



**Statement by Katy Donnelly  
Deputy Permanent Representative to  
the Conference on Disarmament**

**Convention on Certain Conventional  
Weapons, Preparatory Committee**

**31 August 2016**

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Madam President,

The Fifth Review Conference of the CCW presents an important opportunity to examine the status and operation of the Convention and its Protocols. In light of recent developments in weapons technology, and in the use of weapons governed by the CCW, the Review Conference provides a valuable occasion for all High Contracting Parties and other stakeholders to ensure that our Convention remains relevant and responsive.

New Zealand reiterates its view that universal adherence to, and full implementation of, the CCW and all of its Protocols is essential to ensure the protection of civilians from the indiscriminate effects of certain conventional weapons and of combatants from weapons that cause unnecessary suffering. The urgency with which we must pursue universalisation and implementation has been powerfully demonstrated by the challenges to International Humanitarian Law posed by recent conflicts, and must be a prime ongoing focus, including over the next review period.

Madam President,

New Zealand is disappointed that, despite the overwhelming evidence of the humanitarian damage caused by mines other than anti-personnel mines (MOTAPM), it has not been possible for this body to make progress toward developing new rules to increase the protection of civilians from them. We support efforts to advance this issue, including under a specific

mandate given at the 2016 Review Conference. We understand that Ireland is putting forward a proposal on this during the Main Committee I session this afternoon which New Zealand fully supports.

New Zealand condemns any use of incendiary weapons against civilians or civilian objects, and against military targets where the incendiary effects of the weapons are likely to affect civilians in a way incompatible with customary International Humanitarian Law and Protocol III. We take this opportunity to put on record our horror and deep concern at the reported use of incendiary weapons against civilians in Syria. New Zealand continues to emphasise the need to have full and proper implementation of Protocol III and this must indeed remain our prime focus. That said, we will certainly look to engage with High Contracting Parties on our national policies should a review of Protocol III be mandated by the forthcoming Review Conference.

Madam President,

It is clear to my delegation that a key contribution of the 2016 Review Conference should be forward movement on the issue of Lethal Autonomous Weapon Systems (LAWS). New Zealand views the question of LAWS through the primary lens of IHL, while acknowledging the applicability too of international human rights law and international criminal law, as well as the profound ethical questions also underlying this issue. For New Zealand the key and crucial question is whether it is possible for autonomous lethal weapon systems to operate in full and complete compliance with all the obligations of IHL.

In light of the excellent work undertaken at the Meetings of Experts held during this review cycle, New Zealand considers it appropriate and desirable that this work now intensify. To this end we would welcome the establishment of an open-ended Group of Governmental Experts with a progressive mandate to take this work forward. In particular New Zealand considers that the GGE could usefully focus on the kind and degree of human control over weapons systems that is required to ensure compliance with IHL and acceptability under the dictates of public conscience.

Madam President,

New Zealand would like to take this opportunity to highlight our deep and ongoing concern about the civilian harm being caused by the use of explosive weapons with wide area effects in densely-populated areas (EWIPA). At the 2016 World Humanitarian Summit New Zealand pledged to promote and enhance the protection of civilians and civilian objects, including by working to prevent harm resulting from the use of EWIPA. We also pledged to support the collection of data, contribute to the exchange of good practices and lessons learned, and support the elaboration of an international political declaration on this issue. New Zealand will continue to work on this issue and we urge all States to fully comply with International Humanitarian Law, including with respect to EWIPA.

Finally, Madam President, in support of your efforts to conclude the work of this meeting in a timely manner my delegation will also submit these comments to the Chairs of Main Committee I and II in lieu of delivering additional general statements in those meetings.

Thank you.