



CCW Meeting of High Contracting Parties

Agenda Item 10

Emerging issues in the context of the objectives and purposes of the Convention

Explosive Weapons in Populated Areas

Geneva, 22 November

H.E. Sabrina Dallafior

Permanent Representative of Switzerland to the Conference on Disarmament, Geneva

Mister Chair,

Switzerland is gravely concerned about the devastating humanitarian impact of certain uses of explosive ordnance in cities, towns, villages or other areas containing a similar concentration of civilians or civilian objects, commonly referred to as “populated areas”. Although data and records of civilian casualties might be incomplete, they point to the fact that when conflicts are fought in urban settings civilian death, injury and destruction of essential infrastructure is often very high. A number of recent case studies highlights both the direct and indirect effects of some uses of explosive ordnance in populated areas: a significant number of civilian deaths and injuries as well as the disruption of essential interconnected services such as medical and educational services or sanitation and energy networks. As access to essential goods and services diminishes, the civilian population is in more dire need and – as a last resort – is often forced to flee, leading to large number of displaced. Of course, these effects remain well after the end of hostilities and put under great strain the reconstruction efforts.

If the use of explosive ordnance is not per se prohibited under IHL, the principles of proportionality, distinction and precaution in attacks apply. Since certain uses of explosive ordnance in urban settings, especially of those systems that are particularly inaccurate or

contain high quantities of energetic materials, lead too often to disproportionate and indiscriminate effects, additional practical measures should be considered to ensure compliance with IHL and the protection of the civilian population.

Mister Chair,

We welcome the different initiatives taken with a view to ensuring respect for IHL in the use of explosive ordnance within a concentration of civilians. We also believe that the CCW has a key role to play in addressing this challenge in view of its objective and purpose. The CCW is an appropriate framework to discuss and address this issue, one within which High Contracting Parties can identify possible practical steps regarding IHL implementation:

- The CCW offers a forum, which allows for open, transparent and inclusive debates. It is essential that the challenges associated with the use of explosive ordnance within a concentration of civilians and civilian objects are discussed in a setting that notably includes major military actors and those States with relevant operational experience;
- Addressing the topic within the CCW will ensure that both military necessity and humanitarian concerns are thoroughly considered.

In this context, we welcome the efforts undertaken by Germany on the margins of the CCW over the past year on this issue. We hope that the High Contracting Parties will anchor the topic on the agenda of the next meetings. A first step could well be the suggestion made by Germany, to mandate an informal working group, which would address in particular possible good practices to minimize the civilian harm caused by the use of explosive ordnance within a concentration of civilians at the 2019 Meeting of High Contracting Parties. This would allow raising awareness among all High Contracting Parties about the humanitarian impact caused by these weapons in populated areas and propose possible ways forward.

Thank you for your attention!