

Statement by Ambassador Amandeep Singh Gill,  
Permanent Representative of India to the Conference on Disarmament  
at the Plenary Meeting of the Fifth Review Conference of the CCW

December 12, 2016

Madam President,

The Indian delegation congratulates you on the assumption of the Presidency of the Fifth Review Conference of the CCW. We also felicitate the other members of the Bureau upon their election. I assure you of the full support of my delegation towards achieving a constructive outcome from this Review Conference. We believe that this Conference provides an important opportunity to not only review the implementation of the Convention and its Protocols but also to agree on specific measures with the aim of strengthening the CCW framework.

2. The CCW is a significant instrument of International Humanitarian Law within the UN Framework. The Convention and its Annexed Protocols, while stipulating measures to mitigate humanitarian concerns arising from the use of specific weapons and weapons systems also take into account the military necessity of such weapons, thus striving to strike a balance between the two concepts. Over the years, the Convention has evolved dynamically and demonstrated its continued relevance through the successive adoption of its five Protocols.

3. India remains fully committed to the Convention and its Annexed Protocols as well as the humanitarian principles that they embody. We have ratified all the five Protocols annexed to the Convention and Amended Article I of the Convention. We are committed to ensure the full implementation of our obligations under the CCW and its Protocols, including Amended Protocol II and Protocol V.

4. I would like to focus this statement on universalization, implementation, IEDs and Lethal Autonomous Weapons System (LAWS).

5. India firmly believes that the universality of the CCW remains critical for the success of the Convention and its Annexed Protocols. We note with satisfaction that steady progress has been made towards this goal since the last Review Conference. From a 114 adherents to the CCW in 2011 to 123 today, the progress has been noteworthy. Equally remarkable has been the progress across all other Protocols, in particular Protocol V, with adherents rising from 76 in 2011 to 91 in 2016. We welcome the accession of Bahrain, Cote d'Ivoire, Algeria, State of Palestine, Iraq, Grenada, Zambia, Kuwait and Burundi to the CCW and several other States to its various Protocols since the last Review Conference. India fully supports the Plan of Action on Universalization as well as the Sponsorship Programme. Ten years since its conception, the Sponsorship Programme has made great strides towards promoting universalization and strengthening the implementation of the Convention and its Protocols. I am pleased to announce that India will be further contributing USD 10,000 towards the Sponsorship Programme this year.

6. Equally crucial towards the success of the CCW and its Protocols is the implementation of the Compliance Mechanism. India has regularly submitted its Annual Report on Compliance every year since 2008. We support measures aimed at encouraging submission of compliance reports by High Contracting Parties.

7. We express our appreciation for the work carried out by the Implementation Support Unit and call for greater predictability and stability in the financial situation of the CCW which would ensure that the ISU could continue with its work.

8. The discussion on IEDs under AP II has been useful in addressing the threats posed by the use of IEDs by terrorists and non-state actors. We support the continuation of these discussions, under the CCW framework, while underlying that the responsibility for enforcing rule of law, including respect for international law lies with the legitimate government authority of that State Party. We believe that while there is scope for enhancing cooperation among States in exchange of expertise and information sharing and counter measures, this should be done on a voluntary basis keeping in mind confidentiality of sensitive information. We support the adoption of a Declaration on IEDs at this Review Conference, as recommended by the 18<sup>th</sup> Annual Conference of AP II.

9. The failure to adopt a Protocol on Cluster Munitions at the Fourth Review Conference was disappointing and a missed opportunity given that the CCW framework could have produced an outcome that included all the main producers and users of cluster munitions. It appears that the underlying position of various delegations on the issue of MOTAPMs has not changed. We should keep under review implementation of Protocol III on Incendiary Weapons.

10. India supports continued discussions on LAWS in the CCW, on the basis of the mandate agreed at the Meeting of Experts on LAWS held in April this year, consistent with the objectives and purposes of the Convention. In our view, the issue of LAWS should be analysed from the twin perspective of its compatibility with international law including humanitarian law and the impact of its possible dissemination on international security. Our aim should be to strengthen the CCW in terms of its objectives and purposes through increased systemic controls on international armed conflict in a manner that does not widen the technology gap amongst states or encourage the increased resort to military force in anticipation of lesser casualties or in the expectation that the use of lethal force could be shielded from the dictates of public conscience. We see merit in the continued consideration of LAWS on the basis of an agreed mandate and look forward to work out an acceptable way ahead at this Review Conference. We also believe that the consideration of this issue will be critical to the success of this Review Conference and will be a test case of whether the CCW can meaningfully respond to evolving new technologies as applicable to armed conflict in this century.

11. Before I close, I would like to place on record our appreciation for the active participation of the ICRC and other relevant non-governmental organisations in the CCW process. India looks forward to working with all stakeholders to make a success of this Review Conference with the aim of strengthening the CCW further and proving its resilience as a dynamic instrument of international humanitarian law.

Thank You Madam President.

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