Statement by Ambassador D.B. Venkatesh Varma
Permanent Representative of India to the CD
at the Preparatory Committee for the Fifth Review Conference of High Contracting Parties
to the CCW

Geneva, August 31, 2016

Madam President,

My delegation is pleased to congratulate you on your assumption of the Presidency of this meeting and would like to convey its full support and cooperation. We welcome the accession of Bahrain and Cote d’Ivoire to the CCW this year.

2. India attaches high importance to the CCW as one of the pillars of international humanitarian law within the UN framework. India is party to the CCW, all of its five protocols, as well as Amended Article I of the Convention. We are committed to taking all necessary steps to implement our obligations under the CCW and its Protocols, including Amended Protocol II and Protocol V.

3. The Convention and its Annexed Protocols mitigate humanitarian concerns arising from the use of specific weapons and weapon systems while taking into account the military necessity of such weapons. The CCW remains the only forum of a universal character that brings together all the main users and producers of certain conventional weapons, thus ensuring that the instruments which emerge have greater prospect of making a meaningful impact on the ground. The continuing relevance of the CCW is also important in addressing challenges posed by the development or use of new weapons and their systems with respect to international law, in particular international humanitarian law.

4. Effective implementation of the obligations contained in CCW by all High Contracting Parties is essential for the success of the Convention. HCPs bear the responsibility for the national implementation of obligations undertaken by them under the Convention and its protocols and for submitting their national compliance reports within the framework decided by the Third Review Conference. India has regularly submitted Annual Reports and supports measures aimed at encouraging submission of reports by High Contracting Parties. The universality of the CCW and its Annexed Protocols remains an important goal. We support the Plan of Action on universalization and we appreciate efforts that have been undertaken in this regard, as well as the Sponsorship Programme on universalization to which India has made regular financial contributions.

5. The discussion on IEDs under AP-II has been useful in addressing the threats posed by the use of IEDs by terrorists and non-state actors. We support the continuation of these discussions, under the CCW framework, while underlining that the responsibility for enforcing rule of law, including respect for international law lies with the legitimate government authority of that State Party. We believe that while there is scope for enhancing cooperation among States in exchange of expertise and information sharing on countermeasures, this should be done on a voluntary
basis keeping in mind confidentiality of sensitive information. Agreement on a Declaration on IEDs to be adopted by the Review Conference is a welcome development.

6. The failure to adopt a protocol on Cluster Munitions at the Fourth Review Conference in 2011 was disappointing and a missed opportunity given that the CCW framework could have produced an outcome that included all the main producers and users of Cluster Munitions. It appears that the underlying position of various delegations on the issue of MOTAPMs has not changed. We should keep under review implementation of Protocol III on Incendiary Weapons.

7. The CCW should continue considering ways and means for progressive development of the rules of international law applicable to advanced conventional weapons which have devastating and indiscriminate effects. In this context, we support continued discussions on LAWs in the CCW, on the basis of the mandate agreed at the Meeting of Experts on LAWS in April, consistent with the objectives and purposes of the Convention.

Madam President,

8. The Fifth Review Conference is an important opportunity to review the implementation of the Convention as well as all its Protocols and agree on specific measures to strengthen the CCW framework. To this end we support a substantive preparatory process based on consultations among all High Contracting Parties as part Main Committees I and II as well as taking into account the contribution of the larger CCW community including relevant NGOs active in the field.

Thank you.