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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

Report of the First Committee

Rapporteur: Mr. Heidar Ali **Balouji** (Islamic Republic of Iran)

I. Introduction

1. At its 2nd plenary meeting, on 8 September 2023, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its seventy-eighth session the item entitled “Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects” and to allocate it to the First Committee.

2. At its 1st meeting, on 28 September 2023, the First Committee decided to conduct its work in three phases. The first phase would be a general debate on all disarmament and international security items allocated to it, namely items 90 to 106, as well as a general debate on the working methods of the Committee and programme planning, namely items 120 and 135; the second phase would be dedicated to thematic discussions; and the third phase would be for action on all draft proposals.

3. At its 2nd to 9th meetings, from 2 to 6 and from 9 to 11 October, the Committee held its general debate on items 90 to 106. At its 10th meeting, on 12 October, the Committee also held its general debate on items 120 and 135. On 13 October, at its 11th meeting, the Committee held exchanges with the Deputy to the High Representative for Disarmament Affairs and other high-level officials in the field of arms control and disarmament nominated by regional groups. The Committee also held 14 meetings (11th to 24th), on 13, from 16 to 20 and from 23 to 26 October, for thematic discussions and panel exchanges with independent experts. At those meetings, as well as during the action phase, draft resolutions and decisions were introduced and considered. The Committee took action on all draft resolutions and



decisions at its 25th to 30th meetings, on 27 October and from 30 October to 3 November.¹

4. No documents were submitted for consideration under this item.

II. Consideration of draft resolution [A/C.1/78/L.44](#)

5. On 11 October, the delegation of Poland submitted a draft resolution entitled “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” ([A/C.1/78/L.44](#)).

6. At its 28th meeting, on 1 November, the Committee adopted draft resolution [A/C.1/78/L.44](#) without a vote (see para. 7).

¹ For an account of the Committee’s discussion of the item, see [A/C.1/78/PV.2](#), [A/C.1/78/PV.3](#), [A/C.1/78/PV.4](#), [A/C.1/78/PV.5](#), [A/C.1/78/PV.6](#), [A/C.1/78/PV.7](#), [A/C.1/78/PV.8](#), [A/C.1/78/PV.9](#), [A/C.1/78/PV.10](#), [A/C.1/78/PV.11](#), [A/C.1/78/PV.12](#), [A/C.1/78/PV.13](#), [A/C.1/78/PV.14](#), [A/C.1/78/PV.15](#), [A/C.1/78/PV.16](#), [A/C.1/78/PV.17](#), [A/C.1/78/PV.18](#), [A/C.1/78/PV.19](#), [A/C.1/78/PV.20](#), [A/C.1/78/PV.21](#), [A/C.1/78/PV.22](#), [A/C.1/78/PV.23](#), [A/C.1/78/PV.24](#), [A/C.1/78/PV.25](#), [A/C.1/78/PV.26](#), [A/C.1/78/PV.27](#), [A/C.1/78/PV.28](#), [A/C.1/78/PV.29](#) and [A/C.1/78/PV.30](#).

III. Recommendation of the First Committee

7. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

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 General Assembly,

Recalling its resolution [77/92](#) of 7 December 2022,

Recalling with satisfaction the adoption and entry into force of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects¹ and its amended article 1,² the Protocol on Non-Detectable Fragments (Protocol I),³ the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II)⁴ and its amended version,⁵ the Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III),⁶ the Protocol on Blinding Laser Weapons (Protocol IV)⁷ and the Protocol on Explosive Remnants of War (Protocol V),⁸

Welcoming the results of the Sixth Review Conference⁹ and the Meeting of the High Contracting Parties to the Convention, held in Geneva from 16 to 18 November 2022, and the adoption of its final document,¹⁰

Welcoming also the results of the Twenty-fourth Annual Conference of the High Contracting Parties to Amended Protocol II, held in Geneva on 15 November 2022,

Welcoming further the work of the Sixteenth Annual Conference of the High Contracting Parties to Protocol V, held in Geneva on 14 November 2022,

Noting with satisfaction that the Meeting of the Group of Experts of the High Contracting Parties to Amended Protocol II and the Meeting of Experts of the High Contracting Parties to Protocol V were held in Geneva on 20 and 21 July and 22 July 2022, respectively,

Noting with satisfaction also that the Group of Governmental Experts on Emerging Technologies in the Area of Lethal Autonomous Weapons Systems of the High Contracting Parties to the Convention met in Geneva from 6 to 10 March 2023 and from 15 to 19 May 2023, and noting with satisfaction further the adoption of the report of the 2023 session of the Group of Governmental Experts¹¹ on 19 May 2023,

Recalling the role played by the International Committee of the Red Cross in the elaboration of the Convention and the Protocols thereto, and welcoming the particular efforts of various international, non-governmental and other

¹ United Nations, *Treaty Series*, vol. 1342, No. 22495.

² *Ibid.*, vol. 2260, No. 22495.

³ *Ibid.*, vol. 1342, No. 22495.

⁴ *Ibid.*, vol. 1342, No. 22495.

⁵ *Ibid.*, vol. 2048, No. 22495.

⁶ *Ibid.*, vol. 1342, No. 22495.

⁷ *Ibid.*, vol. 2024, No. 22495.

⁸ *Ibid.*, vol. 2399, No. 22495.

⁹ [CCW/CONF.VI/11](#).

¹⁰ [CCW/MSP/2022/7](#).

¹¹ [CCW/GGE.1/2023/2](#).

organizations in raising awareness of the humanitarian consequences of various categories of conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects,

Emphasizing the importance of the perspectives of women, men, boys and girls in considering the issues addressed by the Convention and its Protocols,

1. *Calls upon* all States that have not yet done so to take all measures to become parties, as soon as possible, 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 and the Protocols thereto, as amended, with a view to achieving the widest possible adherence to these instruments at an early date and so as to ultimately achieve their universality;

2. *Calls upon* all High Contracting Parties to the Convention that have not yet done so to express their consent to be bound by the Protocols to the Convention and the amendment extending the scope of the Convention and the Protocols thereto to include armed conflicts of a non-international character;

3. *Emphasizes* the importance of the universalization of the Protocol on Explosive Remnants of War (Protocol V);

4. *Welcomes* additional ratifications and acceptances of or accessions to the Convention, as well as consents to be bound by the Protocols thereto;

5. *Acknowledges* the continued efforts of the Secretary-General, as depositary of the Convention and the Protocols thereto, and of the respective office holders of the conferences of the High Contracting Parties to the Convention, Protocol V and Amended Protocol II, on behalf of the High Contracting Parties, to achieve the goal of universality;

6. *Welcomes* the work of the Implementation Support Unit;

7. *Calls upon* the High Contracting Parties and States not parties to the Convention participating in the meetings of the High Contracting Parties to the Convention and its annexed Protocols to ensure full compliance with all financial obligations under the Convention and its annexed Protocols, and calls upon the High Contracting Parties to explore measures that could reduce costs and improve the efficiency and financial stability of such meetings without prejudice to the rules of procedure and to their quality, and their commitment to address issues arising from outstanding contributions in a timely manner;

8. *Recalls* the following decisions by the Sixth Review Conference and the conclusions and recommendations of the Meeting of the High Contracting Parties to the Convention, held in Geneva from 16 to 18 November 2022:

(a) To continue the work of the open-ended Group of Governmental Experts on Emerging Technologies in the Area of Lethal Autonomous Weapons Systems, established in decision 1 of the Fifth Review Conference of the High Contracting Parties to the Convention,¹² adhering to the agreed recommendations contained in document [CCW/CONF.V/2](#) in line with decision 1 of the Sixth Review Conference,¹³ to strengthen the Convention;

(b) To adopt the consolidated financial measures contained in annex III to document [CCW/CONF.VI/11](#), which may be reviewed by the meetings of the High Contracting Parties during the review cycle of 2022–2026;

¹² See [CCW/CONF.V/10](#).

¹³ See [CCW/CONF.VI/11](#).

- (c) To continue the Sponsorship Programme;
 - (d) To organize in 2023, in an in-person format, in accordance with the regular practice under the Convention, and subject to available resources, the following Convention-related activities:
 - (i) The Group of Experts of the High Contracting Parties to Amended Protocol II, from 9 to 10 November 2023, in accordance with the relevant decisions taken by the Twenty-fourth Annual Conference of the High Contracting Parties to the Amended Protocol II. If required, the possible decision on substitution of the dates for the Group of Experts of the High Contracting Parties to Amended Protocol II, which will take place for a duration of two days, will be taken, on an exceptional basis and without setting a precedent for the future, by the High Contracting Parties to the Convention by consensus, through a written silence procedure;
 - (ii) The open-ended Group of Governmental Experts on Emerging Technologies in the Area of Lethal Autonomous Weapons Systems, for a duration of 10 days, from 6 to 10 March 2023, and from 15 to 19 May 2023, and to adopt its estimated costs;¹⁴
 - (iii) The Seventeenth Annual Conference of the High Contracting Parties to Protocol V on 13 November 2023, and to adopt its estimated costs;¹⁵
 - (iv) The Twenty-fifth Annual Conference of the High Contracting Parties to Amended Protocol II on 14 November 2023, in accordance with the relevant decisions taken by the Twenty-fourth Annual Conference of the High Contracting Parties to Amended Protocol II;
 - (v) Meeting of the High Contracting Parties to the Convention from 15 to 17 November 2023, and to adopt its estimated costs;¹⁶
 - (e) To request the President of the Seventeenth Annual Conference of the High Contracting Parties to Protocol V, on an exceptional basis and without setting a precedent for the future, to hold informal open consultations on Protocol V on 8 November 2023 with interpretation in the six official languages of the United Nations and conference services and to report thereon to the Seventeenth Annual Conference of High Contracting Parties to Protocol V. If required, the possible decision on substitution of the date of the open consultations on Protocol V will be taken, on an exceptional basis and without setting a precedent for the future, by the High Contracting Parties by consensus, through a written silence procedure;
9. *Welcomes* the commitment by the High Contracting Parties to continue to contribute to the further development of international humanitarian law, and, in this context, to keep under review both the development of new weapons and uses of weapons, which may have indiscriminate effects or cause unnecessary suffering;
10. *Also welcomes* the commitment of the High Contracting Parties to Protocol V to the effective and efficient implementation of the Protocol and the implementation of the decisions of the First and Second Conferences of the High Contracting Parties to the Protocol establishing a comprehensive framework for the exchange of information and cooperation;
11. *Notes* that, in conformity with article 8 of the Convention, conferences may be convened to examine amendments to the Convention or to any of the Protocols thereto, to examine additional protocols concerning other categories of conventional

¹⁴ [CCW/MSP/2022/5](#).

¹⁵ [CCW/P.V/CONF/2022/4](#).

¹⁶ [CCW/MSP/2022/6](#).

weapons not covered by existing Protocols or to review the scope and application of the Convention and the Protocols thereto and to examine any proposed amendments or additional protocols;

12. *Underlines* the vital role of the full and equal participation of women in decision-making and implementation of the Convention;

13. *Requests* the Secretary-General to render the assistance necessary and to provide such services as may be required for the annual conferences and expert meetings of the High Contracting Parties to the Convention and of the High Contracting Parties to Amended Protocol II and Protocol V, as well as for any continuation of the work after the meetings;

14. *Also requests* the Secretary-General, in his capacity as depositary of the Convention and the Protocols thereto, to continue to inform the General Assembly periodically, by electronic means, of ratifications and acceptances of and accessions to the Convention, its amended article 1 and the Protocols;

15. *Decides* to include in the provisional agenda of its seventy-ninth session the item entitled "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".
