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## Convention on Certain Conventional Weapons

### Fourth Review Conference

#### New proposals

#### Statement by Australia

16 November 2011

Mr Chairman,

Australia strongly supports the need of the Convention on Certain Conventional Weapons to continue to fulfill its mandate to prohibit or restrict the use of those weapons which are excessively injurious or have indiscriminate effects. The CCW also needs to remain responsive to, and lead developments in, international humanitarian law.

Australia welcomes the ideas from Germany presented today and detailed in their non-paper on future work issues as well as the suggestions from Ireland.

We support expert discussions on mines other than anti-personnel mines – MOTAPM. While we recognize the history of previous discussions in the CCW on this issue, and the challenges those discussions involved, the humanitarian risks to civilians remain. These mines continue to be used and recent examples of their use show that they significantly affect civilians through injury or death, limiting access to land and the resulting negative impacts on development of communities.

These risks could be countered through greater regulation of the use and design of MOTAPM, including in terms of their detectability, their active life and also their transfer. These technical issues would be best explored at the experts level and we support the GGE or some other mechanism facilitating discussions in 2012.

We are willing to work with delegations, including those who have raised doubts about the feasibility or usefulness of continuing discussions on this matter – to find a creative way of taking forward our efforts to reach common understanding on technical, military and humanitarian aspects. Difficulty in reaching common ground should not itself be a barrier to making serious attempts to improving international law restrictions on weapons such as MOTAPM. It should spur us on to find solutions that reduce the humanitarian risks associated with MOTAPM.

In addition we see value in expert discussions on Protocol III on incendiary weapons. Australia recognizes the legitimate military use of certain munitions for illuminating, tracing and

obscuring. However as we have stated previously, we see that there is a current inconsistency within Protocol III that results in two munitions used for the same purpose and having the same effect to be under differing levels of restrictions under international humanitarian law.

We would welcome a genuine exchange between experts in the coming year on the scope and applicability of Protocol III on other weapons that have the same effect as incendiary weapons. We are open to how such a mandate might be crafted and in which meeting discussions should take place.

Thank you.