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## **Statement of the Holy See to the United Nations in Geneva on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW) (Geneva, 10 November 2014)**

Here below the Statement by H.E. Archbishop Silvano M. Tomasi, Permanent Representative of the Holy See to the United Nations and Other International Organizations in Geneva at the 8th Conference of the States Party to Protocol V of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (CCW) (Geneva, 10 November 2014):

### **Statement by H.E. Archbishop Silvano M. Tomasi**

Mr. President,

I would first like to congratulate you on your assumption of the presidency and for all the preparatory work to make our meeting as productive as possible.

The CCW and its Protocols, including Protocol V, are intended to be an important part of the fabric of international humanitarian law which is not an end in itself but a means to protect civilians in armed conflicts. The most perfect instruments would be useless if their implementation had no concrete consequences for men and women living in areas of armed conflict. We are all aware that the adoption of a number of instruments in the disarmament field was only possible at the level of the lowest common denominator. "Realism" invoked to convince those who want more robust instruments is the promise of implementation in good faith which would be an invaluable service to countries in conflict.

Mr. President,

Protocol V did not escape this logic. For the sake of credibility and to keep the door open for negotiating and adopting other instruments in the future, it is incumbent upon all States parties to take seriously the implementation of this instrument in both its preventive dimension as well as in its remedial dimension. The many recent conflicts in the Middle East, Africa, North Africa, Europe, remind us of our responsibilities regarding

explosive remnants of war and abandoned ordinances. Apart from the safety of civilians, we are witnessing national and regional destabilization because of the lack of safety and security of stocks, that the international community is unable or not prepared sufficiently to prevent. The States parties have the responsibility to avoid Protocol V becoming a text unable to prevent and remedy. In this context, the implementation of Article 4 of the Protocol is all the more necessary. Without strict respect for this article, other provisions of this Protocol would be impossible to meet. We continue to share with the ICRC, other States parties and various NGOs the same concern about the Article 4 implementation.

It is true that the primary responsibility is that of the affected State. But international cooperation is also an obligation. Almost all current conflicts involve national, regional and international actors, state actors and non-state actors. It must also be borne in mind that the majority of countries in conflict are developing countries which do not always have sufficient means to overcome the consequences of armed conflict on their soil.

Mr. President,

The success of the partnership between States, international organizations and NGOs in several areas of disarmament is well established. CCW, including Protocol V, has always opened its door to the participation of civil society and its organizations. We all profit from the professionalism and expertise of these organizations. We believe they should continue to have a place and a voice in this place, and a role to play in international cooperation in the prevention and remedy of damages caused by explosive remnants of war.

Mr. President,

Wars and armed conflicts are always a failure of politics and of humanity. IHL should keep this essential human dimension to make coexistence possible nationally and internationally. When the international community fails to preserve peace, it should not accept a second failure. Protocol V is a modest attempt to prevent innocent people from becoming victims once the conflict is over. Compliance is not only a legal obligation. It is in the first place a moral duty towards the people and a political duty to restore peace.

I thank you Mr. President.

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