

Statement by Article 36 to the Meeting of States Parties to the CCW
14 November 2013

Merci, Monsieur le Président

We hold this meeting against a background of ongoing conflict where we see high levels of civilian harm from the use of explosive weapons in populated areas. In particular we are seeing harm to civilians from the use of heavy explosive weapons that have wide area effects. The shelling and bombing of areas where civilians are concentrated causes direct deaths and injuries, but also destroys infrastructure vital to that civilian population.

We would urge states to continue to draw attention to this humanitarian problem during the forthcoming biannual open debate on the protection of civilians which is expected to take place in the Security Council early next year. Beyond that, we would encourage states to share their national experiences in preventing harm from the use of explosive weapons in populated areas. Recent useful examples of this have included briefings on the restrictions on airstrikes in the tactical directive issued by the International Security Assistance Force in Afghanistan and the AMISOM policy restricting the use of indirect fire in populated areas in Somalia.

The use of incendiary weapons in such contexts also produces horrific effects for civilians. Human Rights Watch has reported heart-breaking testimony to this from Syria. All states should condemn Syria's use of these weapons. Whilst CCW Protocol III recognises incendiary weapons as a cause for particular humanitarian concern, it is neither broad enough in its scope nor definitive enough in its prohibitions to provide civilians with the protection that they require. We would urge states to revisit this issue, and to make incendiary weapons clearly a weapon of the past.

Mr President, whilst it is vital that states work to strengthen the protection of civilians from weapons currently deployed, it is also critical that we strengthen our capacity to scrutinise and control new weapon technologies before they are allowed to proliferate.

In that context, and as a member of the Campaign to Stop Killer Robots, we welcome the proposal to adopt a mandate for discussions on autonomous weapon systems. Likewise we are encouraged by the many statements acknowledging the concerns posed by these technological developments and we admire your work and the work of your team on this matter.

The devolution of targeting decisions to software and sensors raises fundamental issues of concern – issues of concern for this forum, but also of relevance to other bodies such as the Human Rights Council, where we hope discussions will also continue.

In approaching our discussions on this issue we would encourage states to concentrate on considering how we would define meaningful human control over individual attacks. Such a focus would address the fundamental principle at stake here, and avoid the dangers of a debate wholly focused on hypothetical scenarios. We have circulated a memorandum to delegates setting out some of our thoughts on how this debate might usefully be structured.

We are convinced that negotiating new international rules in this area now will be necessary to ensure meaningful human control over the use of weapons in the future.

The debate about autonomous weapons systems highlights more broadly the need for states at a national level to have in place the mechanisms that can assess with some transparency the acceptability and legality of new weapon technologies as they come into development as is required under Additional Protocol I. In our view this should also be a topic for consideration by delegates here. Such consideration would reinforce the role of the CCW as a forum for assessing the acceptability or not of certain conventional weapons.

Thank you Mr President.