



Council of the
European Union

122592/EU XXV. GP
Eingelangt am 15/11/16

Brussels, 15 November 2016
(OR. en)

14177/16

COARM 200
CODUN 20
CONOP 91
CFSP/PESC 909

OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council

On: 15 November 2016

To: Delegations

No. prev. doc.: 12539/16 COARM 180 CODUN 10 CFSP/PESC 760

Subject: Council conclusions on the Fifth Review Conference 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 (CCW) (Geneva, 12-16 December 2016)

Delegations will find in the Annex the Council conclusions on the Fifth Review 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 (CCW) (Geneva, 12-16 December 2016), adopted by the Council at its 3498th meeting held on 14-15 November 2016.

Council Conclusions on the Fifth Review Conference 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 (CCW) (Geneva, 12-16 December 2016)

1. The Council reiterates the commitment of the European Union and its Member States to respect and comply fully with International Humanitarian Law and underlines that the EU and its Member States will continue to implement fully the EU Guidelines on the promotion of compliance with International Humanitarian Law.
2. The Council recalls that 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) and its Protocols are an essential and integral part of International Humanitarian Law.
3. The Council underlines that the CCW is a unique international forum gathering diplomatic, legal and military expertise. It offers a flexible way to respond to new developments in weapons technologies and to support the implementation of an essential part of International Humanitarian Law which contributes to preventing and reducing the suffering of both civilians and combatants.
4. The Council welcomes the upcoming Fifth Review Conference to take place in Geneva from 12-16 December 2016 which represents an opportunity to keep the Convention responsive to new developments and strengthen its implementation.

5. The Council emphasises the importance of the universalisation of the Convention and its Protocols and supports all efforts towards a widest possible adherence.
6. The Council underlines the importance of transparency and building confidence in the implementation of the CCW and its Protocols and encourages the High Contracting Parties to complete detailed reports on a regular basis. The Council welcomes the proposal to establish a mechanism to assist in improving the rate and quality of national reporting in the context of Protocol V on Explosive Remnants of War (ERW), preferably through the establishment of a voluntary, military roster of experts.
7. The Council expresses its deep concern over the increasing global impact of Improvised Explosive Devices (IEDs) attacks worldwide and their indiscriminate use and effects in particular in the perpetration of terrorist acts.
8. The Council welcomes the work conducted in the CCW and in particular in Amended Protocol II in increasing awareness and creating a useful platform for exchange of information and sharing best practices on countering the impact of IEDs. The Council supports continued work on this issue in the CCW, in accordance with the objectives and purposes of the Convention. The Council welcomes in particular the agreement on the adoption of a Political Declaration by the High Contracting Parties at the Fifth Review Conference on addressing the impact and challenges of IEDS.
9. The Council appreciates the important work conducted on Lethal Autonomous Weapons Systems (LAWs) in the CCW over the past years and the consensual adoption of the recommendations to the Fifth Review Conference of the 2016 Group of Experts. The Council hopes that these will be formally endorsed by the High Contracting Parties at the Fifth Review Conference and will lead to the establishment of a Group of Governmental Experts (GGE) in 2017.

10. The Council highlights the humanitarian impact and the heavy consequences on social and economic development caused by the indiscriminate and disproportionate use of Mines Other Than Anti-Personnel Mines (MOTAPM). The Council acknowledges that at the same time, it is important to seek a balance between humanitarian concerns and military considerations and that MOTAPM can be used as legitimate weapons, provided appropriate safeguards are present to ensure the protection of civilians in accordance with International Humanitarian Law. The Council believes that further expert discussions on MOTAPM in the CCW are valuable.
11. The Council reaffirms the commitment of the European Union to provide assistance, in particular related to the clearance and destruction of ERW and landmines, assistance to victims and mine risk education. As the world's biggest humanitarian donor, the EU and its Member States have been at the forefront in supporting mine action and have contributed more than 600 Million Euro since 2010 in mine action projects in the most heavily affected countries and regions of the world.
12. The Council expresses its appreciation to the Implementation Support Unit of the Convention to provide the necessary administrative and substantive support and encourages it to continue its work in an effective and efficient manner.
