Closing Statement by Ambassador Francois Rivasseau, President-designate of the CCW 3rd Review Conference  
- 17 November 2006 -

This conference ends with a substantial outcome. In the field of IHL and disarmament, it is a special moment as we were, in NYC and in Geneva, waiting for such a moment for more than 5 years.

We have an outcome, we have a review, we have a substantial outcome. It will be up to you to make it a success story or not, but we are proud as a bureau to have provided you with the possibility to do so.

I will have to recapitulate what we achieved since the last review conference.

1- We have a treaty, which has entered into force during this review conference, Protocol V on ERW, the only treaty that has been multilaterally signed, ratified and entered into force for more than seven years in our area of concern.

This is an exceptional and outstanding success. But we shall not stop our efforts there, as, thanks to the efforts of many, including the Netherlands, we are going now to address energetically the implementation of Protocol V. And this will induce increased cooperation between CCW States Parties and States parties active under other treaty regimes, such as Ottawa, as humanitarian needs on the ground clearly require such a cooperation.

2- We have agreed a mandate for further work on ERW and cluster munitions, which means that affected countries, users of cluster munitions as well as countries pushing for a negotiation on this issue are on board. If you read it, you will see that.

This mandate is a global mandate, it addresses all the aspects of cluster munitions, their conception, their reliability, their technical and design characteristics, their use, as we will consider the application and implementation of existing IHL with a particular focus on cluster munitions. And after use, for depollution, we have Protocol V.

It is a global mandate but it is also an open mandate. In committing yourselves to consider all inputs that ICRC could provide through the meeting it plans to organize, you
have committed yourselves to consider all proposals, including negotiation proposals. That’s why it is an open mandate; and in the tradition of CCW, where the content of the mandate is less important than our common will, you will do what you will deem fit.

But in doing so, you will enjoy a user-friendly framework: 4 days of intersessional group of governmental experts, 1 or 2 days of States parties meeting in November setting so a precedent for further work. And I would like to thank Ambassador Borisovas for his work here.

Obviously this mandate will appear as very far reaching for those who arrived here with instructions to prevent any activity here about cluster munitions. It will symmetrically appear for those - and their number now is around 30 countries – who have advocated a full-fledged negotiating mandate. It will be now up to everybody to assess the situation and do what they will feel appropriate. But the outcome on cluster munitions here illustrates the momentum around this issue, which is obvious to everybody.

3- We have also something to present on MOTAPM. Yes we have not been able to push further the level of consensus or of lack of consensus reached in November last year. But we have nevertheless secured:

a - maintaining this issue alive here, we shall come back to it 2 days next year;

b - as the ICRC said, the unilateral commitment taken to implement on a voluntary basis the rules worked out by the Finish coordinator Ambassador Reimaa, to whom I would like to pay tribute now, represents an original and creative way of reconciling the needs of promoting high humanitarian standards and multilateralism. Building on experience, the 21 states having decided to take this commitment have acted within the CCW and this may well be a precedent, which could be meditated also for other CCW issues;

c - and if I may say so, we have a third result, which is that we have, thanks to Ambassador Paranhos, successfully raised confidence and dialogue between all of us. This has produced a positive atmosphere here, whose effects have appeared all along this year and we have made progress on the substance.
4- We have a decision on compliance. Yes, it is a modest result, if we compare it to the expectations of some. But it is the first time, since the failure of the BWC Protocol, and subsequent events that all States here present have agreed on a compliance mechanism with a pool of experts.

Two years ago, this seemed absolutely out of reach. I don’t know what will be the concrete impact of this decision on the CCW regime, but more widely, once again, CCW has reopened a way ahead, thanks to the tireless efforts of Ambassador Markòtic.

5- We have a plan of action on universalisation and a financial sponsorship program. This will strengthen the CCW regime. This will also create synergy and cooperation through the GICHD that I would like to thank here as well as Switzerland for having allowed the decision on sponsorship to fly and for founding it. I shall on your behalf address a letter to the President of the Council of the GICHD to ask officially the GICHD to take responsibility for managing this co-sponsorship program according to your decision.

Dear Colleagues,

CCW is a tool, just a tool and as a tool it is complementary of all other tools, here and there. But as good artisans, we are proud to have used this tool to its maximum capabilities. CCW is the only IHL and disarmament multilateral and universal regime, which has produced results since 5 years. And, whatever high the disappointment may be on some issues, everybody agress here, I believe, that it remains a lively and healthy regime. And our pride is to have contributed to make it stronger and healthier throughout this year.

The fight for limiting and fighting the plague of inhumane weapons is as old as mankind and it will remain with us as long as injustices, aggressions, hunger and poverty will prevail. But we also know that till the last day, there will be groups of women and men who will continue fighting against inhumane weapons. And, with all our shortcomings, we are proud to belong to them.

I would finally like to thank the Bureau, the Secretariat and its team.