

**BELİRLİ KONVANSİYONEL SİLAHLAR SÖZLEŞMESİ TARAF
DEVLETLER TOPLANTISI
21-23 KASIM 2018**

“Emerging Issues” Gündem Maddesi

Yerleşim Bölgelerinde Patlayıcı Silah Kullanımı (EWIPA)

Mr President,

Civilians have always been the most vulnerable group in armed conflicts. As this has always been the case, with the changing nature of armed conflicts civilians are even more exposed to adverse effects of use of conventional weapons.

We have to include an additional reality to this picture. Today terrorism, which has no limits to intensify its acts, no rules to abide and no respect for human life strikes fear into civilians in forms of suicide bombings, car bombs and roadside explosives. Terrorists mostly use civilian concentrated areas as safe havens for their heinous acts.

Faced with this complex reality, there is an increased expectation to find solutions. However, in doing so, we should seek lasting solutions rather than quick but not comprehensive remedies to this problem.

Mr President,

Turkey shares the growing concerns over devastating impacts of armed conflicts on civilians and conducts all operations in compliance with the IHL.

We closely follow different initiatives at various platforms, which aim to address this pressing international problem. All these initiatives have something in common:

It is to strengthen the respect for and compliance with the IHL.

This year, within the context of the CCW, two workshops were organized by the German Delegation on this matter. We thank them for their efforts. Our German colleagues also submitted a Working Paper based on the discussions at the workshops.

As it was circulated less than six weeks before this meetings, we had a limited time to study the working paper. Therefore, I would like to share our preliminary views on it and our general approach to the issue at hand:

- During the discussions that took place throughout the year, the importance of adherence to the IHL was strongly expressed by all delegations.
- However, as the IHL is very comprehensive and covers broader issues, we are not sure whether the CCW is the appropriate forum to discuss the implementation of IHL rules, including mitigating the civilian harm from use of EWIPA.

- Given the difficult financial situations of different platforms, it is also important to avoid duplication of the efforts on this matter.
- In any endeavour to minimize the adverse effects of armed conflicts on civilians, there is a need to make a clear distinction between non-state actors and terrorists groups.
- “Non-state actor” is an ambiguous term and it is not clearly defined in international law. Therefore, we are strongly against to any engagement with terrorist groups by using the term “non-state actor”.
- Needless to say, terror organizations cannot be considered as a party to any armed conflicts. Mandate of the CCW should not be extended.
- Turkey has reservations on Article 1 and 7 of this Convention.
- Besides, Turkey is not a State Party to the Additional Protocols of Geneva Conventions and believes that not all provision of the AP have reached to the level of customary international law.
- In any further efforts in the context of the CCW, “role of non-state actors” as indicated in the WP, should not be exploited.
- Sovereign rights of HCPs and clear provisions of Geneva Conventions should be respected in all types of international cooperation and assistance.

Mr President,

Having underlined the main concerns of Turkey, we will continue to closely follow the issue.

Thank you.