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Statement by the
International Committee of the Red Cross

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Mr. Chair, Excellencies, ladies and gentlemen,

This year has seen extraordinary achievements in efforts to rid the world of weapons of mass destruction, and major milestones in key treaties prohibiting or limiting the use of certain weapons due to their unacceptably high human costs.

These achievements have been possible thanks to the courage, determination and concerted action of involved governments, international organizations and civil society, including the International Campaign to Abolish Nuclear Weapons (ICAN), which we wholeheartedly congratulate upon award of this year’s Nobel Peace Prize. These achievements give hope, and should inspire renewed action to address the humanitarian consequences of certain weapons.

On 7 July, the International Committee of the Red Cross (ICRC) warmly welcomed the adoption of the Treaty on the Prohibition of Nuclear Weapons (TPNW) by 122 States, at the conclusion of the negotiating conference mandated by the UN General Assembly. We are grateful that the Treaty’s preamble stresses the role of the International Red Cross and Red Crescent Movement in this historic achievement, alongside that of the UN, civil society and the hibakusha.

The TPNW is an essential and long-awaited step towards the universal goal of a world free of nuclear weapons. Recognizing their catastrophic humanitarian consequences, the Treaty clearly and comprehensively prohibits nuclear weapons on the basis of international humanitarian law (IHL). It recognizes that any use of nuclear weapons would be abhorrent to the principles of humanity and the dictates of public conscience. It contains strong commitments to assist victims of testing and use of nuclear weapons and to remediate contaminated environments. And it provides pathways for adherence by all States, including those that possess, or are associated with, nuclear weapons.

Although the treaty will not make nuclear weapons immediately disappear, it reinforces the taboo against their use, and is a clear disincentive for their proliferation. It is a concrete step towards fulfilling long-standing international obligations and commitments for nuclear disarmament, notably those of Article VI of the Non-Proliferation Treaty (NPT), which remains at the centre of the global nuclear non-proliferation and disarmament framework.

The ICRC commends those States that have signed and ratified the treaty since it opened for signature three weeks ago. We urge others to be on the right side of history and to adhere without delay.

The ICRC appeals to States unable to join the treaty at this time, including nuclear weapon possessors and their allies, to urgently take measures to prevent the use of nuclear weapons, pending the fulfilment of their nuclear disarmament obligations.

With rising regional and international tensions, the risk of nuclear weapon use by accident, miscalculation or intent has increased sharply to levels not seen since the Cold War. This is profoundly disturbing. It should compel nuclear weapon possessors and their allies to urgently implement their long-standing commitments to reduce nuclear dangers, including those made in the 2010 NPT Review Conference Action Plan. These include decreasing the operational readiness of nuclear weapons with a view to ensuring that all are removed from high alert status (as called for in the “de-alerting” resolution adopted by 174 States last year.
in the 71st session of the First Committee. Risk reduction commitments also include diminishing the role and significance of nuclear weapons in all military and security concepts, doctrines and policies. Confidence-building measures, such as establishing joint early warning centers, are also critical to reducing nuclear risk.

The President of the ICRC, Peter Maurer, has proposed that risk reduction efforts could provide a common ground for dialogue between the States that adopted the TPNW, and those not yet ready to join it. Regardless of their views on the ban treaty, all States should acknowledge that any risk of use of nuclear weapons is unacceptable. We know based on the evidence that even a limited nuclear exchange would cause unspeakable human suffering and have long-lasting and irremediable global repercussions. Preventing the use of nuclear weapons is of vital interest to all States and is indeed a humanitarian imperative.

Mr. Chair,

This year marks the 20th anniversary of the entry into force of the Chemical Weapons Convention (CWC), which has been a remarkable success. Today, all but 5 States are party to the Convention. And thanks to the dedicated work of possessor States Parties, supported by the Organization for the Prohibition of Chemical Weapons (OPCW), 95% of all declared chemical weapons stockpiles have been destroyed, bringing us closer to the CWC’s promise of a world free of these horrific weapons. The ICRC congratulates the Russian Federation for having recently completed the full destruction of its chemical weapon stockpiles.

The absolute prohibition of the use of chemical weapons is a norm of customary IHL binding on all actors, be they State or non-State. On the whole, the prohibition has been widely respected, also thanks to the near-universal status and faithful implementation of the CWC. The recent and repeated confirmations of use of chemical weapons in Syria and in Iraq are an aberration which must be condemned by all States in the strongest terms, as must any use of chemical weapons by anyone, anywhere. How the international community reacts to violations of the prohibition of chemical weapons is critical to upholding the norm and ensuring respect for the law.

Mr. Chair,

While new scientific and technological developments hold great promise for humanity, their use as means of warfare may entail significant risks for civilian protection and may challenge existing rules of IHL. The ICRC welcomes recent proposals in the context of the Biological Weapons Convention (BWC), the Convention on Certain Conventional Weapons (CCW), and here in the First Committee, on ways to address new developments in science and technology, including their implications for existing norms of international law prohibiting or limiting the use of certain weapons.

It is undisputed that any new technology of warfare must be capable of being used, and must be used, in strict compliance with IHL. However, the challenges for IHL compliance raised by autonomous weapon systems and cyber capabilities -- and more fundamentally their profound implications for the future of warfare -- lend urgency to international debates on these new means of warfare in particular.

In the last three years, CCW expert meetings on “lethal” autonomous weapon systems have identified many of the humanitarian, legal and ethical issues raised by these weapons.
Discussions in the CCW have shown broad agreement among States that human control must be retained over weapon systems and the use of force. Indeed, the framework of human control provides a necessary baseline from which common understandings can be developed among States. The forthcoming CCW Group of Governmental Experts on Lethal Autonomous Weapon Systems chaired by India presents the opportunity to consider in more depth where the limits on autonomy in weapon systems must be established to ensure IHL compliance and to satisfy ethical concerns. The ICRC urges all States to seize this opportunity.

This past year, prominent cyber-attacks have been reported in a range of countries, affecting the functioning of electricity networks, medical facilities and a nuclear power plant. Thankfully, these hostile uses of cyberspace did not have large-scale humanitarian consequences. But they are a stark reminder of the vulnerability of essential civilian infrastructure to cyber-attacks and of the significant humanitarian consequences that may ensue.

For the ICRC, there is no question that IHL applies to and restricts the use of cyber capabilities as means and methods of warfare during armed conflicts. Crucially, IHL prohibits cyber-attacks against civilian objects or networks, and prohibits indiscriminate and disproportionate cyber-attack. However, the interconnectedness of cyberspace poses significant challenges if civilians are to be protected from indiscriminate attacks or from excessive incidental harm, due to the reliance of essential civilian services -- such as hospitals, electricity and water supply networks and telecommunications -- on computer systems.

To be clear, by asserting that IHL applies to cyber operations, the ICRC is in no way condoning cyber warfare, nor is it condoning the militarization of cyberspace. Any resort to force by a State, whether physical or through cyberspace, remains constrained by the UN Charter (jus ad bellum). The point is that -- in addition to, and independently of, the requirements of the UN Charter -- any State choosing to develop cyber military capabilities, be they for defensive or offensive purposes, must ensure that they would not violate IHL (jus in bello).

The unique characteristics of cyberspace raise unique questions of interpretation of IHL rules, which States must urgently address. The ICRC therefore regrets that the Fifth UN Group of Governmental Experts on Developments in the Field of Information and Telecommunications in the Context of International Security was unable to adopt a consensus report at its final meeting in June of this year. We call on all States to renew discussions in appropriate forums on the critical issues raised by cyberwarfare, with a view to finding common ground on the protection afforded by IHL to civilian use of cyber space. The ICRC stands ready to lend its expertise to such discussions.

Mr. Chair,

The bulk of civilian suffering in armed conflicts continues to be caused by conventional weapons. This is stating the obvious. Two issues in particular require immediate action by States.

First, with brutal wars raging in different parts of the world -- wars in which the ICRC is witnessing ever-increasing suffering from indiscriminate attacks, and even direct attacks against civilians, hospitals and humanitarian workers -- there is an urgent need for
**responsible arms transfers.** States that support parties to armed conflicts by supplying them with weapons have a special responsibility, as they are providing the means by which IHL violations may be and are being committed. They must use their leverage to ensure respect for IHL by the parties they are supporting. This includes ending arms transfers when serious violations are manifestly occurring or otherwise where there is a clear risk that they will be committed.

The **Arms Trade Treaty (ATT)** provides a blueprint for action to reduce human suffering by all States involved in the arms supply chain. The ICRC calls on all States that have not yet done so to ratify or accede to the ATT. In addition to securing long-term gains in civilian protection and safer communities, responsible arms transfers will lay the foundation for regional and international peace, security and stability. States must also take the practical measures they have committed to under other instruments, such as the **UN Programme of Action on Small Arms and Light Weapons**. Next year, the third review conference of the Programme of Action chaired by France will provide the opportunity to consider synergies with the ATT, including best practices to prevent the diversion and illicit proliferation of small arms and light weapons, and to promote transparency and accountability in arms transfers.

**Second,** with hostilities increasingly being conducted in urban areas – and some 50 million people suffering the impacts of wars in cities – civilian protection demands that parties to armed conflicts reassess their choice of means and methods of warfare, in particular the use of **explosive weapons, in populated areas.** In ongoing urban warfare in the Middle East and elsewhere, the ICRC, as a frontline humanitarian actor, continues to observe disastrous effects of heavy explosive weapons on civilians, and their highly disruptive impacts on services essential to their survival – be it health care or water and electricity supply. The ICRC continues to call on parties to armed conflicts to avoid using wide-impact explosive weapons in densely populated areas due to the significant likelihood of indiscriminate effects. The UN Secretary-General has made a similar call. A growing number States are endorsing this view, and we urge others to do so. This issue concerns all States, notably because the types of weapons in question are found in the arsenals of most countries. We welcome all efforts to address this urgent humanitarian issue, including the Austrian-led initiative to develop a non-binding political declaration identifying good practices.

Finally Mr. Chair,

The 20th anniversary of the signing of the **Anti-Personnel Mine Ban Convention (APMBC)** is a cause for celebration and an inspiration. The treaty was adopted in 1997, at a time when civilian populations around the world were reeling from the deadly legacy left by decades of widespread use of anti-personnel mines. At the time, anti-personnel mines were still being employed or stockpiled by most States. Twenty years on, 162 States are party to the treaty, and thanks to their concerted efforts, over 51 million stockpiled anti-personnel mines have been destroyed, and thousands of square kilometers of land have been cleared and returned to communities for productive use. Importantly, the annual number of new mine victims has gone down drastically over the last twenty years, though it should be a cause of concern to all that the level of new victims has increased in recent years. The ICRC is deeply concerned by reports of new use of anti-personnel mines in recent conflicts by States that remain outside of the treaty and by non-State armed groups. Experience has shown that
ultimately it is civilians who will pay the price in lost lives, limbs and livelihoods. Any use of anti-personnel mines is unacceptable.

The Convention has shown how the determined leadership of States, working with civil society and the International Red Cross and Red Crescent Movement, can successfully respond to a humanitarian catastrophe caused by an unacceptable weapon, by comprehensively prohibiting and eliminating the weapon on the basis of IHL. Still, much work remains to rid the world of anti-personnel mines. The ICRC calls on all States not yet party to the treaty to join the treaty at the earliest opportunity, and in the meantime to participate in the 16th Meeting of States Parties of the APMBC in Vienna in December.

Thank you.

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