

**GROUP OF GOVERNMENTAL EXPERTS 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**

**CCW/GGE/XII/2
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Item 10 of the Agenda

**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**

THIRD REVIEW CONFERENCE OF THE STATES PARTIES TO THE CCW

Presented by the Chairperson-designate

I. INTRODUCTION

1. In accordance with the decision taken by the 2004 Meeting of the States Parties to the CCW (paragraph 28 of document CCW/MSP/2004/2, dated 13 December 2004), “the Chairperson-designate shall undertake consultations during the intersessional period on the preparation of the Third Review Conference of the States Parties to the Convention and shall report to the next Meeting of the States Parties”.

2. The current paper is submitted under the personal responsibility of the Chairperson-designate of the 2005 Meeting of the States Parties to the CCW which follows previous papers on the same issue (document CCW/GGE/X/4, dated 4 March 2005 and CCW/GGE/XI/3, dated 29 July 2005). It is intended to facilitate the establishment of the preparatory process for the Third Review Conference of the States Parties to the CCW, which is scheduled to take place no later than 2006.

II. RECOMMENDATIONS FOR THE 2005 MEETING OF THE STATES PARTIES TO THE CCW (24-25 November 2005)

Time of the Review Conference

3. The Third Review Conference shall be held from 7 to 17 November 2006. It shall be preceded by the Eighth Annual Conference of the High Contracting Parties to CCW Amended Protocol II (APII) to be held on 6 November 2005 (pursuant to Article 13 of AP II).

Venue of the Review Conference

4. The Third CCW Review Conference shall take place in [the United Nations Office at] Geneva.

Structure

5. The States parties may decide between the following two options:

- (a) To establish a separate preparatory process (a Preparatory Committee) synchronized (back-to-back) with the existing mechanism (the Group of Governmental Experts), and chaired by the President-designate of the Third Review Conference; or**
- (b) To undertake all necessary preparations for the Third Review Conference within the framework of the existing CCW mechanism (the GGE) which falls under the current agenda item.**

Timing and duration of the preparatory process

6. The preparatory process for the Third CCW Review Conference shall be scheduled as follows:

- (a) Thirteenth session of the GGE and/or First PrepCom - 6 - 10 March 2006**
- (b) Fourteenth session of the GGE and/or Second PrepCom - 19 - 23 June 2006¹**
- (c) Fifteenth session of the GGE and/or Third PrepCom - 28 August - 9 September 2006²**

¹ The initial idea to allocate two weeks in June (see CCW/GGE/XI/3 dated 29 July 2005) was dropped because the second of the two suggested weeks coincides with the United Nations conference to review progress made in the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (New York, 26 June - 7 July 2006).

² 7 September 2006 is an official United Nations holiday – Jeûne Genevois.

7. The 2005 Meeting of the States Parties shall also determine the duration of the sessions of the GGE/PrepCom, taking into account the workload of the GGE in 2006 and the time needed for the adequate preparation of the Review Conference.

Presidency of the Review Conference

8. The 2005 Meeting of States Parties shall decide, as follows:

- (a) In the case the States parties decide to establish a separate Preparatory Committee synchronized with the existing Group of Governmental Experts, they shall then nominate a President-designate of the Review Conference, who shall also chair the meetings of the Preparatory Committee, as well as a separate team (Chairperson and two Coordinators) to carry on the work of the Group of Governmental Experts;
- (b) In the case the States parties decide to undertake all necessary preparations for the Third Review Conference within the framework of the existing CCW mechanism (the GGE) under the current agenda item, they shall then nominate a President-designate of the Review Conference, who shall also act as Chairperson of the GGE sessions.

9. The regional groups are requested to undertake informal consultations on the designation of a future President.

Universalization of the CCW and its Protocols

10. Maximum effort shall be exerted at the CCW Review Conference and its preparatory process with a view of promoting the universalization of the Convention and all its protocols, and in particular:

- (a) The States parties may decide to adopt at the 2005 Meeting of the States Parties an Appeal for Universality of CCW and its annexed Protocols. A draft Appeal is annexed to the present paper for further consideration by delegations;
- (b) The States parties may also decide to recommend that the Secretary-General of the United Nations, as Depositary of Amended Protocol II, and the Chairperson of the 2005 Meeting of States Parties, on behalf of the States parties, to exercise their authority to achieve the goal of universality of CCW and its annexed Protocols. To this effect, the Meeting could also request the Chairperson to report to the 61st session of the United Nations General Assembly on his endeavours.
- (c) The States parties as well as the other participants in the CCW process may also consider organizing national or regional workshops, conferences or other events aimed at promoting the Convention and its Protocols, or on CCW related issues, including the topics that are currently subject to discussion in the CCW Group of Governmental Experts.

Any other issue relevant to the preparation of the Third Review Conference

11. In the case that by the time of the Third Review Conference Protocol V on Explosive Remnants of War will have entered into force, and a majority, but no less than eighteen High Contracting Parties to the Protocol, agree to hold a First Conference of the High Contracting Parties to Protocol V on ERW (pursuant to Article 10 of Protocol V), the CCW States parties may decide that the First Conference of the High Contracting Parties to Protocol V takes place prior to the Third Review Conference (thus suspending the commencement of the Third Review Conference by one or two days), or in conjunction with the Fifteenth session of the GGE and/or Third PrepCom (thus shortening the actual duration of the CCW meeting). A decision on the allocation of time of the Third CCW Review Conference or of the Fifteenth session of the GGE and/or Third PrepCom to the First Conference of the High Contracting Parties to Protocol V shall be taken by the States parties during the preparatory meetings for the Third Review Conference.

Annex

An Appeal 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 (CCW)
on the Occasion of the 2005 Meeting of the States Parties

(Draft proposal for submission to the 2005 Meeting of the States Parties)

We, 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, meeting in Geneva on 24 and 25 November 2005:

Recalling with satisfaction the adoption and entry into force of 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, and the Protocol on Non-Detectable Fragments (Protocol I), the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II) and its amended version (Amended Protocol II), the Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III), the Protocol on Blinding Laser Weapons (Protocol IV), as well as the amendment of Article 1 of the Convention by which the scope of application of the Convention and its annexed Protocols was extended to include armed conflicts of a non-international character

Recalling with satisfaction the adoption of the Protocol on Explosive Remnants of War (Protocol V) at the Meeting of the States Parties held at Geneva on 27 and 28 November 2003;

Welcome the fact that, as of 25 November 2005 [100¹] States have adhered to the Convention, [97] States have notified the Depository of their consent to be bound by Protocol I, [85] States notified the Depository of their consent to be bound by Protocol II, [85] States have notified the Depository of their consent to be bound by Amended Protocol II, [90] States have notified the Depository of their consent to be bound by Protocol III, [81] States have notified the Depository of their consent to be bound by Protocol IV, [15] States have notified the Depository of their consent to be bound by Protocol V, [44] States have adhered to the amended Article 1 of the Convention;

Emphasize the importance of achieving universal adherence to the Convention and its annexed Protocols;

Urges all States that have not yet done so to consider becoming parties, as soon as possible, to the Convention and its annexed Protocols.

¹ As of 10 November 2005. Figures will be updated to reflect the latest developments by the time of the 2005 Meeting of States Parties.