The Permanent Mission of Switzerland to the United Nations Office and to the other international organisations in Geneva presents its compliments to the CCW Implementation Support Unit, Office for Disarmament Affairs (Geneva Branch), and has the honour to submit Switzerland’s 2016 Report according to the decision of the Fourth Review Conference on the establishment of a Compliance mechanism to the 1980 “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 the Conference’s Final Declaration, Annex III.

The Permanent Mission of Switzerland thanks the CCW Implementation Support Unit for circulating this report to all High Contracting Parties.

The Permanent Mission of Switzerland avails itself of this opportunity to renew to the CCW Implementation Support Unit the assurances of its highest consideration.

Geneva, 31 March 2017

CCW Implementation Support Unit
Office for Disarmament Affairs (Geneva Branch)
United Nations Office at Geneva
Palais des Nations, Office C 113-1
CH-1211 Geneva 10
Switzerland
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: 31 MARCH 2017

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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

The protection of persons who are not or are no longer taking part in hostilities as well as the limitation of means and methods of warfare, including notably the prohibition of means and methods of warfare which are of a nature to cause superfluous injury or unnecessary suffering to combatants, have always been priorities for Switzerland. Our country puts therefore every effort in the strict implementation and strengthening of the standards set by international humanitarian law (IHL) with regard to all parties involved.

Swiss military doctrine, along with the respective regulations and manuals, reflect the law of armed conflict and its principles including the norms and regulations of the CCW and its Protocols.

Armed Forces personnel are educated in IHL during basic training (recruit school) and in all military cadre schools; IHL is part of the curriculum of the Swiss Armed Forces College, which includes the Military Academy and is responsible for all cadre courses, including courses for General Staff Officers, as well as for legal advisors. Legal advisors attend the relevant course on International Humanitarian Law at the International Institute of Humanitarian Law in San Remo (Italy), and members of the Armed Forces participating in peace operations receive an instruction on specific Rules of Engagement as part of the pre-deployment training.

Officers are also regularly instructed in the Armed Forces College, Command and Staff Officer School on arms control issues, the norms and regulations of IHL, as well as on the CCW and its Protocols. Dissemination of the law of armed conflict to a wider public is promoted by interactive CD-ROMs and a web-site (www.loac.ch).

Every member of the Swiss Armed Forces, independently of the kind of performed duty (i.e. national defence, support to civilian authorities, peace operations or training) has to respect the law (including IHL norms). Illegal orders, especially when their execution is resulting in a violation of IHL or international human rights law (HR), must not be carried out. Commanders are obliged to respect and ensure respect of IHL and HR within their sphere of responsibility.

Members of the Swiss Armed Forces are instructed and trained to use weapons and munitions only according to authorised design and manuals.
The Swiss Armed Forces International Command SWISSINT is responsible for the pre-deployment training and preparation of members of the Armed Forces. 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) provides its internationally deployed experts with information 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 Conferences of the High Contracting Parties to the 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 in the course of the implementation of the Federal Act on War Material, the Parliament and the civilian population have been informed comprehensively on the new obligations arising from these legal instruments.

The respective federal legislation is available under  
http://www.admin.ch/ch/f/rs/514_51/index.html

Any other relevant information

Further information is included in the annual exchange of the OSCE Code of Conduct and on the webpage of the Swiss Armed Forces, Law of the Armed Conflict: 
www.loac.ch (in German and French)
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 ammunition fulfil the technical requirements set out in the CCW Convention and its Protocols. Weapons not meeting the relevant technical requirements due under the Convention and its Protocols have been decommissioned accordingly (i.e. flamethrowers in 1993, anti-personnel mines in 1999).

Any other relevant information

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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

Switzerland is a High Contracting Party to the Convention and all its Protocols. These international legal instruments build an integral part of the Swiss legislation.

In addition, Switzerland is a State Party to the Convention on Anti-Personnel Mines (APMBC). The comprehensive ban in this regard is reflected in article 8 of the Federal Act on War Material (see http://www.admin.ch/ch/f/rs/514_51/index.html).

In the context of explosive remnants of war, including explosive remnants of cluster munitions, Switzerland is also a State Party to the Convention on Cluster Munitions (CCM).

The international obligations set out in these treaties are reflected in the relevant articles of the Federal Act on War Material (articles 8a, 8b and 8c as well as articles 35a and 35b) (online link as above).

In Addition, the Swiss Criminal Code (Title Twelve, esp. Art. 264h and 264j, see https://www.admin.ch/opc/en/classified-compilation/19370083/index.html) and the Military Criminal Code (Title Six, Art. 112d and 114, see https://www.admin.ch/opc/fr/classified-compilation/19270018/index.html - French only) criminalise the use of prohibited weapons as a war crime.

Any other relevant information

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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 and assistance

International co-operation and assistance provided: In 2016, Switzerland attributed CHF 18.9 million to mine action, which includes the engagements in regard to international co-operation and assistance. Due to well-known practical reasons, the attribution to activities addressing the threat posed by anti-personnel mines, cluster munitions and other ERWs cannot always be clearly separated and quantified.

Switzerland’s engagement in international co-operation and assistance is based on the Mine Action Strategy of the Swiss Confederation 2016-2019. This new strategy was published in July 2016 and represents the fourth subsequent national strategy in this domain. The strategy defines a whole of government approach to all activities addressing the threats posed by anti-personnel mines, cluster munitions and explosive remnants of war on policy as well as on operational level.

On that basis, Switzerland provides assistance to mine / cluster munitions / ERW affected countries in terms of funds, material and personnel:

- Support in clearance projects, projects integrating mine action into development, risk awareness campaigns and victim assistance projects mainly through financial contributions in countries and regions such as: Afghanistan, Angola, Bosnia-Herzegovina, Cambodia, Columbia, Gaza, Kosovo, Laos, Libya, Mali, Myanmar and Ukraine for about CHF 6.0 million.

- Provision of substantial political and financial support to the Geneva International Centre for Humanitarian Demining (GICHD): in the reporting period, Switzerland contributed about CHF 9.27 million to the GICHD, which acts as a facilitator, strategic adviser, research body and think tank in the field of Mine Action (including ERW). The Implementation Support Units (ISU), which serve the States Parties to the APMBC as well as to the CCM, are hosted by the GICHD with considerable in-kind contributions from Switzerland (about CH 0.5 million per annum).
• Provision of experts in the fields of EOD, logistics, finance and information management to UN Mine Action Programmes. During the reporting period, experts were deployed to programmes in the Democratic Republic of Congo (DRC), South Sudan and Western Sahara as well as to UNOPS and UNMAS HQ in New York and in Geneva. During the reporting period, CHF 2.71 million have been spent for the assignment of personnel. Switzerland further developed and updated its specific training courses for future experts to be sent to international Mine Action Programs with its partners GICHD, UNICEF and UNOPS.

• Provision of EOD systems. This offer includes not only the material but also training and support (follow-up deliveries may take place upon request). During the reporting period, no request for a delivery was submitted. Among the material provided to international Mine Action Programmes, SMEOD-Systems are the most prominent items.

Since 2000 Switzerland has been offering international training courses on the Information Management System for Mine Action (IMSMA) via the channels of the Partnership for Peace Program (PfP). Switzerland annually offers a series of courses in different fields of mine action. In the reporting period, Switzerland along with such partners as the GICHD, UNICEF and UNOPS offered seven courses with the following topics: “Ammunition Safety Practitioner”, “Integrated Mine Action for Better Results”, “Application of IMAS”, two "A1 IMSMA-Training-Courses", one "A2 IMSMA-Training-Course", two basic “Support Service Officers Courses” and one senior "Support Service Officers Course". The courses took place in Spiez.

Any other relevant information

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