Mr President,

The CCW is an important pillar of international humanitarian law. The Convention and its Protocols embody the basic principle that the use of means and methods of warfare is not unlimited. They do so by prohibiting or restricting the use of conventional weapons that raise specific humanitarian and legal concerns, particularly weapons that may cause unnecessary suffering or that may have indiscriminate effects.

Today, 125 States are party to the Convention. However, more focused efforts are needed to achieve universalization of the Convention and its Protocols. The ICRC encourages all remaining States to accede to these instruments without delay, and all High Contracting Parties to redouble their efforts and take concrete steps to promote their universalization and faithful implementation.

The upcoming Review Conference provides an opportunity to take stock of and build on the important role the CCW has played in minimizing suffering in armed conflict, in order to ensure that the Convention remains fit for purpose as warfare evolves and changes. To uphold and progressively strengthen protection for victims of war – men, boys, women and girls – and for the natural environment upon which they depend, international law needs to evolve. This is acknowledged in the CCW’s preamble.

Since its adoption, the Convention has sought to reduce the human costs of the use of specific weapons – witnessed in armed conflict – and, in the case of Protocol IV on blinding laser weapons, it prohibited these weapons before they were used on the battlefield, in order to prevent effects that were deemed contrary to the principles of humanity. Protocol I prohibited weapons whose fragments could not be detected with the techniques available at the time, rendering effective medical treatment of the wounded impossible. Humanitarian, legal and ethical considerations in combination also underpin current efforts to regulate autonomous weapon systems.
New weapons developed as a result of the military use of advances in science and technology can be a source of humanitarian concern — about the potentially indiscriminate effects of these weapons on civilians or about the possibility of their causing superfluous injuries or unnecessary suffering to combatants. Assessing the legality of new weapons, means and methods of warfare is therefore vitally important.

Evaluating in advance the impact in humanitarian terms of developments in military technology and practice, against the backdrop of States’ obligations under existing CCW Protocols, the rules of international humanitarian law and the principles of humanity, can help prevent human suffering. The CCW has a clear responsibility in this respect for the effective implementation of existing Protocols, for example, to ensure that current developments in laser weapons are compatible with Protocol IV and that all feasible precautions are taken to avoid causing permanent blindness when non-prohibited laser systems are used.

Meanwhile, the High Contracting Parties must also assess weapon technologies that can raise novel humanitarian concerns warranting regulation in new CCW Protocols, such as is the case, in the ICRC’s view, with autonomous weapon systems. Both these tasks require effective monitoring and assessment of developments in science and technology and their military applications. The ICRC encourages the High Contracting Parties to reach agreement on the means necessary to ensure such oversight at the upcoming Review Conference.

**Autonomous weapon systems** — that is, weapon systems that select and apply force to targets without human intervention — pose serious concerns that the High Contracting Parties have both a responsibility and an opportunity to urgently address. The ICRC recommends that States adopt new, legally binding rules to regulate autonomous weapon systems, in order to ensure that sufficient human control and judgement is retained in the use of force. It is the ICRC’s view that this will require prohibiting certain types of autonomous weapon system and strictly regulating all others. The ICRC looks forward to detailed discussions on the way forward at this meeting under the agenda item “Preparations for Main Committee II”.

Mr President,

New and potential risks related to emerging weapon technologies must not distract us from the necessity of addressing the grave and enduring harm caused by existing and widely used weapon technologies today. In particular, the use of **heavy explosive weapons in urban and other populated areas** continues to cause unacceptably high levels of civilian death and suffering. The ICRC calls upon States and all parties to armed conflict to urgently review and adapt their military doctrine and practice and **avoid the use of explosive weapons with a wide impact area in populated areas**, due to the significant likelihood of indiscriminate effects. We are confident that the ongoing diplomatic process to adopt a political declaration on explosive weapons will produce commitments that will strengthen the protection of civilians and facilitate respect for international humanitarian law. We encourage the High Contracting Parties to discuss at the Review Conference ways to strengthen the protection of civilians in urban warfare, including practical measures for limiting the risk that the use of heavy explosive weapons in populated areas poses to civilians.
The ICRC has repeatedly expressed serious concern about the humanitarian consequences of the use of incendiary weapons, and of weapons with incidental incendiary effects, such as white phosphorus munitions. We encourage the High Contracting Parties to have a dedicated discussion on the implementation of Protocol III at the Review Conference, including sharing of information on national policies and operational practices in connection with these weapons, with a view to minimizing their indiscriminate effects on civilians and preventing unnecessary suffering for combatants. We further call on the High Contracting Parties to consider future work to further examine the military, technical, legal and humanitarian aspects of incendiary weapons and weapons with incidental incendiary effects.

The human cost of mines other than anti-personnel mines (MOTAPM) is significant and well documented. We reiterate our call for the rules in amended Protocol II, and national policies regulating the use of MOTAPM, to be strengthened, in order to reduce the risks to civilians and to humanitarian operations. The ICRC calls upon the High Contracting Parties to include MOTAPM on the agenda of the Review Conference, and on that of the annual conference of amended Protocol II, in order to continue the discussion of their humanitarian impact, the rules of international humanitarian law that govern them and possibilities for technical features that may help reduce civilian casualties.

Explosive remnants of war (ERW) claim the lives of hundreds of civilians annually, long after hostilities have ended, taking a particularly heavy toll on children. Since its entry into force, Protocol V has helped prevent and mitigate their grave humanitarian impact. The Review Conference should build on work already done on clearance of ERW in urban environments, on Article 4 obligations and on victim assistance and international cooperation and assistance, and discuss progress and challenges, as well as means to promote the universalization and full implementation of Protocol V.

Mr President,

Let me conclude by expressing the ICRC’s full support for the work of this Preparatory Committee and for you in the discharge of your duties.

Thank you.