Ninth Conference of the High Contracting Parties to Protocol V on Explosive Remnants of War

Statement of the International Committee of the Red Cross

9-10 November 2015

The International Committee of the Red Cross (ICRC) would like to begin by congratulating Grenada for becoming a party to the Protocol on Explosive Remnants of War since the last Conference of High Contracting Parties. With this ratification there are now 87 States party to this important instrument of international humanitarian law. The protocol outlines minimum measures that must be taken to help reduce the impact of ERW on civilians and civilian populations and for this reason, the ICRC calls on all States to adhere the protocol if they have not already done so.

As ongoing armed conflicts continue to generate significant amounts of unexploded and abandoned ordnance endangering civilian lives and livelihoods, the ICRC believes that adherence to Protocol V must be urgently increased, notably among ERW affected countries. We call on the High Contracting Parties to make this a key theme of the CCW’s Fifth Review Conference in 2016. The Review Conference should consider recommendations to build upon the call made by the 4th Review Conference which stressed the need for "further vigorous efforts from High Contracting Parties, United Nations, international and regional organizations, International Committee of the Red Cross and non-governmental organizations to promote universalization of the Protocol."

Turning to the protocol’s implementation, one issue of ongoing concern to the ICRC is the implementation of Article 4. The ICRC has repeatedly stressed the importance of States Parties’ having in place the national policies and procedures necessary to ensure that their armed forces are ready to record and retain information on the use of explosive ordnance once an armed conflict begins. Equally important is to have in place the procedures to allow for the rapid transmission of such information to clearance organizations after the hostilities have ended. This is critical to ensure timely protection of civilians from the threat of ERW. Past Protocol V intersessional meetings and Meetings of States Parties have reaffirmed the importance of implementing Article 4. The ICRC has also presented the conclusions of an expert consultation that it convened in 2012 on the matter. The ICRC calls on the Review Conference preparatory process to consider Article 4 implementation as a key issue for the Review Conference, with a view to developing understandings and recommendations for adoption at the Review Conference. As starting point for developing such understandings and recommendations, the preparatory process may wish to consider the conclusions of the ICRC’s 2012 expert consultation.

Finally, the ICRC supports the idea raised in the joint letter of the Presidents of the Amended Protocol II and Protocol V Conferences, Ambassadors Ahsan and Jansons, for a panel discussion to take stock of the progress made in preventing and alleviating the suffering caused by explosive remnants of war. This could be a useful way to develop recommendations for the Review Conference to consider.

Thank you.