



EU General Statement
Meeting of the High Contracting Parties to
the Convention on Certain Conventional Weapons (CCW)
Geneva, 13 November 2019

Mr. Chair,

I have the honour to speak on behalf of the European Union and its Member States.

The Candidate Countries the Republic of North Macedonia*, Montenegro* and Albania* align themselves with this statement.

I would like to congratulate you on your election and assure you of our full cooperation and support.

The EU and its Member States have a long-standing commitment to the Convention on Certain Conventional Weapons (CCW) and its Protocols which play a key role in the implementation of International Humanitarian Law (IHL). Putting this important Convention on a solid financial footing ahead of the Sixth Review Conference in 2021 should be our common priority. Regrettably, the financial situation remains deeply troubling. Failure by some High Contracting Parties to comply with their financial obligations has led to the cancellation and shortening of meetings and freezing of the Implementation Support Unit (ISU). Some measures have been adopted to improve cash flow, yet the problem of structural arrears has not been resolved. We remain open to considering further options to ensure adequate financial liquidity, but no measures can fully remedy the chronic non-payments by some States. As noted by you, Mr. Chair, in your non-paper, the timely and full payment of annual assessed contributions by the High Contracting Parties is the only guarantee of the sustainability of the CCW processes. Once again, we urge all States, which have not yet done so, to settle their outstanding contributions and arrears without delay.

We consider that the CCW is a unique international instrument gathering diplomatic, legal and military expertise, with the wide participation of governments, international and regional organisations, civil society, academia and the private sector. This makes it an appropriate

* The Republic of North Macedonia, Montenegro and Albania continue to be part of the Stabilisation and Association Process.

forum to address alleged violations and respond to fast-paced developments in the field of weapons technology.

We call upon all High Contracting Parties to implement their legal, reporting and technical obligations, to improve the rate and quality of their national reporting, and engage in further discussion on national implementation. Information exchange, transparency and confidence building are essential tools to enhance implementation of, and compliance with the Convention and its Protocols.

Further attention should also be devoted to promoting universal adherence to the CCW and its Protocols and in this regard, we welcome the efforts made by Finland and Poland in support of Protocol V and Amended Protocol II respectively. We note with concern the slowing pace of ratifications to the CCW and its Protocols and call on all States to accede to these important IHL instruments without further delay.

We reiterate our concern over the increasing impact of attacks with improvised explosive devices (IEDs) worldwide and their indiscriminate use and effects in particular in the perpetration of terrorist acts. We welcome the CCW's growing role in counter-IED work and take this opportunity to highlight the new EU Regulation (EU) 2019/1148, which strengthens the already existing EU-wide rules to prevent terrorist access to explosives precursors. We encourage all States to take stringent national measures to prevent the supply of weapons and explosives precursors to terrorists, in accordance with UN Security Council Resolution 2370. The EU will continue to provide assistance to third countries to strengthen their capacities to mitigate the impact of IEDs. We recall that IEDs which meet the definition of an anti-personnel mine provided by the Anti-Personnel Mine Ban Convention, fall under the obligations of the Anti-Personnel Mine Ban Convention.

We remain concerned at the humanitarian impact and the heavy consequences on social and economic development arising from the indiscriminate and disproportionate use of Mines Other Than Anti-Personnel Mines (MOTAPM). Whilst acknowledging that MOTAPM are legitimate weapons, Parties are obliged to ensure that they are used in accordance with IHL and that all feasible precautions are taken to protect civilians from the effects of these weapons. We believe that MOTAPM should remain on the CCW agenda for further discussions in order to ensure that High Contracting Parties can continue to consider the issue in a constructive and transparent manner.

We recall that international law, in particular IHL and International Human Rights Law, fully applies to all weapons systems and that States remain responsible and accountable for their use in armed conflict.

Ensuring compliance with IHL principles and rules is crucial particularly when armed conflicts are increasingly fought in urban areas, exposing civilians and civilian infrastructure to substantial risks. Indiscriminate attacks against civilian populations, the recurrence of attacks against medical facilities, schools and humanitarian workers, and the arbitrary denial of humanitarian access to people in need are all unacceptable, yet reported on a regular basis. We call on all parties to armed conflict to fully comply with IHL principles and rules. We

appreciate the recent efforts to give further attention to the issue, raise awareness of the challenges associated with the indiscriminate use of explosive weapons with wide area effects in densely populated areas and their impact on civilians and civilian objects, and share best practices with the aim to protect the civilian populations and civilian objects from the effects of hostilities. We support the continuation of discussions on these issues within the CCW. We are willing to contribute to exchanges of best practices to enhance compliance with IHL and to engage in further work. Recently, the EU and its Member States were among the 133 States which attended the Vienna Conference "Protecting civilians in urban warfare". In that context, we note that Ireland will convene a series of open consultations to elaborate a political declaration on the issue in the coming months.

The EU remains gravely concerned over the situation in Syria which is causing unacceptable suffering for civilian populations. We condemn the alleged use of incendiary weapons which has continued to occur against civilians or military targets located within a concentration of civilians in Syria. We call on all States not yet party to join Protocol III of the Convention which prohibits the use of air-delivered incendiary weapons in concentrations of civilians and we urge all States to fully comply with its provisions. We regret that Protocol III issues were removed from the CCW agenda because of the opposition by one High Contracting Party and we request to have them back in 2020. The CCW is indeed the right forum to discuss the implementation of the Convention and all its Protocols and appropriate time has to be allocated to allow a structured debate on the implementation of the Convention and all its Protocols.

On the theme of emerging technologies in the area of lethal autonomous weapons systems, the EU welcomes the outcome of the 2019 session of the open-ended Group of Governmental Experts (GGE LAWS) as a good basis for further progress, notably the agreement on the 11 guiding principles and the importance of human-machine interaction. We call for the endorsement of the 11 guiding principles by all High Contracting Parties and encourage all States to implement them. We emphasise that human beings should make the decisions with regard to the use of lethal force, exert control over lethal weapons systems they use, and remain accountable for decisions over life and death in order to ensure compliance with international law, in particular IHL and International Human Rights Law. Human-machine interaction plays a key role and should be further elaborated within the GGE in order to achieve progress. Sufficient time should be set aside in 2020-21 towards this end. We call upon all High Contracting Parties to engage constructively in order to agree on substantive recommendations on clarification, consideration and development of aspects of a normative and operational framework ahead of the 2021 CCW Review Conference. The CCW must remain responsive to fast pace developments in the field of weapons technology, be able to adequately address them and ensure that international legal frameworks remain appropriate.

The promotion of gender equality, awareness of gender issues, empowerment of women and prevention of gender-based violence are important cross-cutting priorities for the EU. The EU will continue to support the full implementation of Resolution 1325 and all other relevant resolutions of the UN Security Council aimed at advancing the women, peace and security

agenda. We encourage active and equal participation of women, including in leadership in non-proliferation and disarmament efforts, in the CCW and other fora.

Thank you, Mr. Chair