Annual meeting of the High Contracting Parties to the Convention on Certain Conventional Weapons; General exchange of views, 12 November 2015:

Statement by Austria

Mr President,

At the outset let me congratulate you for having assumed this important function. Please be assured of the full support of my delegation.

Austria commends your personal efforts, Mr President, as well as those of so many others, to bring new States to the Convention, as recorded in the document on promoting universality submitted by the Implementation Support Unit to this conference. We warmly welcome Algeria and the State of Palestine, which have joined as States Parties in the course of this year.

Mr President,

Austria aligns itself with the statement (to be) delivered on behalf of the European Union (earlier / later) during this debate. Let me focus on one key challenge for the Convention, which I will illustrate with a few remarks from a national perspective.

In order to remain relevant, the Convention has to continue to respond to new developments and emerging concerns.

In this context we commend the ongoing efforts of France and Moldova as coordinators on improvised explosive devices (IEDs) within the 2015 Group of Experts under Amended Protocol II to this Convention. Today IEDs pose a very
significant threat in many regions and the work in the framework of the Convention contributes importantly to respond to this threat.

Let me emphasise here, however, that IEDs, associated predominantly with non-State actors, are only part of a broader picture. We talk about the use of explosive weapons in populated areas. In numerous scenarios of armed conflict around the world, it is not only non-State actors but also regular armed forces of States which use bombs, grenades, artillery shells, IEDs and the like in urban settings. All too often, this practice results in grave violations of the principle of protection of civilians as enshrined in international humanitarian law, exacting an unacceptable toll on civilian populations. Neither is it a problem that can be restricted to a limited number of conflict zones. The growing numbers of refugees that are currently leaving their war-ridden home regions for European countries testify to this.

The United Nations Secretary General has long been drawing the attention of the international community to the pressing challenge to mitigate the humanitarian impact of the use of explosive weapons in populated areas. As a long standing promoter of the cause of protection of civilians, Austria together with an increasing number of other countries shares the Secretary General’s concern that it is high time for States to jointly look for more effective ways to prevent civilian harm resulting from the use of explosive weapons in populated areas.

That is why recently Austria together with the United Nations Office for the Coordination of Humanitarian Affairs assembled in Vienna representatives from interested States, the International Committee of the Red Cross, United Nations entities, as well as
civil society organisations to look into possible paths towards a response by the international community. Among the outcomes of the meeting was the proposal that interested States should elaborate together a multilateral political commitment, possibly in the form of a political declaration, recognising the urgent humanitarian problem associated with the use of explosive weapons in populated areas, and committing States to take concrete steps. We stand ready to share more information about the results of deliberations at Vienna with interested delegations.

Mr. Chairman,

As you pointed out in your recent letter, one of the key issues to be decided on by this year’s Meeting of States Parties is the 2016 mandate on lethal autonomous weapons systems. We commend past efforts undertaken by France and Germany in bringing together, in the framework of the Convention, on two occasions experts from various fields to discuss the issue. We are in favor of not only continuing, but deepening this important discussion. We therefore support your proposal to put LAWS on the agenda of Main Committee II of the 2016 Review Conference.

In order to make discussions of the Main Committee II about LAWS successful, we should use the year or so remaining until the Review Conference to prepare them well. On the occasion of the expert meeting last April, Austria and a couple of other delegations spoke in favor of the establishment of a Group of Governmental Experts. This could be a forum for such substantive preparation. A report presenting the work of the group to the Review Conference could focus on a limited number of precise questions which are directly linked with the
cause of the Convention. Among them the issue sufficiency of existing international humanitarian law to restrict the development and use of LAWS; the issue of acceptability under the Martens clause, referring to the dictates of public conscience; and what meaningful human control entails in the context of the discussion.

The past discussions of LAWS, by the way, have benefitted greatly from the active **involvement of academia and civil society** at large. This example leads me to my concluding remark. In the modern world, governments can no longer pretend to have exclusive responsibility and control over important international policy issues. We can only benefit within the CCW from a spirit of openness allowing for broad non-discriminatory participation of delegates not affiliated to national governments.

Finally, let me turn to incendiary weapons, the use of which is of great concern to us. In view of the Review Conference next year, Austria is in favor of discussing proposals to strengthen Protocol III of this Convention.

Thank you Mr. Chairman.