



Statement

by H.E. Archbishop Silvano M. Tomasi

**Permanent Representative of the Holy See to the United Nations
and Other International Organizations**

**at the 4th Review Conference of the Convention on Prohibitions
or Restrictions on the Use of Certain Conventional Weapons
Which May Be Deemed to Be Excessively Injurious or to Have
Indiscriminate Effects (CCW)**

Geneva, 15 November 2011

Despite the adoption of the Convention on Cluster Munitions, this Delegation continued to support efforts to find a supplementary agreement in the framework of the CCW on the same issue. It was required, however, that the new instrument were compatible with the spirit and letter of the Convention on Cluster Munitions. In reality, the two instruments, the Oslo Convention and the proposed Protocol VI, have two completely different definitions and two completely different scopes. The red line for this Delegation is the international humanitarian law already in force; weakening it would be a betrayal of the aspirations of peoples to reduce the impact of armed conflicts and it would also be contrary to the objectives of the CCW. For these reasons, I would like, Mr. President, to express the disappointment of my Delegation on the text which is presented under the responsibility of the Chairman of the Group of Governmental Experts on the issue of cluster munitions. In addition to the lack of consensus on the text in question, it is clear that the eventual adoption of the draft Protocol would set an unacceptable precedent, as it would for the first time endorse an instrument that weakens the provisions of international humanitarian law already adopted in an international instrument signed or ratified by a majority of countries.

In an unstable international situation and in an uncertain world, international humanitarian law remains an essential safety measure not to be weakened. The multiple internal conflicts where cluster munitions have been used or may be used are many. The responsibility of the CCW to protect civilian populations rests on its ability to comply with the provisions of international humanitarian law and even in strengthening them. On the contrary, the weakening international humanitarian law would discredit this Convention. The call by the President of the International Committee of the Red Cross in the context of the negotiation of the CCW on cluster munitions is just, powerful, and in continuity with the tradition of the defence of humanitarian values. This Delegation has heard this call and fully agrees with it.

Mr. President,

The CCW has an important place and role in the international system that seeks to reduce the impact of indiscriminate weapons on civilian populations, on the development and implementation of the conditions that allow an exit from war situations. To accomplish its objectives, the CCW should find a strong consensus to meet current challenges. The choice of convenient or unjust and inefficient compromises is a serious risk that will deprive the CCW of credibility. This institution has many strengths and there is still time to make the CCW a tool to promote international humanitarian law in the field of conventional arms control.

Thank you, Mr. President.

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