UNMAS

Meeting of the Group of Experts on Protocol V to the CCW Convention

Article 4 on recording, retaining and transferring information on the use and abandonment of explosive ordnance

Tuesday 7 April 2015 (4:30 pm)

Delivered by Mr. Bruno Donat, Chief, Geneva Office, UNMAS

Madame Coordinator,

UNMAS has consistently indicated that Article 4 is perhaps the most important contribution of Protocol V to International Humanitarian Law and one that deserves particular attention from High Contracting Parties. Prior to Protocol V, no recording requirement on the use of explosive ordnance existed in International Humanitarian Law, except for landmines in APII and in customary law. Clearance, removal and destruction of ERW is a time-consuming and costly endeavour. The effective implementation of provisions in Article 4 would definitely reduce the time and costs of clearance operations, and make them more effective, and consequently reducing significantly the impact of ERW on civilians over time.

As of the questions raised with regard to the implementation of Article 4, UNMAS opines it should be facilitated by identifying and agreeing on a United Nations focal point through which information on use and abandonment of explosive ordnance should be channelled.

UNMAS considers that as focal point of the United Nations for mine action and chair of the Inter-Agency Coordination Group for Mine Action, it is well-positioned to serve as focal point for this particular purpose. In doing so, UNMAS would work closely with the Implementation Support Unit of the CCW, due to its policy and legal expertise on Protocol V and on CCW-related matters more broadly.

UNMAS has been a frequent repository of information on the use of explosive ordnance by some countries engaged in conflict. However, there

3 Ms. Diana Kazina (Latvia)
is still much work to do to ensure that the high standards provided by Article 4 and promoted by Part 3 of the Technical Annex⁴ are effectively met.

The quality of the information to be shared on the use or abandonment of explosive ordnance highly depends on the quality of the recording of such information. High Contracting Parties should be encouraged to share information on their methods and criteria of recording with the aim of harmonizing practices and even of developing agreeable standards in the future.

UNMAS will be glad to support efforts aiming at improving the implementation of Article 4.

In those cases where UNMAS has no presence in a specific affected country, UNMAS would coordinate with other members of the Inter-Agency Coordination Group for Mine Action and other relevant UN entities to take this responsibility.

I thank you.

⁴ The Technical Annex to Protocol is not legally binding