

**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**

FINAL DOCUMENT

Part I

Final report

Geneva, 1996

NOTE

The Final Document of the 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 (Vienna, 25 September to 13 October 1995; Geneva, 15 to 19 January 1996 and 22 April to 3 May 1996) consists of two parts:

- I. Final Report of the Conference (CCW/CONF.I/16 (Part I))
- II. Documents of the Conference (CCW/CONF.I/16 (Part II))

Part I

FINAL REPORT OF THE REVIEW CONFERENCE

CONTENTS

	<u>Paragraphs</u>	<u>Page</u>
I. Introduction	1 - 4	4
II. Organization	5 - 11	5
III. Participation	12 - 20	6
IV. Financial arrangements	21 - 22	9
V. Work	23 - 34	9
VI. Documentation	35	11
VII. Decisions and recommendations	36 - 41	11

Annexes

Annex A	Protocol on Blinding Laser Weapons (Protocol IV)	13
Annex B	Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices (Protocol II), as amended on 3 May 1996	14
Annex C	Final Declaration of the Review Conference	33

I. Introduction

1. 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, under Article 8, subparagraph 3 (a), reads, *inter alia*, as follows:

"If, after a period of ten years following the entry into force of this Convention, no conference has been convened in accordance with subparagraph 1 (a) or 2 (a) of this Article, any High Contracting Party may request the Depositary to convene a conference to which all High Contracting Parties shall be invited to review the scope and operation of this Convention and the Protocols annexed thereto and to consider any proposal for amendments of this Convention or of the existing Protocols. States not parties to this Convention shall be invited as observers to the conference. The conference may agree upon amendments which shall be adopted and enter into force in accordance with subparagraph 1 (b) above."

2. On 16 December 1993, the General Assembly, by its resolution 48/79, welcomed the request to the Secretary-General to convene at an appropriate time, if possible in 1994, in accordance with article 8, paragraph 3, of the Convention, a conference to review the Convention and encouraged the States parties to request the Secretary-General to establish as soon as possible a group of governmental experts to prepare the review conference and to furnish needed assistance and assure service, including the preparation of analytical reports that the review conference and the group of experts might need. It also called upon the maximum number of States to attend the conference, to which the States parties may invite interested non-governmental organizations, in particular the International Committee of the Red Cross.

3. On 22 December 1993, States parties to the Convention submitted a letter to the Secretary-General of the United Nations, requesting him, in his capacity as depositary of the Convention, to convene a Conference of the High Contracting Parties to review the provisions of the Convention. In the letter, the States parties also requested that a group of experts be established with a view to facilitating preparations for this Conference (document CCW/CONF.I/8/Rev.1, paragraph 3).

4. Accordingly, the Secretary-General established the Group of Governmental Experts to Prepare the 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. The Group of Governmental Experts held four sessions in Geneva as follows: the first session took place from 28 February to 4 March 1994, the second from 16 to 27 May 1994, the third from 8 to 19 August 1994 and the fourth from 9 to 20 January 1995. A summary of the work of the Group of Governmental Experts as well as on participation in the Group's sessions is contained in document CCW/CONF.I/8/Rev.1, paragraphs 4 to 8.

II. Organization

5. In accordance with the decision of the Group of Governmental Experts, the first phase of the Review Conference was held in Vienna from 25 September to 13 October 1995 at the Austria Center Vienna and the Vienna International Centre. On 25 September, the Conference was opened by the Chairman of the Group of Governmental Experts, Mr. Johan Molander (Sweden), who was subsequently elected by acclamation as President of the Conference.

6. At its 1st plenary meeting, on 25 September 1995, the Conference also unanimously confirmed the nomination of Mr. Sohrab Kheradi, Deputy Director of the United Nations Centre for Disarmament Affairs, as Secretary-General of the Conference. The nomination had been made by the Secretary-General of the United Nations, following an invitation by the Group of Governmental Experts. At its 11th plenary meeting, on 22 April 1996, the President informed the Conference that the Secretary-General of the Conference, Mr. Sohrab Kheradi, was unable to attend the second resumed session and proposed that Mrs. Hannelore Hoppe, Senior Political Affairs Officer of the United Nations Centre for Disarmament Affairs, assume the responsibilities of Acting Secretary-General of the Conference. The Conference endorsed this proposal.

7. At its 1st plenary meeting, the Conference, in accordance with its Rules of Procedure, unanimously elected 10 Vice-Presidents from the following States parties:

Austria	Russian Federation
China	Slovakia
France	Tunisia
India	Ukraine
Mexico	United States of America

8. At the same meeting, the Conference also unanimously elected the Chairmen and Vice-Chairmen of the three Main Committees, the Drafting Committee and the Credentials Committee, as follows:

Main Committee I	Chairman	Mr. Tibor Tóth (Hungary)
	Vice-Chairman	Mr. Jaap Ramaker (Netherlands)
Main Committee II	Chairman	Mr. Jorge Morales Pedraza (Cuba)
	Vice-Chairman	Mr. Richard G. Starr (Australia)
Main Committee III	Chairman	Mr. Wolfgang Hoffmann (Germany)
	Vice-Chairman	Mr. Peter Poptchev (Bulgaria)
Drafting Committee	Chairman	Mr. Mark J. Moher (Canada)
	Vice-Chairman	Mr. Taoufik Jabeur (Tunisia)
Credentials Committee	Chairman	Mr. Zdzislaw Galicki (Poland)
	Vice-Chairman	Baron Alain Guillaume (Belgium)

9. The Conference also appointed, on the proposal of the President, representatives from the following three States parties as members of the Credentials Committee: China, Finland and Pakistan.

10. At its 8th plenary meeting, on 13 October 1995, the Conference adopted by consensus the text of the Protocol on Blinding Laser Weapons (Protocol IV).

11. At the same meeting, the Conference decided by consensus, that in view of the additional time needed to complete its work on Protocol II, it would continue in resumed sessions, to be held from 15 to 19 January 1996 and from 22 April to 3 May 1996, with a view to concluding the review and the amendment of Protocol II. The interim reports of the first phase of the Conference, held in Vienna, and of the first resumed session, held in January 1996 in Geneva, are contained in documents CCW/CONF.I/8/Rev.1 and CCW/CONF.I/11, respectively.

III. Participation

12. Representatives of 44 States parties to the Convention participated in the first phase of the Conference (25 September to 13 October 1995, Vienna), as follows:

Australia	France	Norway
Austria	Germany	Pakistan
Belarus	Greece	Poland
Belgium	Hungary	Russian Federation
Bosnia and Herzegovina	India	Slovakia
Bulgaria	Ireland	Slovenia
Canada	Israel	Spain
China	Italy	Sweden
Croatia	Japan	Switzerland
Cuba	Latvia	Tunisia
Cyprus	Liechtenstein	Ukraine
Czech Republic	Mexico	United Kingdom of Great Britain and Northern Ireland
Denmark	Mongolia	United States of America
Ecuador	Netherlands	Uruguay
Finland	New Zealand	

13. In accordance with Rule 1 of the Rules of Procedure, representatives of the following 40 States not parties to the Convention participated in the first phase of the Conference as observers:

Albania	Indonesia	Republic of Korea
Angola	Iran (Islamic Republic of)	Republic of Moldova
Argentina	Jordan	Romania
Bolivia	Libyan Arab Jamahiriya	Saudi Arabia
Brazil	Luxembourg	Singapore
Burundi	Morocco	South Africa
Cambodia	Mozambique	Sudan
Chile	Nicaragua	Syrian Arab Republic
Colombia	Oman	Thailand
Egypt	Paraguay	Turkey
Ethiopia	Peru	United Republic of Tanzania
Gabon	Philippines	Venezuela
Holy See	Portugal	Viet Nam
Iceland		

14. In accordance with Rules 46, 47 and 48 of the Rules of Procedure, representatives of the United Nations Children's Fund, the United Nations Department of Humanitarian Affairs, the United Nations Development Programme, the United Nations High Commissioner for Refugees, the European Community, the League of Arab States, the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies and the Sovereign Order of Malta participated in the Conference as observers. In accordance with Rule 49 of the Rules of Procedure, representatives of 66 non-governmental organizations attended public meetings of the Conference and its Main Committees.

15. At the first resumed session (15-19 January 1996, Geneva), representatives of the following 43 States parties to the Convention participated in the session:

Australia	Germany	Norway
Austria	Greece	Pakistan
Belgium	Hungary	Poland
Bulgaria	India	Russian Federation
Canada	Ireland	Slovakia
China	Israel	Slovenia
Croatia	Italy	Spain
Cuba	Japan	Sweden
Cyprus	Latvia	Switzerland
Czech Republic	Liechtenstein	Tunisia
Denmark	Malta	Ukraine
Ecuador	Mexico	United Kingdom of Great Britain and Northern Ireland
Finland	Mongolia	United States of America
France	Netherlands	Uruguay
	New Zealand	

16. In accordance with Rule 1 of the Rules of Procedure, representatives of the following 33 States not parties to the Convention participated in the session as observers:

Afghanistan	Honduras	Portugal
Algeria	Indonesia	Republic of Korea
Angola	Iran (Islamic Republic of)	Romania
Argentina	Jordan	Singapore
Armenia	Libyan Arab Jamahiriya	South Africa
Bolivia	Luxembourg	Syrian Arab Republic
Brazil	Morocco	Thailand
Burundi	Nicaragua	Turkey
Chile	Nigeria	Union of Myanmar
Colombia	Peru	Viet Nam
Egypt	Philippines	
Holy See		

17. In accordance with Rules 46, 47 and 48 of the Rules of Procedure, representatives of the United Nations Children's Fund, the United Nations Department of Humanitarian Affairs, the United Nations High Commissioner for Refugees, the United Nations Institute for Disarmament Research, the League of Arab States, the International Committee of the Red Cross, the International

Federation of Red Cross and Red Crescent Societies and the Sovereign Order of Malta participated in the session as observers. In accordance with Rule 49 of the Rules of Procedure, representatives of 25 non-governmental organizations attended public meetings of the session.

18. At the second resumed session (22 April to 3 May 1996, Geneva), representatives of the following 51 States parties to the Convention participated in the session:

Argentina	Germany	New Zealand
Australia	Greece	Norway
Austria	Guatemala	Pakistan
Belarus	Hungary	Poland
Belgium	India	Romania
Brazil	Ireland	Russian Federation
Bulgaria	Israel	Slovakia
Canada	Italy	Slovenia
China	Japan	South Africa
Croatia	Jordan	Spain
Cuba	Laos People's Democratic Republic	Sweden
Cyprus	Latvia	Switzerland
Czech Republic	Liechtenstein	Tunisia
Denmark	Malta	Ukraine
Ecuador	Mexico	United Kingdom of Great Britain and Northern Ireland
Finland	Mongolia	United States of America
France	Netherlands	Uruguay

19. In accordance with Rule 1 of the Rules of Procedure, representatives of the following 36 States not parties to the Convention participated in the session as observers:

Afghanistan	Holy See	Singapore
Algeria	Honduras	Syrian Arab Republic
Angola	Iceland	Thailand
Armenia	Indonesia	Turkey
Azerbaijan	Iran (Islamic Republic of)	Union of Myanmar
Bolivia	Luxembourg	Venezuela
Burundi	Morocco	Viet Nam
Cambodia	Mozambique	Zambia
Chad	Nigeria	Zimbabwe
Chile	Peru	
Colombia	Philippines	
Egypt	Portugal	
El Salvador	Republic of Korea	
Ethiopia		

20. In accordance with Rules 46, 47 and 48 of the Rules of Procedure, representatives of the United Nations Children's Fund, the United Nations Department of Humanitarian Affairs, the United Nations High Commissioner for Refugees, the United Nations Institute for Disarmament Research, the League of Arab States, the Organization of African Unity, the Organization of the

Islamic Conference, the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies and the Sovereign Order of Malta participated in the session as observers. In accordance with Rule 49 of the Rules of Procedure, representatives of 70 non-governmental organizations attended public meetings of the session.

IV. Financial arrangements

21. At its 1st plenary meeting, on 25 September 1995, the Conference adopted the arrangements for meeting the costs of the Conference, as contained in document CCW/CONF.I/GE/22/Rev.1, in accordance with Rule 16 of the Rules of Procedure.

22. At its 9th meeting, on 15 January 1996, the Conference adopted the arrangements for meeting the costs of the resumed sessions, as contained in document CCW/CONF.I/10, in accordance with Rule 16 of the Rules of Procedure.

V. Work

23. Under the Presidency of Mr. Johan Molander, the Conference held 14 plenary meetings: eight meetings during its first phase in September/October in Vienna; two meetings during the first resumed session in January 1996; and four meetings during the second resumed session in April/May 1996. In addition, the Conference held a number of informal meetings.

24. At its 1st plenary meeting, on 25 September 1995, the Conference adopted its agenda (CCW/CONF.I/2) and its Rules of Procedure, as orally amended, (CCW/CONF.I/1). At the same meeting, the Conference adopted its programme of work and decided to distribute its work among the three Main Committees as follows:

(a) Main Committee I: Review of the scope and operation of the Convention and its annexed Protocols, consideration of any proposals relating to the Convention and preparation and consideration of the final documents;

(b) Main Committee II: Consideration of any proposal relating to the Protocols annexed to the Convention;

(c) Main Committee III: Consideration of proposals for additional Protocols to the Convention.

25. At its 2nd meeting, on 26 September 1995, the Conference received a message from the Secretary-General of the United Nations which was delivered through a video broadcast. At the first and the second resumed sessions, additional messages from the Secretary-General of the United Nations were delivered by Mr. Vladimir Petrovsky, Director-General of the United Nations Office at Geneva.

26. During the first phase of its work, the Conference held a general exchange of views from 26 to 28 September 1995. A number of delegations as well as non-governmental organizations participated in that exchange of views.

At the opening meeting of the second resumed session, on 22 April 1996, statements were made by a number of delegations as well as non-governmental organizations.

27. Main Committee I held 17 meetings: eight during the first phase of the Conference in September/October 1995, in Vienna, and nine meetings during the second resumed session in April/May 1996 in Geneva. Its report (CCW/CONF.I/MC.I/1), together with the draft Final Declaration of the Review Conference (document CCW/CONF.I/WP.1/Rev.1), were submitted to the Conference at the 13th plenary meeting, on 3 May 1996, at which time the Conference took note of the report.

28. Main Committee II held 10 meetings from 26 September to 10 October 1995 in Vienna. Pursuant to the decision taken by the Conference on 13 October 1995, work during the first resumed session in January 1996 in Geneva focused on Articles 2-6 of Protocol II and the Technical Annex and was carried out in the framework of open-ended informal consultations of the President of the Conference. In addition, a meeting of military experts was convened by the President on 18 January 1996, with a view to addressing relevant issues.

29. At its 10th plenary meeting, on 19 January 1996, the President submitted to the Conference a revised version of the President's text (CCW/CONF.I/WP.4/Rev.1), incorporating certain changes to Articles 2-6 and the Technical Annex of the draft amended Protocol II contained therein for the consideration of delegations, and to serve as a basis for the work of the concluding session of the Review Conference. The amended version of the President's text reflected the stage of negotiations as seen by the President and did not commit any delegation.

30. At its 11th plenary meeting, on 22 April 1996, the Conference, at the recommendation of the General Committee, decided that, in view of the developments during the first phase of the Conference in Vienna and subsequent developments at the first resumed session in January, work on Protocol II and its Technical Annex should be transferred to the Plenary and should continue in the form of consultations of the President and Friends of the Chair. Consequently, the Conference agreed that the President would continue consultations on the outstanding technical issues, i.e. new draft Articles 2-10 of Protocol II and the new draft Technical Annex as contained in document CCW/CONF.I/WP.4/Rev.1. Mr. Max Gevers (Netherlands) was appointed as Friend of the Chair on new draft Article 8 on "Transfers". Mr. José Viegas Filho (Brazil) was appointed as Friend of the Chair on new draft Article 11 on "Technological cooperation and assistance". Mr. Mark J. Moher (Canada) was appointed as Friend of the Chair on new draft Article 13 on "Consultations of High Contracting Parties" and on new draft Article 14 on "Compliance". The leaders of the delegations of India and the United Kingdom were entrusted with the task of undertaking consultations on new draft Article 12 on "Protection from the effects of minefields, mined areas, mines, booby-traps and other devices".

31. At the 12th plenary meeting, on 30 April 1996, the President presented to the Conference the amended Protocol II and the Technical Annex (document CCW/CONF.I/CRP.19), which also incorporated the results of the

consultations of the Friends of the Chair. At the same meeting, the Conference agreed to transmit it to the Drafting Committee for its consideration on the understanding that this did not commit any delegation to the amended Protocol.

32. Main Committee III held five meetings from 26 September to 6 October 1995 and submitted its report (CCW/CONF.I/4) to the Conference at its 7th meeting, on 12 October 1995, annexed to which was the draft text of the Protocol on Blinding Laser Weapons. At the same meeting, the Conference took note of this report and decided to transmit it to the Drafting Committee for its consideration.

33. The Credentials Committee held three meetings during the first phase of the Conference between 28 September and 11 October 1995 and submitted its report (CCW/CONF.I/6*) as orally amended, to the Conference at its 8th meeting, on 13 October 1995. At the same meeting, the Conference took note of this report. During the second resumed session, the Credentials Committee held three meetings, between 24 April 1996 and 2 May 1996 and submitted its report (CCW/CONF.I/CC/1) to the Conference at its 13th meeting. At its 14th meeting, the Conference approved the report of the Committee and adopted the draft resolution contained therein.

34. The Drafting Committee held one meeting on 12 October 1995. The Chairman of the Drafting Committee presented an oral report on the work of the Committee during the first phase of the Conference at the 8th plenary meeting, on 13 October 1995. During the second resumed session, the Drafting Committee held one meeting on 30 April 1996 and two meetings on 1 May 1996. The Chairman of the Committee made an oral report to the Conference at its 13th meeting. At the same meeting, the Conference took note of this report, which was later circulated as document CCW/CONF.I/DC/1.

VI. Documentation

35. A list of the documents of the Conference is contained in part II of the present document.

VII. Decisions and recommendations

36. At its 8th plenary meeting, on 13 October 1995, the Conference, by consensus, adopted the text of the Protocol on Blinding Laser Weapons (Protocol IV) (CCW/CONF.I/7) which is annexed to this document (Annex A). On 12 December 1995, the Secretary-General of the United Nations, in accordance with his function as depositary of the Convention and its Protocols, circulated Protocol IV to all States.

37. At its 14th plenary meeting, on 3 May 1996, the Conference adopted by consensus the amended Protocol II on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices which is annexed to the present document (Annex B).

38. At the time of adoption of the amended Protocol II, a number of States parties made statements with regard to the provisions of this Protocol. Those statements are reflected in the summary records of the meeting.

39. At the same meeting, the Conference adopted by consensus the Final Declaration of the Review Conference, as orally amended, which is annexed to the present document (Annex C).

40. Also at the same meeting, the Conference adopted its final report.

41. The Conference recommends the Protocol on Blinding Laser Weapons (Protocol IV) and Protocol II on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices, as amended on 3 May 1996, to States parties with a view to achieving the early entry into force of those instruments and the widest possible adherence to them. The Conference further recommends to all States that have not yet done so to take all necessary measures to become parties, as soon as possible, to the Convention, including Protocol I, Protocol III, Protocol IV and Protocol II as amended on 3 May 1996.

Annex A

ADDITIONAL PROTOCOL
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

ARTICLE 1: ADDITIONAL PROTOCOL

The following protocol shall be annexed 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 ("the Convention") as Protocol IV:

**"Protocol on Blinding Laser Weapons
(Protocol IV)"**

Article 1

It is prohibited to employ laser weapons specifically designed, as their sole combat function or as one of their combat functions, to cause permanent blindness to unenhanced vision, that is to the naked eye or to the eye with corrective eyesight devices. The High Contracting Parties shall not transfer such weapons to any State or non-State entity.

Article 2

In the employment of laser systems, the High Contracting Parties shall take all feasible precautions to avoid the incidence of permanent blindness to unenhanced vision. Such precautions shall include training of their armed forces and other practical measures.

Article 3

Blinding as an incidental or collateral effect of the legitimate military employment of laser systems, including laser systems used against optical equipment, is not covered by the prohibition of this Protocol.

Article 4

For the purpose of this Protocol 'permanent blindness' means irreversible and uncorrectable loss of vision which is seriously disabling with no prospect of recovery. Serious disability is equivalent to visual acuity of less than 20/200 Snellen measured using both eyes."

ARTICLE 2: ENTRY INTO FORCE

This Protocol shall enter into force as provided in paragraphs 3 and 4 of Article 5 of the Convention.

Annex B

PROTOCOL ON PROHIBITIONS OR RESTRICTIONS ON
THE USE OF MINES, BOOBY-TRAPS
AND OTHER DEVICES AS AMENDED ON 3 MAY 1996
(PROTOCOL II AS AMENDED ON 3 MAY 1996)
ANNEXED 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

ARTICLE 1: AMENDED PROTOCOL

The Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices (Protocol II), annexed 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 ("the Convention") is hereby amended. The text of the Protocol as amended shall read as follows:

**"Protocol on Prohibitions or Restrictions on
the Use of Mines, Booby-Traps and Other Devices
as Amended on 3 May 1996
(Protocol II as amended on 3 May 1996)**

Article 1

Scope of application

1. This Protocol relates to the use on land of the mines, booby-traps and other devices, defined herein, including mines laid to interdict beaches, waterway crossings or river crossings, but does not apply to the use of anti-ship mines at sea or in inland waterways.
2. This Protocol shall apply, in addition to situations referred to in Article 1 of this Convention, to situations referred to in Article 3 common to the Geneva Conventions of 12 August 1949. This Protocol shall not apply to situations of internal disturbances and tensions, such as riots, isolated and sporadic acts of violence and other acts of a similar nature, as not being armed conflicts.
3. In case of armed conflicts not of an international character occurring in the territory of one of the High Contracting Parties, each party to the conflict shall be bound to apply the prohibitions and restrictions of this Protocol.

4. Nothing in this Protocol shall be invoked for the purpose of affecting the sovereignty of a State or the responsibility of the Government, by all legitimate means, to maintain or re-establish law and order in the State or to defend the national unity and territorial integrity of the State.

5. Nothing in this Protocol shall be invoked as a justification for intervening, directly or indirectly, for any reason whatever, in the armed conflict or in the internal or external affairs of the High Contracting Party in the territory of which that conflict occurs.

6. The application of the provisions of this Protocol to parties to a conflict, which are not High Contracting Parties that have accepted this Protocol, shall not change their legal status or the legal status of a disputed territory, either explicitly or implicitly.

Article 2

Definitions

For the purpose of this Protocol:

1. "Mine" means a munition placed under, on or near the ground or other surface area and designed to be exploded by the presence, proximity or contact of a person or vehicle.
2. "Remotely-delivered mine" means a mine not directly emplaced but delivered by artillery, missile, rocket, mortar, or similar means, or dropped from an aircraft. Mines delivered from a land-based system from less than 500 metres are not considered to be "remotely delivered", provided that they are used in accordance with Article 5 and other relevant Articles of this Protocol.
3. "Anti-personnel mine" means a mine primarily designed to be exploded by the presence, proximity or contact of a person and that will incapacitate, injure or kill one or more persons.
4. "Booby-trap" means any device or material which is designed, constructed, or adapted to kill or injure, and which functions unexpectedly when a person disturbs or approaches an apparently harmless object or performs an apparently safe act.
5. "Other devices" means manually-emplaced munitions and devices including improvised explosive devices designed to kill, injure or damage and which are actuated manually, by remote control or automatically after a lapse of time.
6. "Military objective" means, so far as objects are concerned, any object which by its nature, location, purpose or use makes an effective contribution to military action and whose total or partial destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage.

7. "Civilian objects" are all objects which are not military objectives as defined in paragraph 6 of this Article.

8. "Minefield" is a defined area in which mines have been emplaced and "mined area" is an area which is dangerous due to the presence of mines. "Phoney minefield" means an area free of mines that simulates a minefield. The term "minefield" includes phoney minefields.

9. "Recording" means a physical, administrative and technical operation designed to obtain, for the purpose of registration in official records, all available information facilitating the location of minefields, mined areas, mines, booby-traps and other devices.

10. "Self-destruction mechanism" means an incorporated or externally attached automatically-functioning mechanism which secures the destruction of the munition into which it is incorporated or to which it is attached.

11. "Self-neutralization mechanism" means an incorporated automatically-functioning mechanism which renders inoperable the munition into which it is incorporated.

12. "Self-deactivating" means automatically rendering a munition inoperable by means of the irreversible exhaustion of a component, for example, a battery, that is essential to the operation of the munition.

13. "Remote control" means control by commands from a distance.

14. "Anti-handling device" means a device intended to protect a mine and which is part of, linked to, attached to or placed under the mine and which activates when an attempt is made to tamper with the mine.

15. "Transfer" involves, in addition to the physical movement of mines into or from national territory, the transfer of title to and control over the mines, but does not involve the transfer of territory containing emplaced mines.

Article 3

General restrictions on the use of mines, booby-traps and other devices

1. This Article applies to:

- (a) mines;
- (b) booby-traps; and
- (c) other devices.

2. Each High Contracting Party or party to a conflict is, in accordance with the provisions of this Protocol, responsible for all mines, booby-traps, and other devices employed by it and undertakes to clear, remove, destroy or maintain them as specified in Article 10 of this Protocol.

3. It is prohibited in all circumstances to use any mine, booby-trap or other device which is designed or of a nature to cause superfluous injury or unnecessary suffering.
4. Weapons to which this Article applies shall strictly comply with the standards and limitations specified in the Technical Annex with respect to each particular category.
5. It is prohibited to use mines, booby-traps or other devices which employ a mechanism or device specifically designed to detonate the munition by the presence of commonly available mine detectors as a result of their magnetic or other non-contact influence during normal use in detection operations.
6. It is prohibited to use a self-deactivating mine equipped with an anti-handling device that is designed in such a manner that the anti-handling device is capable of functioning after the mine has ceased to be capable of functioning.
7. It is prohibited in all circumstances to direct weapons to which this Article applies, either in offence, defence or by way of reprisals, against the civilian population as such or against individual civilians or civilian objects.
8. The indiscriminate use of weapons to which this Article applies is prohibited. Indiscriminate use is any placement of such weapons:
 - (a) which is not on, or directed against, a military objective. In case of doubt as to whether an object which is normally dedicated to civilian purposes, such as a place of worship, a house or other dwelling or a school, is being used to make an effective contribution to military action, it shall be presumed not to be so used;
 - (b) which employs a method or means of delivery which cannot be directed at a specific military objective; or
 - (c) which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated.
9. Several clearly separated and distinct military objectives located in a city, town, village or other area containing a similar concentration of civilians or civilian objects are not to be treated as a single military objective.
10. All feasible precautions shall be taken to protect civilians from the effects of weapons to which this Article applies. Feasible precautions are those precautions which are practicable or practically possible taking into account all circumstances ruling at the time, including humanitarian and military considerations. These circumstances include, but are not limited to:
 - (a) the short- and long-term effect of mines upon the local civilian population for the duration of the minefield;

- (b) possible measures to protect civilians (for example, fencing, signs, warning and monitoring);
- (c) the availability and feasibility of using alternatives; and
- (d) the short- and long-term military requirements for a minefield.

11. Effective advance warning shall be given of any emplacement of mines, booby-traps and other devices which may affect the civilian population, unless circumstances do not permit.

Article 4

Restrictions on the use of anti-personnel mines

It is prohibited to use anti-personnel mines which are not detectable, as specified in paragraph 2 of the Technical Annex.

Article 5

Restrictions on the use of anti-personnel mines other than remotely-delivered mines

1. This Article applies to anti-personnel mines other than remotely-delivered mines.
2. It is prohibited to use weapons to which this Article applies which are not in compliance with the provisions on self-destruction and self-deactivation in the Technical Annex, unless:
 - (a) such weapons are placed within a perimeter-marked area which is monitored by military personnel and protected by fencing or other means, to ensure the effective exclusion of civilians from the area. The marking must be of a distinct and durable character and must at least be visible to a person who is about to enter the perimeter-marked area; and
 - (b) such weapons are cleared before the area is abandoned, unless the area is turned over to the forces of another State which accept responsibility for the maintenance of the protections required by this Article and the subsequent clearance of those weapons.
3. A party to a conflict is relieved from further compliance with the provisions of sub-paragraphs 2 (a) and 2 (b) of this Article only if such compliance is not feasible due to forcible loss of control of the area as a result of enemy military action, including situations where direct enemy military action makes it impossible to comply. If that party regains control of the area, it shall resume compliance with the provisions of sub-paragraphs 2 (a) and 2 (b) of this Article.
4. If the forces of a party to a conflict gain control of an area in which weapons to which this Article applies have been laid, such forces shall, to the maximum extent feasible, maintain and, if necessary, establish the protections required by this Article until such weapons have been cleared.

5. All feasible measures shall be taken to prevent the unauthorized removal, defacement, destruction or concealment of any device, system or material used to establish the perimeter of a perimeter-marked area.

6. Weapons to which this Article applies which propel fragments in a horizontal arc of less than 90 degrees and which are placed on or above the ground may be used without the measures provided for in sub-paragraph 2 (a) of this Article for a maximum period of 72 hours, if:

(a) they are located in immediate proximity to the military unit that emplaced them; and

(b) the area is monitored by military personnel to ensure the effective exclusion of civilians.

Article 6

Restrictions on the use of remotely-delivered mines

1. It is prohibited to use remotely-delivered mines unless they are recorded in accordance with sub-paragraph 1 (b) of the Technical Annex.

2. It is prohibited to use remotely-delivered anti-personnel mines which are not in compliance with the provisions on self-destruction and self-deactivation in the Technical Annex.

3. It is prohibited to use remotely-delivered mines other than anti-personnel mines, unless, to the extent feasible, they are equipped with an effective self-destruction or self-neutralization mechanism and have a back-up self-deactivation feature, which is designed so that the mine will no longer function as a mine when the mine no longer serves the military purpose for which it was placed in position.

4. Effective advance warning shall be given of any delivery or dropping of remotely-delivered mines which may affect the civilian population, unless circumstances do not permit.

Article 7

Prohibitions on the use of booby-traps and other devices

1. Without prejudice to the rules of international law applicable in armed conflict relating to treachery and perfidy, it is prohibited in all circumstances to use booby-traps and other devices which are in any way attached to or associated with:

(a) internationally recognized protective emblems, signs or signals;

(b) sick, wounded or dead persons;

- (c) burial or cremation sites or graves;
- (d) medical facilities, medical equipment, medical supplies or medical transportation;
- (e) children's toys or other portable objects or products specially designed for the feeding, health, hygiene, clothing or education of children;
- (f) food or drink;
- (g) kitchen utensils or appliances except in military establishments, military locations or military supply depots;
- (h) objects clearly of a religious nature;
- (i) historic monuments, works of art or places of worship which constitute the cultural or spiritual heritage of peoples; or
- (j) animals or their carcasses.

2. It is prohibited to use booby-traps or other devices in the form of apparently harmless portable objects which are specifically designed and constructed to contain explosive material.

3. Without prejudice to the provisions of Article 3, it is prohibited to use weapons to which this Article applies in any city, town, village or other area containing a similar concentration of civilians in which combat between ground forces is not taking place or does not appear to be imminent, unless either:

- (a) they are placed on or in the close vicinity of a military objective; or

- (b) measures are taken to protect civilians from their effects, for example, the posting of warning sentries, the issuing of warnings or the provision of fences.

Article 8

Transfers

1. In order to promote the purposes of this Protocol, each High Contracting Party:

- (a) undertakes not to transfer any mine the use of which is prohibited by this Protocol;

- (b) undertakes not to transfer any mine to any recipient other than a State or a State agency authorized to receive such transfers;

- (c) undertakes to exercise restraint in the transfer of any mine the use of which is restricted by this Protocol. In particular, each High

Contracting Party undertakes not to transfer any anti-personnel mines to States which are not bound by this Protocol, unless the recipient State agrees to apply this Protocol; and

(d) undertakes to ensure that any transfer in accordance with this Article takes place in full compliance, by both the transferring and the recipient State, with the relevant provisions of this Protocol and the applicable norms of international humanitarian law.

2. In the event that a High Contracting Party declares that it will defer compliance with specific provisions on the use of certain mines, as provided for in the Technical Annex, sub-paragraph 1 (a) of this Article shall however apply to such mines.

3. All High Contracting Parties, pending the entry into force of this Protocol, will refrain from any actions which would be inconsistent with sub-paragraph 1 (a) of this Article.

Article 9

Recording and use of information on minefields, mined areas, mines, booby-traps and other devices

1. All information concerning minefields, mined areas, mines, booby-traps and other devices shall be recorded in accordance with the provisions of the Technical Annex.

2. All such records shall be retained by the parties to a conflict, who shall, without delay after the cessation of active hostilities, take all necessary and appropriate measures, including the use of such information, to protect civilians from the effects of minefields, mined areas, mines, booby-traps and other devices in areas under their control.

At the same time, they shall also make available to the other party or parties to the conflict and to the Secretary-General of the United Nations all such information in their possession concerning minefields, mined areas, mines, booby-traps and other devices laid by them in areas no longer under their control; provided, however, subject to reciprocity, where the forces of a party to a conflict are in the territory of an adverse party, either party may withhold such information from the Secretary-General and the other party, to the extent that security interests require such withholding, until neither party is in the territory of the other. In the latter case, the information withheld shall be disclosed as soon as those security interests permit. Wherever possible, the parties to the conflict shall seek, by mutual agreement, to provide for the release of such information at the earliest possible time in a manner consistent with the security interests of each party.

3. This Article is without prejudice to the provisions of Articles 10 and 12 of this Protocol.

Article 10

Removal of minefields, mined areas, mines, booby-traps
and other devices and international cooperation

1. Without delay after the cessation of active hostilities, all minefields, mined areas, mines, booby-traps and other devices shall be cleared, removed, destroyed or maintained in accordance with Article 3 and paragraph 2 of Article 5 of this Protocol.
2. High Contracting Parties and parties to a conflict bear such responsibility with respect to minefields, mined areas, mines, booby-traps and other devices in areas under their control.
3. With respect to minefields, mined areas, mines, booby-traps and other devices laid by a party in areas over which it no longer exercises control, such party shall provide to the party in control of the area pursuant to paragraph 2 of this Article, to the extent permitted by such party, technical and material assistance necessary to fulfil such responsibility.
4. At all times necessary, the parties shall endeavour to reach agreement, both among themselves and, where appropriate, with other States and with international organizations, on the provision of technical and material assistance, including, in appropriate circumstances, the undertaking of joint operations necessary to fulfil such responsibilities.

Article 11

Technological cooperation and assistance

1. Each High Contracting Party undertakes to facilitate and shall have the right to participate in the fullest possible exchange of equipment, material and scientific and technological information concerning the implementation of this Protocol and means of mine clearance. In particular, High Contracting Parties shall not impose undue restrictions on the provision of mine clearance equipment and related technological information for humanitarian purposes.
2. Each High Contracting Party undertakes to provide information to the database on mine clearance established within the United Nations System, especially information concerning various means and technologies of mine clearance, and lists of experts, expert agencies or national points of contact on mine clearance.
3. Each High Contracting Party in a position to do so shall provide assistance for mine clearance through the United Nations System, other international bodies or on a bilateral basis, or contribute to the United Nations Voluntary Trust Fund for Assistance in Mine Clearance.
4. Requests by High Contracting Parties for assistance, substantiated by relevant information, may be submitted to the United Nations, to other appropriate bodies or to other States. These requests may be submitted to the Secretary-General of the United Nations, who shall transmit them to all High Contracting Parties and to relevant international organizations.

5. In the case of requests to the United Nations, the Secretary-General of the United Nations, within the resources available to the Secretary-General of the United Nations, may take appropriate steps to assess the situation and, in cooperation with the requesting High Contracting Party, determine the appropriate provision of assistance in mine clearance or implementation of the Protocol. The Secretary-General may also report to High Contracting Parties on any such assessment as well as on the type and scope of assistance required.

6. Without prejudice to their constitutional and other legal provisions, the High Contracting Parties undertake to cooperate and transfer technology to facilitate the implementation of the relevant prohibitions and restrictions set out in this Protocol.

7. Each High Contracting Party has the right to seek and receive technical assistance, where appropriate, from another High Contracting Party on specific relevant technology, other than weapons technology, as necessary and feasible, with a view to reducing any period of deferral for which provision is made in the Technical Annex.

Article 12

Protection from the effects of minefields, mined areas, mines, booby-traps and other devices

1. Application

(a) With the exception of the forces and missions referred to in sub-paragraph 2 (a) (i) of this Article, this Article applies only to missions which are performing functions in an area with the consent of the High Contracting Party on whose territory the functions are performed.

(b) The application of the provisions of this Article to parties to a conflict which are not High Contracting Parties shall not change their legal status or the legal status of a disputed territory, either explicitly or implicitly.

(c) The provisions of this Article are without prejudice to existing international humanitarian law, or other international instruments as applicable, or decisions by the Security Council of the United Nations, which provide for a higher level of protection to personnel functioning in accordance with this Article.

2. Peace-keeping and certain other forces and missions

(a) This paragraph applies to:

(i) any United Nations force or mission performing peace-keeping, observation or similar functions in any area in accordance with the Charter of the United Nations; and

- (ii) any mission established pursuant to Chapter VIII of the Charter of the United Nations and performing its functions in the area of a conflict.

(b) Each High Contracting Party or party to a conflict, if so requested by the head of a force or mission to which this paragraph applies, shall:

- (i) so far as it is able, take such measures as are necessary to protect the force or mission from the effects of mines, booby-traps and other devices in any area under its control;
- (ii) if necessary in order effectively to protect such personnel, remove or render harmless, so far as it is able, all mines, booby-traps and other devices in that area; and
- (iii) inform the head of the force or mission of the location of all known minefields, mined areas, mines, booby-traps and other devices in the area in which the force or mission is performing its functions and, so far as is feasible, make available to the head of the force or mission all information in its possession concerning such minefields, mined areas, mines, booby-traps and other devices.

3. Humanitarian and fact-finding missions of the United Nations System

(a) This paragraph applies to any humanitarian or fact-finding mission of the United Nations System.

(b) Each High Contracting Party or party to a conflict, if so requested by the head of a mission to which this paragraph applies, shall:

- (i) provide the personnel of the mission with the protections set out in sub-paragraph 2(b)(i) of this Article; and
- (ii) if access to or through any place under its control is necessary for the performance of the mission's functions and in order to provide the personnel of the mission with safe passage to or through that place:

(aa) unless on-going hostilities prevent, inform the head of the mission of a safe route to that place if such information is available; or

(bb) if information identifying a safe route is not provided in accordance with sub-paragraph (aa), so far as is necessary and feasible, clear a lane through minefields.

4. Missions of the International Committee of the Red Cross

(a) This paragraph applies to any mission of the International Committee of the Red Cross performing functions with the consent of the host State or States as provided for by the Geneva Conventions of 12 August 1949 and, where applicable, their Additional Protocols.

(b) Each High Contracting Party or party to a conflict, if so requested by the head of a mission to which this paragraph applies, shall:

- (i) provide the personnel of the mission with the protections set out in sub-paragraph 2 (b) (i) of this Article; and
- (ii) take the measures set out in sub-paragraph 3 (b) (ii) of this Article.

5. Other humanitarian missions and missions of inquiry

(a) In so far as paragraphs 2, 3 and 4 of this Article do not apply to them, this paragraph applies to the following missions when they are performing functions in the area of a conflict or to assist the victims of a conflict:

- (i) any humanitarian mission of a national Red Cross or Red Crescent society or of their International Federation;
- (ii) any mission of an impartial humanitarian organization, including any impartial humanitarian demining mission; and
- (iii) any mission of enquiry established pursuant to the provisions of the Geneva Conventions of 12 August 1949 and, where applicable, their Additional Protocols.

(b) Each High Contracting Party or party to a conflict, if so requested by the head of a mission to which this paragraph applies, shall, so far as is feasible:

- (i) provide the personnel of the mission with the protections set out in sub-paragraph 2 (b) (i) of this Article; and
- (ii) take the measures set out in sub-paragraph 3 (b) (ii) of this Article.

6. Confidentiality

All information provided in confidence pursuant to this Article shall be treated by the recipient in strict confidence and shall not be released outside the force or mission concerned without the express authorization of the provider of the information.

7. Respect for laws and regulations

Without prejudice to such privileges and immunities as they may enjoy or to the requirements of their duties, personnel participating in the forces and missions referred to in this Article shall:

- (a) respect the laws and regulations of the host State; and

(b) refrain from any action or activity incompatible with the impartial and international nature of their duties.

Article 13

Consultations of High Contracting Parties

1. The High Contracting Parties undertake to consult and cooperate with each other on all issues related to the operation of this Protocol. For this purpose, a conference of High Contracting Parties shall be held annually.

2. Participation in the annual conferences shall be determined by their agreed Rules of Procedure.

3. The work of the conference shall include:

(a) review of the operation and status of this Protocol;

(b) consideration of matters arising from reports by High Contracting Parties according to paragraph 4 of this Article;

(c) preparation for review conferences; and

(d) consideration of the development of technologies to protect civilians against indiscriminate effects of mines.

4. The High Contracting Parties shall provide annual reports to the Depositary, who shall circulate them to all High Contracting Parties in advance of the conference, on any of the following matters:

(a) dissemination of information on this Protocol to their armed forces and to the civilian population;

(b) mine clearance and rehabilitation programmes;

(c) steps taken to meet technical requirements of this Protocol and any other relevant information pertaining thereto;

(d) legislation related to this Protocol;

(e) measures taken on international technical information exchange, on international cooperation on mine clearance, and on technical cooperation and assistance; and

(f) other relevant matters.

5. The cost of the Conference of High Contracting Parties shall be borne by the High Contracting Parties and States not parties participating in the work of the conference, in accordance with the United Nations scale of assessment adjusted appropriately.

Article 14

Compliance

1. Each High Contracting Party shall take all appropriate steps, including legislative and other measures, to prevent and suppress violations of this Protocol by persons or on territory under its jurisdiction or control.
2. The measures envisaged in paragraph 1 of this Article include appropriate measures to ensure the imposition of penal sanctions against persons who, in relation to an armed conflict and contrary to the provisions of this Protocol, wilfully kill or cause serious injury to civilians and to bring such persons to justice.
3. Each High Contracting Party shall also require that its armed forces issue relevant military instructions and operating procedures and that armed forces personnel receive training commensurate with their duties and responsibilities to comply with the provisions of this Protocol.
4. The High Contracting Parties undertake to consult each other and to cooperate with each other bilaterally, through the Secretary-General of the United Nations or through other appropriate international procedures, to resolve any problems that may arise with regard to the interpretation and application of the provisions of this Protocol.

Technical Annex

1. Recording

(a) Recording of the location of mines other than remotely-delivered mines, minefields, mined areas, booby-traps and other devices shall be carried out in accordance with the following provisions:

- (i) the location of the minefields, mined areas and areas of booby-traps and other devices shall be specified accurately by relation to the coordinates of at least two reference points and the estimated dimensions of the area containing these weapons in relation to those reference points;
- (ii) maps, diagrams or other records shall be made in such a way as to indicate the location of minefields, mined areas, booby-traps and other devices in relation to reference points, and these records shall also indicate their perimeters and extent; and
- (iii) for purposes of detection and clearance of mines, booby-traps and other devices, maps, diagrams or other records shall contain complete information on the type, number, emplacing method, type of fuse and life time, date and time of laying, anti-handling devices (if any) and other relevant information on all these weapons laid. Whenever feasible the minefield record shall show the exact location of every mine, except in row minefields where the row location is sufficient. The precise location and operating mechanism of each booby-trap laid shall be individually recorded.

(b) The estimated location and area of remotely-delivered mines shall be specified by coordinates of reference points (normally corner points) and shall be ascertained and when feasible marked on the ground at the earliest opportunity. The total number and type of mines laid, the date and time of laying and the self-destruction time periods shall also be recorded.

(c) Copies of records shall be held at a level of command sufficient to guarantee their safety as far as possible.

(d) The use of mines produced after the entry into force of this Protocol is prohibited unless they are marked in English or in the respective national language or languages with the following information:

- (i) name of the country of origin;
- (ii) month and year of production; and
- (iii) serial number or lot number.

The marking should be visible, legible, durable and resistant to environmental effects, as far as possible.

2. Specifications on detectability

(a) With respect to anti-personnel mines produced after 1 January 1997, such mines shall incorporate in their construction a material or device that enables the mine to be detected by commonly-available technical mine detection equipment and provides a response signal equivalent to a signal from 8 grammes or more of iron in a single coherent mass.

(b) With respect to anti-personnel mines produced before 1 January 1997, such mines shall either incorporate in their construction, or have attached prior to their emplacement, in a manner not easily removable, a material or device that enables the mine to be detected by commonly-available technical mine detection equipment and provides a response signal equivalent to a signal from 8 grammes or more of iron in a single coherent mass.

(c) In the event that a High Contracting Party determines that it cannot immediately comply with sub-paragraph (b), it may declare at the time of its notification of consent to be bound by this Protocol that it will defer compliance with sub-paragraph (b) for a period not to exceed 9 years from the entry into force of this Protocol. In the meantime it shall, to the extent feasible, minimize the use of anti-personnel mines that do not so comply.

3. Specifications on self-destruction and self-deactivation

(a) All remotely-delivered anti-personnel mines shall be designed and constructed so that no more than 10% of activated mines will fail to self-destruct within 30 days after emplacement, and each mine shall have a back-up self-deactivation feature designed and constructed so that, in combination with the self-destruction mechanism, no more than one in one thousand activated mines will function as a mine 120 days after emplacement.

(b) All non-remotely delivered anti-personnel mines, used outside marked areas, as defined in Article 5 of this Protocol, shall comply with the requirements for self-destruction and self-deactivation stated in sub-paragraph (a).

(c) In the event that a High Contracting Party determines that it cannot immediately comply with sub-paragraphs (a) and/or (b), it may declare at the time of its notification of consent to be bound by this Protocol, that it will, with respect to mines produced prior to the entry into force of this Protocol, defer compliance with sub-paragraphs (a) and/or (b) for a period not to exceed 9 years from the entry into force of this Protocol.

During this period of deferral, the High Contracting Party shall:

- (i) undertake to minimize, to the extent feasible, the use of anti-personnel mines that do not so comply; and

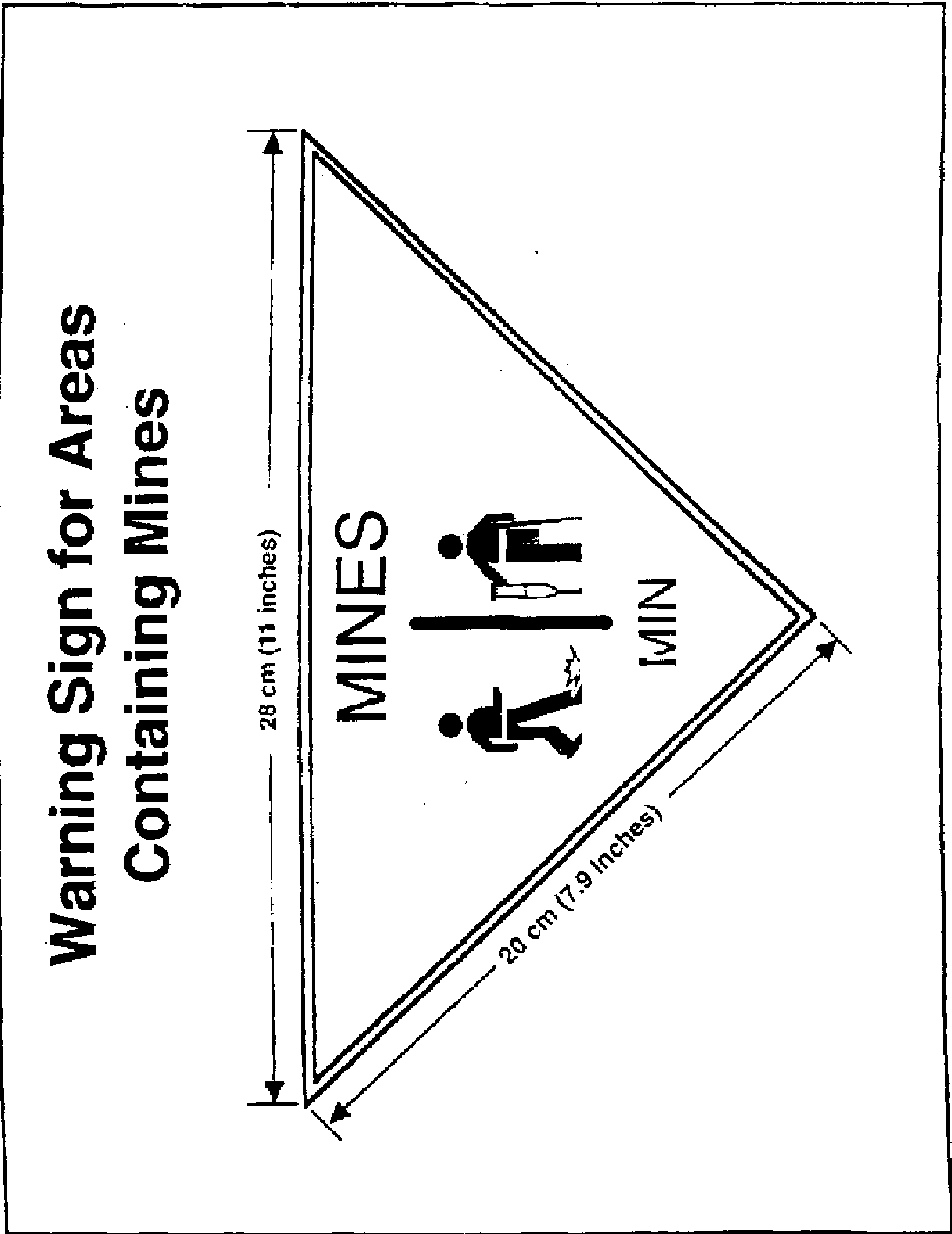
- (ii) with respect to remotely-delivered anti-personnel mines, comply with either the requirements for self-destruction or the requirements for self-deactivation and, with respect to other anti-personnel mines comply with at least the requirements for self-deactivation.

4. International signs for minefields and mined areas

Signs similar to the example attached and as specified below shall be utilized in the marking of minefields and mined areas to ensure their visibility and recognition by the civilian population:

- (a) size and shape: a triangle or square no smaller than 28 centimetres (11 inches) by 20 centimetres (7.9 inches) for a triangle, and 15 centimetres (6 inches) per side for a square;
- (b) colour: red or orange with a yellow reflecting border;
- (c) symbol: the symbol illustrated in the Attachment, or an alternative readily recognizable in the area in which the sign is to be displayed as identifying a dangerous area;
- (d) language: the sign should contain the word "mines" in one of the six official languages of the Convention (Arabic, Chinese, English, French, Russian and Spanish) and the language or languages prevalent in that area; and
- (e) spacing: signs should be placed around the minefield or mined area at a distance sufficient to ensure their visibility at any point by a civilian approaching the area."

Attachment



ARTICLE 2: ENTRY INTO FORCE

This amended Protocol shall enter into force as provided for in paragraph 1 (b) of Article 8 of the Convention.

Annex C

Final Declaration

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, WHICH MET IN VIENNA FROM 25 SEPTEMBER TO 13 OCTOBER 1995, THEN IN GENEVA FROM 15 TO 19 JANUARY 1996 FOR THE FIRST RESUMED SESSION AND IN GENEVA FROM 22 APRIL TO 3 MAY 1996 FOR THE SECOND RESUMED SESSION, TO REVIEW THE SCOPE AND OPERATION OF THE CONVENTION AND THE PROTOCOLS ANNEXED THERETO AND TO CONSIDER ANY PROPOSAL FOR AMENDMENTS OF THE CONVENTION OR OF THE EXISTING PROTOCOLS, AS WELL AS PROPOSALS FOR ADDITIONAL PROTOCOLS RELATING TO OTHER CATEGORIES OF CONVENTIONAL WEAPONS NOT COVERED BY THE EXISTING ANNEXED PROTOCOLS

Deeply concerned that the indiscriminate effects of the irresponsible use of land-mines, particularly anti-personnel land-mines, are estimated to kill or maim hundreds of people each week, mostly unarmed civilians, obstruct economic development and reconstruction and have other severe consequences, which include inhibiting the repatriation of refugees and the return of internally displaced persons,

Gravely concerned with the suffering and casualties caused to civilians by the irresponsible use, as well as the proliferation of land-mines, booby-traps and other devices, in particular the acute problem of anti-personnel land-mines,

Reaffirming the need to reinforce international cooperation in the area of prohibitions or restrictions on the use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects,

Reaffirming their conviction that a general and verifiable agreement on prohibitions or restrictions on the use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects would significantly reduce the suffering of civilians and combatants,

Welcoming the adoption of an amended Protocol II on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices,

Noting that remotely delivered anti-personnel mines can pose a grave danger to civilian life and livelihood, especially due to the nature of the delivery and the consequent difficulty in marking and fencing them,

Reaffirming also the need to reinforce international cooperation in the area of mine clearance and to devote greater resources towards that end,

Recognizing the important role that the international community, particularly States involved in the deployment of mines, can play in assisting in mine clearance in affected countries through the provision of necessary maps and information and appropriate technical and material assistance to remove or otherwise render ineffective existing minefields, mines and booby-traps,

Expressing their appreciation of the financial contributions provided by States and regional organizations to the United Nations Voluntary Trust Fund for Assistance in Mine Clearance and for the contributions in kind provided to the demining stand-by capacity of the United Nations,

Noting the national moratoria and other unilateral measures on halting the production, export, transfer or sale, on reducing stockpiles and on adopting legislation aimed at the total elimination of anti-personnel land-mines,

Noting also that a number of States have further abstained from the acquisition, production, transfer and stockpiling of anti-personnel land-mines,

Noting the fact that a growing number of States, international, regional and non-governmental organizations do their utmost to achieve urgently the total elimination of anti-personnel land-mines,

Conscious of the urgent need to counter the silent and invisible threat to human sight posed by the threat of blinding laser weapons,

Welcoming the adoption of Protocol IV on Blinding Laser Weapons as a codification and progressive development of the rules of international law,

Noting that a number of issues could be considered in the future, for example at a review conference, taking into account scientific and technological developments, including the questions of prohibition on the use, production, stockpiling and transfer of blinding laser weapons and the question of compliance with regard to such weapons, as well as other pertinent issues, such as the definition of "permanent blindness", including the concept of field of vision,

Recognizing the specific role of the International Committee of the Red Cross and encouraging it to continue to work to facilitate further ratification and accession to the Convention, to disseminate its contents and to lend its expertise to future review conferences,

Acknowledging the invaluable humanitarian efforts of non-governmental organizations in armed conflicts and welcoming the expertise they have brought to the Review Conference itself,

SOLEMNLY DECLARE:

- Their commitment to respect the objectives and provisions of the Convention and its annexed Protocols as an authoritative international instrument governing the use of certain conventional weapons, which may be deemed to be excessively injurious or to have indiscriminate effects,

- Their determination to call upon all States that have not yet done so to take all measures to become parties, as soon as possible, to the Convention and its annexed Protocols and upon successor States to take appropriate measures so that ultimately this instrument will be universal,
- Their conviction that States should strive towards the goal of the eventual elimination of anti-personnel land-mines, consistent with the terms of the United Nations General Assembly Resolution 50/70 (O),
- Their commitment to continue to strive for a complete ban on transfer of all anti-personnel land-mines in the context of their eventual elimination consistent with the terms of the United Nations General Assembly Resolution 50/70 (O),
- Their satisfaction at the adoption of an amended Protocol II on mines, booby-traps and other devices,
- That the prohibitions and restrictions on the use and transfer of anti-personnel mines in Protocol II shall facilitate and advance the achievement of the ultimate goal of the eventual elimination of anti-personnel mines, consistent with the terms of the United Nations General Assembly Resolution 50/70 (O),
- The importance they attach to the earliest possible entry into force of the amended Protocol, and their desire that all States, pending its entry into force, respect and ensure respect for the substantive provisions of the amended Protocol to the fullest extent possible,
- Their commitment to keep the provisions of Protocol II under review in order to ensure that the concerns regarding the weapons it covers are addressed,
- That nothing in the amended Protocol II shall be invoked as affecting the Purposes and Principles contained in the Charter of the United Nations,
- Their commitment to ban all remotely delivered mines without effective self-deactivation features and either self-destruction or self-neutralization mechanisms and their recognition of the need to strive for a ban on all remotely delivered anti-personnel mines as viable alternatives are developed that significantly reduce the risk to the civilian population,
- Their recognition of the importance for the purposes of facilitating and accelerating mine-clearance of the application of the prohibition of the use of non-detectable anti-personnel mines,

- Their commitment to reinforce international cooperation for mine clearance, the development and dissemination of more effective technologies for mine clearance and the transfer of technology to facilitate the implementation of the prohibitions and restrictions set out in Protocol II and to seek to devote the resources necessary for this purpose,
- Their commitment to assist, to the extent feasible, impartial humanitarian demining missions, operating with the consent of the host State and/or the relevant States parties to the conflict, in particular by providing all necessary information in their possession covering the location of all known minefields, mined areas, mines, booby-traps and other devices in the area in which the mission is performing its functions,
- Their recognition that the growing number of national moratoria and other unilateral measures restricting or halting the production, use, export, transfer, sale or stockpiling of anti-personnel mines, aimed at their eventual elimination are encouraging steps,
- That they will encourage efforts of the United Nations and other organizations to address all the problems of land-mines,
- Their satisfaction at the adoption of the Protocol on Blinding Laser Weapons (Protocol IV) to the Convention,
- Their conviction of the importance of the earliest possible entry into force of Protocol IV,
- Their desire that all States, pending the entry into force, respect and ensure respect of the substantive provisions of Protocol IV to the fullest extent possible,
- Their recognition of the need for achieving the total prohibition of blinding laser weapons, the use and transfer of which are prohibited in Protocol IV,
- Their wish to keep the issue of the blinding effects related to the use of laser systems under consideration,
- Their commitment to follow up the review process begun at the First Review Conference and, for that purpose, establish a regular review mechanism for the Convention and its annexed Protocols.

The High Contracting Parties recognize that the important principles and provisions contained in this Final Declaration can also serve as a basis for further strengthening the Convention and its Protocols and express their determination to implement them.

Review of the Preamble**Preambular paragraph 3**

The Conference recalls the obligation to determine in the study, development, acquisition or adoption of a new weapon, means and method of warfare, whether its employment would, in some or all circumstances, be prohibited under any rule of international law applicable to the High Contracting Parties.

Preambular paragraph 8

The Conference reaffirms the need to continue the codification and progressive development of the rules of international law applicable to certain conventional weapons which may be excessively injurious or to have indiscriminate effects.

Preambular paragraph 10

The Conference underlines the need to achieve wider adherence to the Convention and its annexed Protocols. The Conference welcomes recent ratifications and accessions to the Convention and its annexed Protocols and urges the High Contracting Parties to accord high priority to their diplomatic efforts to encourage further adherence with a view to achieving universal adherence by the year 2000.

Review of the Articles**Article 1**

The Conference acknowledges and confirms that the High Contracting Parties broadened the scope of Protocol II.

Article 2

The Conference reaffirms that nothing in the Convention or its annexed Protocols shall be interpreted as detracting from other obligations imposed upon the High Contracting Parties by international humanitarian law.

Article 3

The Conference notes the provisions of Article 3.

Article 4

The Conference notes that 58 States have ratified, accepted, acceded or succeeded to the Convention.

The Conference calls upon States which are not parties to this Convention to ratify, accept, approve or accede, as appropriate, to the Convention, thus contributing to the achievement of universal adherence to the Convention.

The Conference, in this context, invites the High Contracting Parties to encourage further accessions to the Convention and its annexed Protocols.

Article 5

The Conference notes the provisions of Article 5.

Article 6

The Conference underlines the importance of international cooperation in the field of dissemination of the Convention and its annexed Protocols and recognizes the importance of multilateral collaboration relating to instruction, the exchange of experience at all levels, the exchange of instructors and the organization of joint seminars.

The Conference takes note of an invitation by a High Contracting Party to a seminar concerning dissemination.

Article 7

The Conference notes the provisions of Article 7.

Article 8

The Conference agrees that future Review Conferences should be held more frequently, with consideration to be given to holding a Review Conference every five years. The Conference decides, consistent with Article 8.3 (c) to convene a further Conference five years following the entry into force of the amendments adopted at the First Review Conference, but in any case not later than 2001, with preparatory expert meetings starting as early as 2000, if necessary.

The Conference welcomes the adoption of the text of an amended Protocol II in accordance with subparagraph 3 (a) of this Article.

The Conference recalls the provisions of subparagraph 3 (b) of this Article which stipulates that consideration may be given to any proposal for additional protocols relating to other categories of conventional weapons not covered by the existing annexed Protocols. The Conference welcomes the adoption on 13 October 1995 of the text of an additional Protocol on Blinding Laser Weapons (Protocol IV).

The Conference proposes that the next Review Conference may consider the question of preparing a possible additional Protocol on small-calibre weapons and ammunition.

The Conference proposes that the next Review Conference consider the question of eventual further measures in relation to naval mines and other conventional weapons, which may be deemed to cause unnecessary suffering or to have indiscriminate effects.

Article 9

The Conference notes with satisfaction that the provisions of this Article have not been invoked.

Article 10

The Conference notes the provisions of Article 10.

Article 11

The Conference notes the request by the delegation of China to correct the original Chinese text of the Convention and its annexed Protocols.

Review of the Protocols**Protocol on Non-Detectable Fragments (Protocol I)**

The Conference takes note of the provisions of this Protocol.

Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices (Protocol II) and Technical Annex to the Protocol

The Conference has comprehensively reviewed the scope and operation of the original Protocol. The Conference is deeply concerned that despite the existence of the Protocol, hundreds of people, mostly unarmed civilians, are estimated to be killed or maimed each week by the indiscriminate effect of the irresponsible use of land-mines, in particular anti-personnel mines; and also that unarmed civilians continue to be victims of indiscriminate effects of irresponsible use of booby-traps and other devices. These actions also obstruct agriculture and economic development and reconstruction, and inhibit the repatriation of refugees and the return of internally displaced persons and cause intolerable situations in many parts of the world,

The Conference concluded that the original Protocol should be strengthened in a number of areas. The Conference therefore adopts the amended Protocol which brings about important improvements in such areas as the scope of its application, general restrictions from the humanitarian point of view, substantive prohibitions and restrictions on mine use, transfers, compliance provisions, mine clearance obligations and in the field of technological cooperation, and anticipates that these and other related issues could be further addressed at future review conferences with due regard to continuing humanitarian concerns,

The Conference encourages the High Contracting Parties which defer the application of the technical requirements as specified in the Technical Annex to make all best endeavours to comply with such requirements in accordance with paragraphs 2 and 3 of the Technical Annex during the deferral periods,

The Conference looks forward to the first annual meeting of States parties which will be convened pursuant to new Article 13 after entry into force of the amended Protocol,

The Conference proposes that the Depositary convene, at an early date, following entry into force of the Protocol, a preparatory meeting for the first Annual Conference of the Parties under Article 13 of the amended Protocol. Such a preparatory meeting should elaborate and propose for the Annual Conference the draft Rules of Procedure of the Conference and Agenda items which may include review of the operation and status of the Protocol,

The Conference acknowledges the valuable work of relevant agencies and bodies of the United Nations; of the International Committee of the Red Cross pursuant to its mandate to assist war victims and of NGOs in a number of fields, in particular surgical care and rehabilitation of mine victims, implementation of mine-awareness programmes and mine clearance,

**Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons
(Protocol III)**

The Conference takes note of the provisions of this Protocol.
