

**Statement at the General Debate, 5th Review Conference of the CCW
Geneva, 12 – 16 December 2016
By Miriam Struyk, PAX**

Madam President,

We all live in an environment that is changing in rapid and unpredictable ways. There is an escalation of unbridled violence in conflict areas, and it is becoming increasingly difficult to protect civilians from armed violence. Some states and non-state actors are blatantly disregarding hard-fought international humanitarian law with impunity. In this context, international values and conventions run the risk of losing their normative force. The law of the strongest appears to prevail over the power of the law.

But conflicts end, governments change, and law is the foundation of our civilization's progress, which is why our collective work on the laws of war and the means and methods of warfare is of vital importance.

PAX, is a Dutch peace organization operating in 15 conflict areas, including in Syria. Almost all schools in Aleppo that we have been supporting for years closed last week due to gruesome violence and bombing. One of the teachers told us that for years she thought that if only the world knew what was happening, the bombing would stop, but that by now she gave up hope. I honestly did not know how to respond. But I do know we have an obligation to do all we can to stop the use of cluster munitions, to stop the bombing of towns, of schools and hospitals, shortly to stop the use of explosive weapons with wide area effects in populated areas. Because we do know.

PAX would like to highlight 2 issues where we expect the CCW to take urgent steps forward this week.

1. Incendiary weapons:

Incendiary weapons are a source of civilian harm in need of stronger international law. These weapons, which can burn through flesh to the bone, cause unimaginable pain to their victims and leave those who survive with lifelong disabilities and disfigurement. The past year has seen widespread and increasing use of incendiary weapons in Syria.

CCW state parties have previously expressed concern about these weapons and called for strengthening Protocol III. This week, states should not only condemn the use of these inhumane weapons, but also agree to set aside time in 2017 to revisit the CCW's flawed protocol.

2. Lethal autonomous weapons

Over the last three years extensive discussions took place at the CCW on lethal autonomous weapons. The issue was furthermore debated at the Human Rights Council, the First Committee and at the national level. 14 states called for a ban and more than 70 states expressed concern about weapons lacking meaningful human control over critical functions. It is high time to formalize our debate and establish a Group of Governmental Experts (GGE) to convene for at least 4 weeks in 2017. The GGE should have an action-oriented approach, paving the way for negotiations on a new protocol in 2018.

There have been suggestions that the best way forward would be to continue informal meetings until we reach consensus on a formal definition. We believe this approach means shying away from one's responsibility and is a way to buy time.

Time we actually do not have. We believe there is a clear notion of what lethal autonomous weapon systems are and that there is a broad notion that meaningful human control should be guaranteed. If one looks at previous disarmament treaties, the exact definition of what was to be regulated or banned was often concluded only at the end of the negotiations.

The CCW should therefore establish a GGE and start negotiations as soon as possible. Because while we at the CCW speak about future systems and continue to have informal debates, we run the risk that future plans become today's systems.

Former United Nations High Representative for Disarmament Affairs Angela Kane stated in 2015: *"A new type of arms race is underway and its outcome will shape the future of our planet. This race is not one between two countries. It is between the "tortoise" of our slowly changing legal and institutional norms and the "hare" of rapid technological change in the arms industry."* We believe she is right, but we also believe that the CCW is able and willing to take up this challenge. And as you may remember, in the famous saga between the hare and the tortoise, in the end the tortoise did win.

To conclude, we believe the CCW should deliver now in order to enhance human security and to better protect civilians in armed conflicts. We need to step up, and never backtrack when it comes to norm-building, norm-setting and norm-compliance. We hope that within this spirit you will make this review conference as successful as can be.

Thank you.