Meeting of the High Contracting Parties to the CCW

Statement

Emerging issues in the context of the objectives and purposes of the Convention

Geneva, 14.11.2019

Mister Chair,

Armed conflicts increasingly take place in urban areas and in concentrations of civilians. When conflicts are fought in such settings, harm to civilians and civilian objects is often very high. Conducting hostilities in these contexts also poses particular challenges with regard to the implementation of International Humanitarian Law (IHL).

In Switzerland’s view, discussions on explosive ordnance in populated areas should be considered with a view to addressing how IHL can be best implemented when conducting hostilities in urban settings. Such an approach would take into account that minimizing humanitarian harm should not be limited to addressing technical aspects related to using explosive ordnance in urban settings, but should also include issues related to decision-making, training, procedures etc. associated with the use.

We believe that the CCW should contribute to addressing this issue. In view of its object and purpose, we understand that looking at it from a general conduct of hostilities angle could be challenging, and that it could be more appropriate to address it with a particular focus on certain types, uses or consequences of explosive ordnance in populated areas.

Also, let me clarify what we mean when we say that there would be value in the CCW taking up the issue. The CCW should not be seen as a forum solely dedicated to the development of new protocols. It has proven to be an adequate platform to exchange views, consolidate opinions and develop common understandings, as we do it in the framework of APII with regard to IEDs.

In this regard, the CCW as an open forum including military and humanitarian expertise could play a role in addressing challenges related to the implementation of IHL during urban warfare. Such work could be complementary to other initiatives, such as the one launched by Ireland aiming at adopting a political declaration on the subject. We would see value in the CCW discussing and identifying good practices aimed at minimizing the civilian harm caused by the use of explosive ordnance within a concentration of civilians. Not using the CCW and anchoring this pressing military and humanitarian challenge on the agenda of the CCW would in our view be a missed opportunity.
Thank you for your attention.