

**NINTH ANNUAL CONFERENCE OF
THE HIGH CONTRACTING PARTIES TO
AMENDED PROTOCOL II 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**

CCW/AP.II/CONF.9/2
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Item 14 of the agenda

Consideration and adoption of the final documents

FINAL DOCUMENT

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I. INTRODUCTION

1. Article 13 of the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices, as amended on 3 May 1996 (Amended 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 (CCW), provides for a conference of the High Contracting Parties to the Protocol to be held annually for the purpose of consultations and cooperation on all issues related to the operation of the Protocol.

2. The Eighth Annual Conference held on 6 November 2006 agreed to recommend to the Ninth Annual Conference a provisional agenda, as contained in Annex III of the Final Document of the Conference (CCW/AP.II/CONF.8/2). It also considered the estimated costs of the Ninth Annual Conference and recommended them for adoption at the time of the Conference in 2007 (CCW/AP.II/CONF.8/2, Annex IV). The Third Review Conference of the High Contracting Parties to the Convention, held from 7 to 17 November 2006, decided, as contained in Decision 6 of its Final Declaration (Final Document, CCW/CONF.III/11, Part II), that the Ninth Annual Conference of the High Contracting Parties to Amended Protocol II be held on 6 November 2007 at Geneva.

II. ORGANIZATION OF THE NINTH ANNUAL CONFERENCE

3. The Ninth Annual Conference was opened on 6 November 2007 by the Deputy Secretary-General of the Conference on Disarmament and Director of the Office for Disarmament Affairs, Geneva Branch, Mr. Tim Caughley.

4. The Conference held two plenary meetings. At its first plenary meeting on 6 November 2007 the Conference confirmed the nomination of Ambassador Mousa Burayzat of Jordan as President of the Ninth Annual Conference. It also confirmed the nominations of Ambassador Cheng Jingye of China, Ambassador Anton Pinter of Slovakia, and Ambassador Jürg Streuli of Switzerland as Vice-Presidents.

5. Also at its first plenary meeting, the Conference appointed Mr. Peter Kolarov, Political Affairs Officer, Office for Disarmament Affairs, Geneva Branch, as Secretary-General of the Conference. Mr. Bantan Nugroho, Political Affairs Officer, served as Secretary of the Ninth Annual Conference.

6. The following States, which have notified the Depositary of their consent to be bound by Amended Protocol II, participated in the work of the Conference: Albania, Argentina, Australia, Austria, Bangladesh, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, China, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Estonia, Finland, France, Germany, Greece, Guatemala, Holy See, Hungary, India, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Malta, Moldova, Morocco, Netherlands, New Zealand, Nicaragua, Norway, Pakistan, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Russian Federation, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, The former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America, and Venezuela.

7. The following Signatory States to the Convention also participated in the work of the Conference: Afghanistan, Egypt, and Viet Nam.
8. The following States not parties to Amended Protocol II participated as observers: Algeria, Angola, Armenia, Azerbaijan, Benin, Burundi, Chad, Cuba, Democratic Republic of the Congo, Dominican Republic, Eritrea, Ethiopia, Ghana, Guinea Bissau, Kuwait, Laos, Lebanon, Libyan Arab Jamahiriya, Madagascar, Malawi, Mongolia, Montenegro, Mozambique, Myanmar, Saudi Arabia, Serbia, Singapore, and United Arab Emirates.
9. The representatives of the United Nations Development Programme (UNDP), United Nations Institute for Disarmament Research (UNIDIR), United Nations Mine Action Service (UNMAS) and United Nations Office for Disarmament Affairs (UNODA) also participated in the work of the Conference.
10. The representatives of the European Commission, Geneva International Centre for Humanitarian Demining (GICHD) and the International Committee of the Red Cross (ICRC) attended public meetings of the Conference.
11. The representatives of the following non-governmental organisations also took part in the work of the Conference as observers: Actiongroup Landmine.de, Human Rights Watch, International Campaign to Ban Landmines (ICBL), and Women's International League for Peace and Freedom.

III. WORK OF THE NINTH ANNUAL CONFERENCE

12. At its first plenary meeting, the Conference adopted its agenda, as contained in Annex I, and noted that the Rules of Procedure for Annual Conferences of the States Parties to Amended Protocol II, adopted at the First Annual Conference held in 1999 and amended on 11 December 2002, as contained in CCW/AP.II/CONF.6/2, were applicable, *mutatis mutandis*, to the Ninth Annual Conference.
13. At the same meeting the Conference adopted the arrangements for meeting the costs of the Conference, as contained in document CCW/AP.II/CONF.8/2, Annex IV.
14. At the same meeting the Conference received a message from the Secretary-General of the United Nations, which was delivered by Mr. Sergei Ordzhonikidze, Director-General, United Nations Office at Geneva.
15. Also at that meeting the Conference decided to conduct its work in plenary meetings. Pursuant to Rule 4 of the Rules of Procedure (CCW/AP.II/CONF.6/2) the two plenary meetings of the Conference were presided by Ambassador Jürg Streuli of Switzerland.
16. The following delegations participated in the General Exchange of Views and the discussions on the Review of the Operation and Status of the Protocol and Consideration of Matters Arising from Reports by High Contracting Parties According to paragraph 4 of Article 13: Australia, Belarus, Canada, China, Germany, Guinea Bissau, India, Japan, Morocco, Netherlands, Pakistan, Portugal (on behalf of the European Union, Turkey, Croatia and The

former Yugoslav Republic of Macedonia, Albania, Bosnia and Herzegovina, Montenegro, and Serbia, Iceland and Liechtenstein, as well as Armenia, Moldova and Ukraine), Republic of Korea, Russian Federation, South Africa, Switzerland, Ukraine, United Kingdom of Great Britain and Northern Ireland, and United States of America. The representatives of UNMAS (on behalf of the UN Mine Action Team) and ICRC, as well as Human Rights Watch also took the floor. The statements made during the general exchange of views are reflected in the summary records of the Conference, which will be issued at a later date.

17. The Conference considered the issue on the deferral of compliance with paragraphs 2 (b) and 3 (a) and/or (b) of the Technical Annex of Amended Protocol II, as permitted under paragraphs 2 (c) and 3 (c) of the Technical Annex. The Conference restated the fact that, as Amended Protocol II entered into force on 3 December 1998, the permitted deferral period will expire on 3 December 2007. In this regard, the Conference welcomed the declarations made by Belarus, China and Latvia, whereby the permitted deferral had ceased to have effect for these countries.

18. In accordance with Article 13 (4) of the Protocol, the Conference had before it national annual reports from the following States: Argentina, Australia, Belarus, Belgium, Bosnia and Herzegovina, Bulgaria, Cambodia, Canada, Chile, China, Croatia, Czech Republic, Estonia, Finland, France, Germany, Greece, Guatemala, Holy See, Hungary, India, Ireland, Israel, Italy, Japan, Latvia, Liechtenstein, Lithuania, Moldova, Morocco, Netherlands, Norway, Pakistan, Poland, Republic of Korea, Romania, Russian Federation, Slovakia, Slovenia, South Africa, Spain, Sweden, Switzerland, Turkey, Ukraine and United States of America. The reports contained information on:

- (a) dissemination of information on the Protocol to armed forces and to the civilian populations;
- (b) mine clearance and rehabilitation programmes;
- (c) steps taken to meet technical requirements of the Protocol and any other relevant information pertaining thereto;
- (d) legislation related to the Protocol;
- (e) measures taken on international technical information exchange, on international cooperation on mine clearance, and on technical cooperation and assistance;
- (f) other relevant matters; and
- (g) information provided to the database on mine clearance established within the United Nations System.

IV. CONCLUSIONS AND RECOMMENDATIONS

19. At its second plenary meeting, the Conference decided to issue an appeal to all States that had not yet done so to take all measures to accede to Amended Protocol II as soon as possible. The appeal is contained in Annex II.

20. The Conference recommended that the Secretary-General of the United Nations, as Depositary of Amended Protocol II, and the President of the Conference, on behalf of the High Contracting Parties, exercise their authority to achieve the goal of universality of Amended Protocol II. To this effect, the Conference requested the President to consider reporting to the 63rd session of the United Nations General Assembly on his endeavours. The Conference also called on the High Contracting Parties to promote wider adherence to Amended Protocol II in their respective regions, pursuant to Actions 2 to 5 of the Plan of Action to Promote the Universality of the Convention and its annexed Protocols adopted by the Third Review Conference of the High Contracting Parties.

21. The Conference called upon the States that had declared at the time of consent to be bound by the Protocol that they would defer compliance with paragraphs 2 (b) and/or 3 (a) and/or (b) of the Technical annex for a period not to exceed nine years from the entry into force of the Protocol to formally withdraw their declarations and to inform the High Contracting Parties on the measures they have taken to comply with the above provisions. The High Contracting Parties decided to remain seized of this matter at their Tenth Annual Conference.

22. The Conference decided that issuing the National Annual Reports as official documents of future Annual Conferences of the High Contracting Parties would no longer be needed. The Conference also decided that all future National Annual Reports submitted to the Depositary pursuant to Article 11 (2) and Article 13 (4) of Amended Protocol II shall be posted on the database located at the CCW Amended Protocol II website of the United Nations Office for Disarmament Affairs, Geneva Branch.

23. In light of the decision taken at the Fourth Annual Conference in 2002 to designate the President and Vice-Presidents at the end of the Conference in order to assure the continuity of the preparatory work by the presidency, the Conference decided to nominate Ambassador Jürg Streuli of Switzerland as President designate of the Tenth Annual Conference of the High Contracting Parties to be held in 2008 and the representatives of China, Russian Federation and South Africa as Vice-Presidents designate.

24. The Conference addressed the issue of holding the Tenth Annual Conference in 2008 and decided that the issues of the dates and duration of the Conference would be addressed at the Meeting of the High Contracting Parties to the Convention to be held from 7 to 13 November 2007. The Conference decided that a preparatory meeting for the Tenth Annual Conference was not required. The Conference agreed to recommend to the Tenth Annual Conference a provisional agenda, as contained in Annex III. It also considered the estimated costs of the Tenth Annual Conference, as contained in Annex IV, and recommended them for adoption at the time of the Conference in 2008.

25. At its second plenary meeting, the Ninth Annual Conference adopted its final document as contained in document CCW/AP.II/CONF.9/CRP.1, as orally amended, which is being issued as document CCW/AP.II/CONF.9/2.

Annex I

AGENDA OF THE NINTH ANNUAL CONFERENCE
(as adopted at the first plenary meeting on 6 November 2007)

1. Opening of the Conference
2. Confirmation of the nomination of the President and other officers
3. Adoption of the Agenda
4. Confirmation of the Rules of Procedure
5. Appointment of the Secretary-General of the Conference
6. Adoption of arrangements for meeting the costs of the Conference
7. Organization of work including that of any subsidiary bodies of the Conference
8. General exchange of views
9. Review of the operation and status of the Protocol
10. Consideration of matters arising from reports by High Contracting Parties according to paragraph 4 of Article 13 of the Amended Protocol II
11. Consideration of the development of technologies to protect civilians against indiscriminate effects of mines
12. Report(s) of any subsidiary organ(s)
13. Other matters
14. Consideration and adoption of the final documents

Annex II

**AN APPEAL OF THE HIGH CONTRACTING PARTIES TO
AMENDED PROTOCOL II ON THE OCCASION OF
THE NINTH ANNUAL CONFERENCE**

(as adopted at the second plenary meeting on 6 November 2007)

We, the States which have notified the Depository of their consent to be bound by Amended Protocol II to the CCW, meeting in Geneva on 6 November 2007 for our Ninth Annual Conference:

Bearing in mind the important contribution of Amended Protocol II to international efforts to alleviate the suffering caused by certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects;

Noting that Amended Protocol II is the only international legal instrument which covers all types of mines, booby-traps and other devices;

Having reviewed the operation and status of Amended Protocol II, in accordance with paragraph 3(a) of Article 13;

Having considered the national annual reports presented by States which have notified the Depository of their consent to be bound by Amended Protocol II;

Welcoming the adoption by the Third Review Conference of the High Contracting Parties to the Convention of the Plan of Action to Promote the Universality of the CCW and its annexed Protocols;

Welcome the fact that, since the First Annual Conference held in December 1999, 43 more States have notified the Depository of their consent to be bound by Amended Protocol II, thus bringing the total number of States which have adhered to this Protocol to 88;

Emphasize the importance of achieving the widest possible adherence to Amended Protocol II;

Urge all States that have not yet done so to take all measures to accede to it as soon as possible.

Annex III

PROVISIONAL AGENDA OF THE TENTH ANNUAL CONFERENCE

1. Opening of the Conference
2. Confirmation of the nomination of the President and other officers
3. Adoption of the Agenda
4. Confirmation of the Rules of Procedure
5. Appointment of the Secretary-General of the Conference
6. Adoption of arrangements for meeting the costs of the Conference
7. Organization of work including that of any subsidiary bodies of the Conference
8. General exchange of views
9. Review of the operation and status of the Protocol
10. Consideration of matters arising from reports by High Contracting Parties according to Article 13 (4) of the Amended Protocol II
11. Consideration of the development of technologies to protect civilians against indiscriminate effects of mines
12. Report(s) of any subsidiary organ(s)
13. Other matters
14. Consideration and adoption of the final document

Annex IV

ESTIMATED COSTS OF THE TENTH ANNUAL CONFERENCE OF THE HIGH CONTRACTING PARTIES TO AMENDED PROTOCOL II 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

(as considered at the second plenary meeting on 6 November 2007)

Note by the Secretariat

1. The Ninth Annual Conference of the States Parties to Amended Protocol II 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, held in Geneva on 6 November 2007, decided to convene a one-day meeting of the Tenth Annual Conference of the States Parties in November 2008.
2. This document is submitted pursuant to the above-mentioned decision of the States Parties and provides estimated costs in the amount of US\$173,300 for convening that meeting. A breakdown of these costs is provided in the attached table.
3. It should be noted that the costs are estimated on the basis of past experience and anticipated workload. The actual costs will be determined after the closure of the meeting and completion of related work, with all relevant expenditures recorded in the accounts. At that time, any adjustments in contributions by the participants sharing the costs will be determined accordingly.
4. With regard to the financial arrangements, it will be recalled that, in accordance with the practice followed on the occasion of previous multilateral disarmament conferences and related meetings, and as reflected in their Rules of Procedure, the costs are shared among the States Parties participating in the conferences, based upon the United Nations scale of assessment prorated to take into account the number of States Parties participating in the meetings. States that are not States Parties but that have accepted the invitation to take part in the meetings share in the costs to the extent of their respective rates of assessment under the United Nations scale of assessments.
5. Subject to the States Parties' approval of the estimated costs and cost-sharing formula, assessment notices will be prepared based on the overall estimated costs and applicable cost-sharing formula. Since the above-mentioned activities shall have no financial implication for the regular budget of the Organization, States Parties should proceed with the payment of their share of the estimated costs as soon as assessment notices have been received.

**Title of session: TENTH ANNUAL CONFERENCE ON THE HIGH CONTRACTING PARTIES TO OF THE STATES PARTIES TO THE
AMENDED PROTOCOL II ON PROHIBITIONS OR RESTRICTIONS ON THE USE OF MINES,
BOOBY-TRAPS AND OTHER DEVICES AS AMENDED ON 3 MAY 1996, ANNEXED TO CCW
GENEVA, ONE DAY IN 2008**

Conference-servicing items	Meeting Servicing * \$	Pre-session documentation * \$	In-session documentation * \$	Summary records * \$	Post-session documentation * \$	Support Services requirements * \$	Other requirements * \$	Total * \$
Interpretation and meeting servicing	13,500							13,500
Translation of documentation		10,500	4,900	39,400	29,200			84,000
Support Services requirements						1,800		1,800
Other requirements							2,900	2,900
Total	13,500	10,500	4,900	39,400	29,200	1,800	2,900	102,200

* - at US\$ 1=CHF 1.16

A. Total conference-servicing requirements (inclusive of 13% programme support costs)	102,200
B. Non-conference-servicing requirements	
1) One P-3 for three months	37,600
2) One G-5 for three months	25,300
Sub-total	62,900
<i>Programme support costs @13% over B</i>	8,200
<i>Subtotal B</i>	71,100
Grand total (rounded) A+B	<u>173,300</u>

Annex V**LIST OF STATES WHICH HAVE NOTIFIED THE DEPOSITARY OF THEIR
CONSENT TO BE BOUND BY AMENDED PROTOCOL II**

(as of 6 November 2007)

1.	Albania	32.	Guatemala	64.	Poland
2.	Argentina	33.	Holy See	65.	Portugal
3.	Australia	34.	Honduras	66.	Republic of Korea
4.	Austria	35.	Hungary	67.	Romania
5.	Bangladesh	36.	India	68.	Russian Federation
6.	Belarus	37.	Ireland	69.	Senegal
7.	Belgium	38.	Israel	70.	Seychelles
8.	Bolivia	39.	Italy	71.	Sierra Leone
9.	Bosnia and Herzegovina	40.	Japan	72.	Slovakia
10.	Brazil	41.	Jordan	73.	Slovenia
11.	Bulgaria	42.	Latvia	74.	South Africa
12.	Burkina Faso	43.	Liberia	75.	Spain
13.	Cambodia	44.	Liechtenstein	76.	Sri Lanka
14.	Cameroon	45.	Lithuania	77.	Sweden
15.	Canada	46.	Luxembourg	78.	Switzerland
16.	Cape Verde	47.	Maldives	79.	Tajikistan
17.	Chile	48.	Mali	80.	The former Yugoslav Republic of
18.	China	49.	Malta		Macedonia
19.	Colombia	50.	Moldova	81.	Tunisia
20.	Costa Rica	51.	Monaco	82.	Turkey
21.	Croatia	52.	Morocco	83.	Turkmenistan
22.	Cyprus	53.	Nauru	84.	Ukraine
23.	Czech Republic	54.	Netherlands	85.	United Kingdom of Great Britain and
24.	Denmark	55.	New Zealand		Northern Ireland
25.	Ecuador	56.	Nicaragua	86.	United States of America
26.	El Salvador	57.	Niger	87.	Uruguay
27.	Estonia	58.	Norway	88.	Venezuela
28.	Finland	59.	Pakistan		
29.	France	60.	Panama		
30.	Germany	61.	Paraguay		
31.	Greece	62.	Peru		
		63.	Philippines		

Annex VI

**SYNOPSIS OF NATIONAL ANNUAL REPORTS
SUBMITTED FOR THE NINTH ANNUAL CONFERENCE**
(as of 5 November 2007)

Forms used:

- Form A: Dissemination of information
 Form B: Mine clearance and rehabilitation program
 Form C: Technical requirements and relevant information
 Form D: Legislation
 Form E: International technical information exchange, co-operation on mine clearance, technical co-operation and assistance
 Form F: Other relevant matters
 Form G: Information to the UN database on mine clearance

Notes:

- Standard: Standard/normal reporting format provided
 Summary: Summary sheet provided with (or without) the Form(s) that have changed relative to the previous report attached
 L: Language of submission (C: Chinese; E: English; F: French; R: Russian; S: Spanish)

State Party to Amended Protocol II	Date of Submission	Use of the Reporting Format	Information can be made available to other States Parties	Substance of the Reporting Items: Forms used							L
				A	B	C	D	E	F	G	
Albania											
Argentina	01.10.2007	Standard	Yes	✓	✓	✓	✓	✓	✓	✓	S
Australia	11.2007	Summary	Yes	✓	✓	✓	✓	✓	✓	✓	E
Austria											
Bangladesh											
Belarus	01.08.2007	Standard	Yes	✓	✓	✓	✓	✓	✓	✓	R
Belgium	01.10.2007	Standard	Yes	✓	✓	✓	✓	✓	✓	✓	E
Bolivia											
Bosnia and Herzegovina	25.05.2007	Standard	Yes	✓	✓	✓	✓	✓	✓	-	E
Brazil											
Bulgaria	30.04.2007	Summary	Yes	-	-	-	-	-	-	-	E
Burkina Faso											
Cambodia	03.2007	Standard	Yes	✓	✓	✓	✓	✓	✓	✓	E
Canada	11.09.2007	Summary	Yes	✓	✓	✓	✓	✓	✓	✓	E/F
Cape Verde											
Chile	02.10.2007	Standard	Yes	✓	✓	✓	✓	✓	-	-	S

Annex VII

LIST OF DOCUMENTS

CCW/AP.II/CONF.9/1	Provisional Agenda
CCW/AP.II/CONF.9/2	Final Document
CCW/AP.II/CONF.9/NAR.1 [Chinese Only]	The People's Republic of China
CCW/AP.II/CONF.9/NAR.2 [English Only]	The Republic of Lithuania
CCW/AP.II/CONF.9/NAR.3 [English Only]	The Republic of Croatia
CCW/AP.II/CONF.9/NAR.4 [English Only]	The Republic of Finland
CCW/AP.II/CONF.9/NAR.5 [English Only]	The Republic of Guatemala
CCW/AP.II/CONF.9/NAR.6 [English Only]	The Republic of India
CCW/AP.II/CONF.9/NAR.7 [English Only]	The Republic of Italy
CCW/AP.II/CONF.9/NAR.8 [English Only]	Japan
CCW/AP.II/CONF.9/NAR.9 [English Only]	Romania
CCW/AP.II/CONF.9/NAR.10 [Russian Only]	The Russian Federation
CCW/AP.II/CONF.9/NAR.11 [English Only]	The Republic of Turkey
CCW/AP.II/CONF.9/NAR.12 [English Only]	The Swiss Confederation
CCW/AP.II/CONF.9/NAR.13 [English Only]	The Czech Republic

CCW/AP.II/CONF.9/NAR.14 [English Only]	The Republic of Hungary
CCW/AP.II/CONF.9/NAR.15 [English Only]	The Republic of Korea
CCW/AP.II/CONF.9/NAR.16 [English Only]	The Kingdom of Sweden
CCW/AP.II/CONF.9/NAR.17 [English Only]	The Kingdom of the Netherlands
CCW/AP.II/CONF.9/NAR.18 [English Only]	The Republic of Slovenia
CCW/AP.II/CONF.9/NAR.19 [English Only]	United States of America
CCW/AP.II/CONF.9/NAR.20 [English Only]	The Republic of Poland
CCW/AP.II/CONF.9/NAR.21 [English Only]	The Kingdom of Belgium
CCW/AP.II/CONF.9/NAR.22 [English Only]	The Portuguese Republic
CCW/AP.II/CONF.9/NAR.23 [English Only]	Ireland
CCW/AP.II/CONF.9/NAR.24 [Spanish Only]	The Kingdom of Spain
CCW/AP.II/CONF.9/CRP.1	Draft Final Document
CCW/AP.II/CONF.9/CRP.2* [English Only]	Estimated Costs of the Tenth Annual Conference of the States Parties to Amended Protocol II 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
CCW/AP.II/CONF.9/INF.1 [English/French/Spanish Only]	List of Participants. Submitted by the Secretariat
CCW/AP.II/CONF.9/MISC.1 [English/French/Spanish Only]	Provisional List of Participants