended Protocol II.” In this connection, the Meeting of the States Parties decided to commission follow-up work under the oversight of the President-designate of the Third Review Conference of the States Parties to the Convention, and that all necessary preparations for the Third Review Conference be undertaken within the framework of the existing Group of Governmental Experts. The Meeting of the States Parties also approved the estimated costs of the Third Review Conference and the three sessions of the Group of Governmental Experts in 2006 (CCW/MSP/2005/2, paragraph 39).

5. The 2005 Meeting of the States Parties unanimously decided, as contained in paragraph 38 of CCW/MSP/2005/2, to designate Ambassador François Rivasseau of France as President of the Third Review Conference of the States Parties to be held in 2006. In this connection, the Meeting of the States Parties agreed that “the principle of equitable geographical rotation among the regional groups shall be ensured when addressing the Presidency of future Review Conferences of the States Parties to the Convention.”

6. The Meeting of the States Parties decided, as contained in paragraph 30 of CCW/MSP/2005/2, that the Working Group on Explosive Remnants of War would continue its work in the year 2006 with the following mandate:

“To continue to consider, including through participation of legal experts, the implementation of existing principles of International Humanitarian Law and to further study, on an open-ended basis, with particular emphasis on meetings of military and technical experts, possible preventive measures aimed at improving the design of certain specific types of munitions, including sub-munitions, with a view to minimising the humanitarian risk of these munitions becoming explosive remnants of war. Exchange of information, assistance and co-operation would be part of this work. The Group will report on the work done to the Third Review Conference in 2006.”

7. The Meeting of the States Parties decided, as contained in paragraph 31 of CCW/MSP/2005/2, that the Working Group on Mines Other Than Anti-Personnel Mines would continue its work in the year 2006 with the following mandate:

“a) To continue to consider all proposals on Mines Other Than Anti-Personnel Mines put forward since the establishment of the Group of Governmental Experts with the aim of elaborating appropriate recommendations on Mines Other Than Anti-Personnel Mines for submission to the Third Review Conference in 2006.

b) Meetings of military experts shall also be conducted to provide advice on these activities.”

8. The Meeting of the States Parties decided, as contained in paragraph 32 of CCW/MSP/2005/2 that “the President-designate shall undertake consultations during the intersessional period on possible options to promote compliance with the Convention and its annexed Protocols, taking into account proposals put forward, and shall submit a report, adopted by consensus, to the States Parties.”

9. The Meeting of the States Parties decided, as contained in paragraph 33 of CCW/MSP/2005/2 that “the President-designate shall undertake consultations during the intersessional period on the possibility to establish a sponsorship programme under the Convention and on the modalities of such a sponsorship programme, and shall report to the States Parties.”

10. The Meeting of the States Parties decided, as contained in paragraph 35 of CCW/MSP/2005/2, to recommend that “the Secretary-General of the United Nations, as Depositary of the Convention and its annexed Protocols, and the President-designate, on behalf

of the States Parties, exercise their authority to achieve the goal of universality of the Convention and its annexed Protocols.”

11. Following the decision of the 2005 Meeting of the States Parties to the Convention, the Group of Governmental Experts held three sessions at Geneva, as follows:

- Thirteenth Session of the Group of Governmental Experts - from 6 to 10 March 2006;
- Fourteenth Session of the Group of Governmental Experts - from 19 to 23 June 2006;
- Fifteenth Session of the Group of Governmental Experts - from 28 August to 6 September 2006.

12. The Thirteenth Session of the Group of Governmental Experts decided, *inter alia*, to recommend for adoption by the Third Review Conference the Provisional Agenda of the Third Review Conference, as contained in CCW/GGE/XIII/1, as well as the Draft Rules of Procedure of the Third Review Conference of the States 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, as contained in CCW/GGE/XIII/3. The Group also decided to nominate Mr. Peter Kolarov, Political Affairs Officer, Department for Disarmament Affairs, Geneva Branch, as Provisional Secretary-General of the Third Review Conference.

13. The Fourteenth Session of the Group of Governmental Experts decided, *inter alia*, to recommend to the Third Review Conference its Provisional Programme of Work as it appears in CCW/CONF.III/2, as well as the Provisional Agenda of its Main Committee I, as it appears in CCW/CONF.III/4, and the Provisional Agenda of its Main Committee II, as it appears in CCW/CONF.III/5. The Group also decided to recommend to the Third Review Conference the Plan of Action to Promote Universality of the CCW, as it appears in CCW/CONF.III/6.

14. The Fifteenth Session of the Group of Governmental Experts decided, *inter alia*, to recommend to the Third Review Conference the Provisional Programme of Work of Main Committee I of 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 as contained in CCW/CONF.III/7/Add.4-CCW/GGE/XV/6/Add.4, and Provisional Programme of Work of Main Committee II of 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” as contained in CCW/CONF.III/7/Add.5-CCW/GGE/XV/6/Add.5. The Group also decided to recommend to the Third Review Conference the Draft Final Document of 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 as contained in CCW/CONF.III/7/Add.7-CCW/GGE/XV/6/Add.7, the Draft Declaration on the Entry into force of CCW Protocol V on ERW, as contained in CCW/CONF.III/7/Add.6-CCW/GGE/XV/6/Add.6, as well as the Draft Decision on the Establishment of a Sponsorship Programme under 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 contained in CCW/CONF.III/7/Add.8-CCW/GGE/XV/6/Add.8.

## **II. Organisation of the Third Review Conference**

15. The Third Review Conference was held at Geneva from 7 to 17 November 2006.

16. On 7 November 2006, the Conference was opened by Mr. Tim Caughley, Director of the Department for Disarmament Affairs (Geneva Branch).

17. At its first plenary meeting, on 7 November 2006, the Conference confirmed by acclamation the nomination of Ambassador François Rivasseau of France as President of the Third Review Conference.

18. At the same plenary meeting, the Conference adopted its Agenda as recommended by the Group of Governmental Experts (CCW/CONF.III/1).

19. At the same plenary meeting, the Conference adopted the Rules of Procedure, as recommended by the Group of Governmental Experts. In connection with the adoption of the Rules of Procedure, the President of the Third Review Conference made the following statement:

“With regard to Rule 34 of the Rules of Procedure, it is affirmed that, in the deliberations and negotiations relating to the Convention and its annexed Protocols, High Contracting Parties have proceeded on the basis of consensus and no decisions have been taken by vote.”

20. At the same plenary meeting, the Conference unanimously confirmed the nomination of Mr. Peter Kolarov, Political Affairs Officer in the Geneva Branch of Department for Disarmament Affairs as Secretary-General of the Conference.

21. At the same plenary meeting, the Conference adopted the Programme of Work as recommended by the Group of Governmental Experts (CCW/CONF.III/2). The Conference also decided to distribute its work between the two Main Committees as follows:

- Main Committee I: Review of the scope and operation of the Convention and its annexed Protocols; consideration of any proposal for the Convention and its existing Protocols; and preparation and consideration of the final documents;
- Main Committee II: Consideration of proposals for additional protocols to the Convention.

22. At the same plenary meeting, the Conference, in accordance with its Rules of Procedure, unanimously elected 10 Vice-Presidents from the following States Parties: Bulgaria, China, Cuba, Czech Republic, Germany, Japan, Morocco, Philippines, Poland and Switzerland.

23. At the same plenary meeting, the Conference also unanimously elected the Chairpersons and Vice-Chairpersons of the Credentials Committee, the two Main Committees and the Drafting Committee, as follows:

Credentials Committee:	Chairperson	Mr. Gordan Markotić (Croatia)
	Vice-Chairperson	Mr. Enrique Ochoa Martínez (Mexico)
Main Committee I:	Chairperson	Mr. Edvardas Borisovas (Lithuania)
	Vice-Chairperson	Ms. Katherine Baker (United States)
Main Committee II:	Chairperson	Mr. Carlos Antonio da Rocha Paranhos (Brazil)
	Vice-Chairperson	Mr. Vladimir Novokhatskiy (Russian Federation)
Drafting Committee:	Chairperson	Mr. Jayant Prasad (India)
	Vice-Chairperson	Mr. Itzhak Levanon (Israel)

24. The Conference also appointed, on the proposal of the President, representatives from the following three States Parties as members of the Credentials Committee: Australia, Slovakia and South Africa.

25. At the same plenary meeting, the Conference received a message from the Secretary-General of the United Nations which was delivered by Mr. Tim Caughley, Director of the Geneva Branch of Department for Disarmament Affairs. Subsequently, the President of the Third Review Conference, Ambassador François Rivasseau of France, submitted the Report of the Group of Governmental Experts for consideration by the Conference.

26. The following States Parties to the Convention participated in the work of the Conference: [...].

27. The following States which have ratified or otherwise acceded to the Convention, but for which it is not yet in force, participated in the work of the Conference: [...]

28. The following Signatory States also participated in the work of the Conference: [...]

29. The following States not parties to the Convention participated as observers: [...]

30. The representatives of the [...] also participated in the work of the Conference.

31. The representatives of the [...] attended public meetings of the Conference.

### **III. Work of the Third Review Conference**

32. Under the presidency of Ambassador François Rivasseau of France, the Conference held [...] plenary meetings. The documentation and summary records of these meetings are included in the Final Document.

33. On 7 [and 8] November 2006, the Conference held a general exchange of views. The following delegations participated in that exchange of views: [...]. The representative of the [...] also participated in the exchange of views. Non-governmental organisations, namely [...], also participated in the exchange of views.

34. On 13 November 2006, the Conference held a special plenary meeting to mark the entry into force, on 12 November 2006, of Protocol V on Explosive Remnants of War. The following delegations participated in that exchange of views on the occasion of the entry into force of the Protocol: [...]. The representative of the [...] also participated in the exchange of views.
35. At the same special plenary meeting, the Conference received a message from the Secretary-General of the United Nations which was delivered by the Under Secretary-General of the United Nations Department for Disarmament Affairs, Mr. Nobuaki Tanaka.
36. Main Committee I held [...] meetings from [...] November 2006. The Chairperson of the Committee, Ambassador Edvardas Borisovas of Lithuania presented its report to the Conference at its fourth plenary meeting on [...] November 2006.
37. Main Committee II held [...] meetings from [...] November 2006. The Chairperson of the Committee, Ambassador Carlos da Rocha Paranhos of Brazil, presented its report to the Conference at its fourth plenary meeting on [...] November 2006.
38. The Credentials Committee held [...] meetings on [...] and [...] November 2006. The Chairperson of the Committee, Ambassador Gordan Markotić of Croatia, presented its report to the Conference at its fourth plenary meeting on [17] November 2006.
39. The Drafting Committee held [...] meetings on [...] November 2006. The Chairperson of the Committee, Ambassador Jayant Prasad of India, presented its report to the Conference at its fourth plenary meeting on [17] November 2006.

#### **IV. Decisions and Recommendations**

40. At its [...] plenary meeting, on [17] November 2006, the Conference took note of the reports of Main Committee I, as contained in [...], Main Committee II, as contained in [...] and the Drafting Committee, as contained in [...]. At the same plenary meeting the Conference approved the report of the Credentials Committee, as contained in [...] and adopted the draft resolution contained therein.
41. The Third Review Conference expressed deep gratitude to all office holders of the Group of Governmental Experts since its establishment by the Second Review Conference for their contribution to the work of the Group.
42. At the same plenary meeting the Conference adopted [...].
43. At the same plenary meeting, the Conference adopted its final report, as contained in document [...], as orally amended, which is being issued as document CCW/CONF.III/xxx.

## **PART II**

### **FINAL DECLARATION**

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