



**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): Meeting of the High Contracting Parties
16-18 November 2022**

**Statement of the International Committee of the Red Cross (ICRC) on the status of
implementation of Protocol III**

Thank you, Mr. President.

The ICRC wishes to provide comments on the status of implementation of Protocol III.

The ICRC, like many others, 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 are in particular alerted by the sharp increase of reported uses of incendiary weapons in the past year.

As the only international humanitarian law (IHL) treaty regulating the use of incendiary weapons, Protocol III supplements rules of customary IHL expressly governing the use of incendiary weapons, and the general rules of IHL on the conduct of hostilities, which apply to all weapons used in armed conflict.

Protocol III prohibits the use of air-delivered incendiary weapons against any military objective located in a concentration of civilians. It also restricts the use of ground-delivered incendiary weapons and the use of incendiary weapons against forests and plant cover.

While stressing on the importance of complying fully with IHL, we urge all States and all parties to armed conflict to avoid any use of incendiary weapons against military objectives within a concentration of civilians, as a matter of policy, in light of the significant likelihood of indiscriminate effects of such uses. We also encourage States to report on their national policies and experience of restrictions imposed on the use of such weapons in particular in or near populated areas.

In view of the pattern of use of incendiary weapons and weapons of incidental incendiary effects in the recent and ongoing armed conflicts, it is timely to further the discussion on the humanitarian impact of these weapons, the adequacy of existing protections afforded to civilians and combatants, and the implementation of Protocol III. We regret that, at the 6th Review Conference last year, High Contracting Parties were unable to reach an agreement to further the work on this important issue. We welcome interventions by many States during this meeting proposing to include the universalization and implementation of Protocol III as a specific agenda item of future CCW meetings or to hold informal consultation on this subject. We further call on High Contracting Parties to consider future work to further examine the military, technical, legal, environmental and humanitarian aspects of incendiary weapons and weapons with incidental incendiary effects.

Thank you.