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STATEMENT

by

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Certain Conventional Weapons
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Mr. President,

I would like to start by extending my warmest congratulations to you, Ambassador Ganev, on the assumption of the Presidency of the CCW Fourth Review Conference.

Please be assured of my delegation's full support and cooperation in all your endeavors to advance the objectives of the Convention.

Mr. President,
Distinguished delegates,

Ukraine as a State Party to the CCW with the amendments and all its Protocols considers the Convention to be an important instrument which provides effective basis for international actions on major problems arising from the use of conventional weapons.

Ukraine strongly supports the purposes of the CCW regime, remains to be committed to comprehensive compliance with this international instrument and shares the need for strengthening its effectiveness aimed at reducing the negative consequences, which come both from conventional warfare operations and on their aftermath, both to combatants and civilians.

In this regard we call for the CCW Contracting Parties to comply with the provisions of this Convention and related Protocols, strengthening its implementation, promoting universal observance of the norms and principles enshrined therein, supporting their universalization and enhancing the cooperation and exchange of information among the them.

Mr. President,

We are of the opinion that the Fourth Review Conference is an important opportunity for States Parties to take stock of the significant progress made on universalization and compliance and to set priorities in this field for the next five years.

The universalization is one of the key aspects that can ensure the legitimacy of international treaties. Therefore Ukraine attaches great importance to these issues and seizes all

the opportunities to promote the Convention and its Protocols through bilateral and multilateral contacts. We call upon all States that have not yet done so, without delay to ratify or accede to the CCW and its Protocols.

However, we have to mention with regret the fact that the rate of their universalization is still poor comparing to other disarmament treaties.

In this context we support the idea of establishing "Universalization of the Convention and its Protocols" as a standing agenda item of the Meeting of the High Contracting Parties under which the President, the CCW States Parties, the United Nations, the International Committee of the Red Cross, regional organizations and NGOs would exchange information and report on their respective efforts to promote universalization.

The other issue that requires the attention of the international community is the promotion of the decision on compliance, adopted by the Third Review Conference and supplemented by the decisions of the Meeting of the High Contracting Parties in 2007.

As the CCW Member State, Ukraine duly performs all the relevant international obligations under this Convention and submits its annual reports. On the national level we are making active efforts to address the tasks of implementation of the provisions of the Convention and its Protocols, in particular by ensuring on the regular basis the comprehensive study of this documents and compliance with their provisions by the Armed Forces of Ukraine.

Though, the number of States that submit their national reports under the Convention remains modest and is much lower than under Protocol V or Amended Protocol II. We should admit that under such circumstances it is difficult to determine how many States Parties have fulfilled the other elements of the compliance decision, such as the number of States Parties which have issued instructions to their military authorities on the Convention and its Protocols.

In this regard we urge the Conference to give serious concern to this issue and to consider enhancing the transparency of reporting, refocusing the annual discussion on the operation and status of the CCW to problems of the national legislation and implementation, concerns on compliance, interpretation of the obligations under CCW and its Protocols, rethinking the usage of the Pool of Experts and promoting use of the consultative mechanisms.

Mr. President,

Ukraine is known among the major proponents of the CCW regime and from the very beginning supported initiatives on enlarging the scope of issues under this Convention.

We consider the development within the framework of the CCW Group of Governmental Experts (GGE) of a new draft of legally binding document on cluster munitions to be significant in terms of maintaining balance between military and humanitarian aspects of the use of cluster munitions.

Recognizing serious humanitarian problems caused by cluster munitions Ukraine fully supports efforts to resolve the cluster munitions issue within the framework of international humanitarian law.

At the same time Ukraine considers cluster munitions to be legal weapons which remain an important component of Ukraine's defense capabilities. That is why we stand for the necessity to find a balance between humanitarian concerns and legitimate national security interests.

In view of the above Ukraine finds the text of the draft Protocol on cluster munitions submitted by the Chairperson of the GGE to the Conference as balanced and generally acceptable.

As a country, heavily polluted with the cluster munition remnants, located on former military ranges (USSR heritage), which also possesses huge amounts of cluster munitions (already stockpiled for destruction or still staying in operation stocks) Ukraine strictly adheres to preservation of the following provisions of the Protocols VI relating to:

- agreed deferral period and its extended term based on the objective needs of states to manage cluster munitions which do not meet the standards set in the Protocol (Art.5 para 3), hence the limitation of the time period for the destruction of cluster munitions will require substantial financial resources and international assistance;
- possibility of stockpiling and retention of cluster munitions removed from operational stocks for their subsequent destruction (Art.5 para 8);
- international assistance for clearing of cluster munition remnants (Art.8);
- effective system of cooperation and assistance (Art.12), providing, *inter alia*, possibilities for an exchange of information and technologies concerning the methods of cluster munitions destruction.

The Fourth Review Conference is a unique opportunity for us to find a mutually acceptable compromise concerning the text of the draft Protocol VI, which contains the maximum possible concessions to countries, advocating the total ban of this type of weapons.

We remain hopeful that the work of this Conference will result in consensus adoption of the Protocol on cluster munitions.

Mr. President,

I would like to stress that at present time the CCW and its protocols remain practical mechanism in reducing the risk to the civilian population from conventional military operations, which, unfortunately, continue to be quite widespread.

Ukraine supports all efforts towards limiting the use of weapons that kill or maim thousands of innocent people, inflict unnecessary suffering to both civilians and combatants, and often cause massive property damage.

Thank you for your attention.