



**Fifth Review Conference of the
Convention on Certain Conventional Weapons**

General Debate Statement

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Thank you Madam President.

At the outset please allow me to congratulate you on your appointment as President of this Fifth Review Conference of the CCW and to thank you for all your efforts, and for those of the Committee Chairs, in guiding our preparations for it. You have the full support of the New Zealand delegation.

New Zealand also wishes to congratulate Bahrain and Cote d'Ivoire for joining the Convention in 2016. That the Convention now has 123 States Parties is a testament to its ongoing importance. It is also a stark reminder, however, of how far we have to go to achieve its universalisation – an objective which must remain a prime focus over the next review period.

Madam President,

In agreeing the CCW 36 years ago we based ourselves on the principle of international law that parties to armed conflict do not have an unlimited right to choose methods and means of warfare, and on the principle of prohibiting weapons that cause superfluous injury or unnecessary suffering. In addition, the Convention and its Protocols draw on the principle of distinguishing between combatants and civilians.

These principles are both basic and fundamental. Yet we need look no further than the testimonies of those caught up in today's many conflicts to realise that the CCW is no panacea to the challenges facing the protection of civilians in armed conflict.

Against this backdrop it is essential that this Conference presents an honest review of the past five years and, even more importantly, that it positions the CCW to be more effective and responsive in its protection of civilians and combatants over the coming period.

Madam President,

New Zealand would like to highlight four substantive issues.

The first is the need for this Conference to adopt an appropriate response to the prospect of Lethal Autonomous Weapons Systems. States Parties to the CCW have been discussing this issue for three years now, assisted in their efforts by civil society and a range of academic experts. While there remains a broad spectrum of views on the issue – in particular on the scope of key definitions – discussions have evidenced a common and serious concern at the challenges posed by such weapons to international humanitarian law. The establishment of a Group of Governmental Experts to accelerate meaningful action on this issue is therefore both appropriate and welcome, and New Zealand looks forward to the adoption of such a decision this week.

New Zealand is also supportive of the proposal to convene a GGE in 2017 to discuss further the implementation of international humanitarian law with regard to Mines other than Anti-Personnel Mines. New Zealand, like many others, remains concerned at the ongoing humanitarian harm caused by such mines, including through the denial of humanitarian assistance. We hope that all States Parties will allow work to proceed on this issue within the bounds of our Convention.

In light of horrific and compelling reports about the recent use of incendiary weapons against civilians in Syria, it is New Zealand's view that the political declaration emerging from this Review Conference must record more than just "concern" about this issue. Rather, we consider that

the declaration presents an appropriate opportunity to register our condemnation of any use of incendiary weapons against civilians or civilian objects, and against military targets where the incendiary effects of the weapons would be incompatible with Protocol III and with customary International Humanitarian Law. We must not miss this chance to strongly encourage universalisation and full implementation of Protocol III.

Finally, Madam President, I would like to register New Zealand's disquiet at efforts to focus on certain categories of weapon *users*, rather than on the nature of certain weapons themselves. We note, for example, that the draft political declaration to be considered at this meeting highlights particular concern about the use of improvised explosive devices in terrorist attacks. While New Zealand shares this concern, we are also of the view that such an approach may detract attention from the fact that the indiscriminate effects of IEDs are not limited to one or another user. An approach whereby emphasis is placed on one or more categories of users, as opposed to the actual weapon, does not in our view accurately address the problem.

With these comments, Madam President, please allow me to reiterate New Zealand's commitment to working with all partners to achieve a positive and progressive outcome to this Review Conference.

Thank you.

Available online at www.converge.org.nz/pma/robots.htm