Statement of the International Committee of the Red Cross to the 2013 Meeting of States Parties to the Convention on Certain Conventional Weapons 13 November 2013

Thank you Mr President,

On behalf of the International Committee of the Red Cross (ICRC), I would like to begin by congratulating Kuwait and Zambia, which both joined the CCW since the last meeting of States Parties. We welcome their adherence to this important humanitarian treaty, and see this as an indication of the steady progress being made to increase the number of CCW States Parties. The ICRC would also like to commend the efforts of France -- and your personal efforts Mr President -- to expand the Convention’s membership. The work of the Implementation Support Unit and the States contributing to the CCW’s Sponsorship Program are also to be acknowledged and commended in this regard. For its part, the ICRC continues to encourage States not yet party to join the Convention and to promote adherence to all of its Protocols.

The 30th anniversary of the entry into force of the CCW gives us the opportunity to recall the important role that the Convention plays in efforts to minimize suffering in armed conflict. The Convention’s protocols establish norms governing the use of weapons about which there are particular concerns in humanitarian terms, namely weapons that may cause unnecessary suffering or that may have indiscriminate effects.

The CCW also plays a critical role as an international forum to examine issues that arise from the use of existing weapon systems and from new weapon technologies. The Protocol on Explosive Remnants of War in 1995 began as a discussion and assessment of the longstanding problem of unexploded and abandoned ordnance. Its adoption in 2003 established a crucial framework for minimizing the dangers that these weapons pose to civilian populations. The adoption of the Protocol on Blinding Laser Weapons is an example of the CCW being used effectively to examine, assess and subsequently regulate a new weapon technology about which there was a growing concern in humanitarian terms.

As we look forward to the next years of the Convention, there are several issues that the ICRC believes merit the attention of States Parties. One such issue is the development of autonomous weapons, or ‘lethal autonomous robots’, as they are sometimes referred to. Fully autonomous weapon systems would be designed to operate with little or no human control and to search for, identify and target an individual with lethal force. Research in the area of autonomous weapons is advancing at a rapid pace. This should be a cause for concern, as it is far from clear whether autonomous weapons could ever be capable of being used in accordance with international humanitarian law. The ICRC has urged States, for several years, to fully consider the legal, ethical and societal issues related to the use of autonomous weapons well before such systems are developed. We believe that the CCW would be an appropriate forum to begin such an assessment and
support your proposal, Mr. President, for an informal meeting on this issue in the CCW in 2014.

Another concern is the use of explosive weapons in populated areas. In recent years, the ICRC, as well as the UN and non-governmental organizations have been urging States to look more thoroughly at this pressing humanitarian problem. In 2011, the ICRC stated its view that explosive weapons with a wide impact area should be avoided in densely populated areas due to the significant likelihood of indiscriminate effects and despite the absence of an express legal prohibition for specific types of weapons. The UN Secretary-General and a number of organizations, have made similar calls. We support the UN Secretary-general’s recommendation for States Parties to seriously consider this issue in a more focused manner. We also support the recommendation of the UN Secretary-general in his May 2012 Report on the Protection of Civilians in Armed Conflict that States: make available information on harm to civilians from the use of explosive weapons, as well as policy statements outlining the conditions under which explosive weapons may or may not be used in populated areas.

Mr President,

The ICRC was pleased to learn of Israel’s decision earlier this year to stop using white phosphorous munitions to create smoke screens in built up areas. As States Parties may recall, the ICRC has repeatedly urged States Parties to examine the humanitarian impact of white phosphorous munitions and the possible legal and policy approaches to preventing or lessening the dangers to civilians and suffering of combatants that may be posed by these weapons, and in so doing we have echoed the calls of Human Rights Watch in this regard. We are also concerned more generally about the use of incendiary weapons. Although States parties decided not to place this issue on the CCW’s agenda for 2013, we continue to believe that there would be merit in understanding the current practice and policies of States governing the use of incendiary weapons, as well as white phosphorous munitions. We encourage States to report or present their national policies and operational practice on the use of these weapons at a future CCW meeting.

Finally the ICRC would like to echo the call of UNMAS concerning mines other than AP mines. The ICRC continues to have major concerns regarding the use of these weapons in terms of the serious dangers they pose to civilian populations and to the humanitarian organizations that work in conflict-affected areas. A large number of CCW States have supported work to address this issue and we hope that further discussion in this or another forum is possible in the future.

Thank you.