ICRC-hosted meeting on Protocol V CCW - 8-9 November 2012

On 8 and 9 November 2012, the ICRC hosted a meeting of experts on the implementation of Protocol V, focussing on Article 4 on the recording, retention and transmission of ERW information. The purpose of the meeting was to clarify understanding of the requirements of Article 4 and to examine the current practices of States concerning its implementation. The meeting also discussed some of the main challenges to Article 4 implementation, with a view to assisting States Parties to discharge their obligations.

The ICRC is of the view that Protocol V, properly implemented, has the potentially to greatly relieve the suffering caused by explosive remnants of war – and is among the CCW achievements with the greatest potential to benefit those affected by armed conflict. Of all the provisions of the Protocol, Article 4 is of central importance, as the goals of the protocol cannot be achieved if Article 4 is not implemented fully.

Article 4 of the Protocol places obligations on States Parties to record and retain information on the explosive ordnance they use or abandon in an armed conflict. States Parties are also required to transmit that information to relevant States or other organisations so as to facilitate rapid marking and clearance, removal or destruction of ERW – and risk education – at the end of hostilities. Article 11 of the Protocol requires States Parties to issue instructions and operating procedures, and to provide relevant training to personnel in order to meet the objectives of the Protocol.

An analysis conducted by the CCW's Implementation Support Unit of the annual reports submitted by States Parties to the Protocol revealed that a significant number of countries may have misunderstood the requirements of Article 4 or may been facing challenges in implementing the Article's requirements. If the Protocol is to make a meaningful contribution to protecting
the civilian population from the effects of explosive remnants of war, challenges and obstacles to its implementation needed to be understood and addressed.

Participants in the 2-day meeting included military technical experts and officials from CCW States parties, as well as experts from the UN and NGOs from the humanitarian clearance community. The meeting included representatives from Europe, Asia, Africa, North and South America, and the Pacific region.

During the meeting, experts exchanged views on the scope and implementation of Article 4, which all agreed was among the key operative provisions of the Protocol. Discussion between government experts and clearance professionals was open and constructive and a number of challenges were identified and strategies for implementation discussed. There were several areas of convergence and consensus, and some areas where further constructive dialogue may provide additional assistance. I would like to take this opportunity to thank all the participants in the meeting for their enormous contributions.

The ICRC is currently finalizing a report of the meeting, which will contain a summary of the discussions and best practice recommendations for Article 4 implementation. Although the report is not yet finalized, the recommendations have been distributed by the ISU staff. The final report will be made available to all CCW States Parties.

Of course, the implementation of Article 4 is just one element of the Protocol and its goal of facilitating the rapid clearance and destruction of ERW. Ensuring that the problem of ERW is minimized to the greatest extent possible also requires that the Protocol be universally adhered to. In this regard, the ICRC calls upon all States, which have not yet done so, to adhere to the Protocol as soon as possible.