

COSTA RICA

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Joint Statement
delivery

Check against

Mr. Chair,

I take the floor on behalf of the following 42 States: Afghanistan, Angola, Austria, Burkina Faso, Chile, Colombia, Congo, Costa Rica, Democratic Republic of Congo, Denmark, Djibouti, Ecuador, El Salvador, Ghana, Guatemala, Guinea, Haiti, Holy See, Honduras, Iceland, Iraq, Laos, Lebanon, Lesotho, Liberia, Madagascar, Mali, Mexico, Mozambique, New Zealand, Nicaragua, Niger, Nigeria, Norway, Panama, Senegal, South Africa, Spain, Togo, Uruguay, Venezuela and Zambia.

Mr. Chair,

CCW is a forum of international humanitarian law. The very aim of the Convention on prohibitions or restrictions on use of certain conventional weapons which may be deemed to be excessively injurious or to have indiscriminate effects is reflected in its title. Its purpose is to diminish the harm caused by the use of weapons; not to ensure regulations based on what may be deemed to be militarily useful in the short term or the long term. The consequence of such considerations often results in human suffering and hampers

economic and social development. The aim of any new protocol under this convention is to *extend* the protection of civilians against weapons that may have indiscriminate effects or cause unnecessary suffering or injury.

The current version of the draft (Advance Version, Rev.2 dated 23 November) would represent the opposite of what we consider the overall goal of the Convention. It explicitly allows for use of a large range of weapons that are known to cause human suffering because of their indiscriminate effects, both because of its wide area effect and because it leaves unexploded ordnance for years after a conflict has ended.

Mr. Chair,

The concerns repeatedly expressed by a large number of the High Contracting Parties and observer States as well as several UN organizations and the ICRC and civil society, in our opinion, were not addressed. Though our delegations have worked constructively throughout 4 years, as well as this and last week, our comments and proposals have not been duly reflected in the current text. While in the past we have welcomed those changes in the text reflecting the humanitarian concerns expressed by our delegations, we maintain, however, that even those additions did not altogether alter the substance of the text.

Regarding the process pertaining to the negotiations of this protocol, the differences in this room do not only pertain to contradictory views on the use of cluster munitions, or about the legal and ethical

aspects of downgrading existing humanitarian protection. The differences in this room also seem to pertain to the very functioning of multilateral fora and the various member states' place and role in negotiations such as the present one. Only a limited number of High Contracting Parties and observer States have had their views and concerns reflected in this text. It can thus come as no surprise that the text does not enjoy agreement of all High Contracting Parties and does not command consensus.

