

STATEMENT BY AMBASSADOR HAMID ALI RAO, PERMANENT REPRESENTATIVE OF INDIA TO THE CONFERENCE ON DISARMAMENT, GENEVA, AT THE FIRST COMMITTEE THEMATIC DEBATE ON CONVENTIONAL WEAPONS, AT THE 65TH SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY ON OCTOBER 19, 2010

Before I make some remarks on this theme in my national capacity, I wish to speak in my capacity as President of the Third Conference of the High Contracting Parties to the CCW Protocol V on Explosive Remnants of War held in Geneva last year. Paragraph 30 of the Final Document (CCW/P.V/CONF/2009/9) of the Conference states in the context of the goal of universality of Protocol V that "the Conference requested the President to consider reporting to the sixty-fifth session of the United Nations General Assembly on his endeavours." I therefore take the floor first to discharge the responsibility given to me by the Third Conference.

2. Mr. Chairman, on the universalization of Protocol V, I am pleased to inform you that the number of High Contracting Parties to Protocol V has increased from 61 countries at the time of the Third Conference last year to 69 States parties this year. I would like to congratulate the 8 new States parties to CCW Protocol V, that are: Belgium, which acceded to Protocol V on 25 January 2010, China on 10 June 2010, Cyprus on 11 March 2010, Gabon on 22 September 2010, Honduras on 16 August 2010, Italy on 11 February 2010, Qatar on 16 November 2009, and Saudi Arabia on 8 January 2010.

3. Universalization will continue to be a priority in the coming year as well. The Third Conference also called on the High Contracting Parties to Protocol V to promote wider adherence to Protocol V in their respective regions, pursuant to Actions 2 to 5 of the Plan of Action to Promote the Universality of the Convention and its annexed Protocols as adopted by the Third Review Conference.

4. Aside from universalization, another pillar of Protocol V is implementation. The First Conference in 2007 established an informal mechanism of Meetings of experts to focus on a wide range of issues. The work of the Coordinators responsible for leading the discussions on those issues has been very significant in this process. I would like to express my gratitude to the five Coordinators and Friend of the Coordinator, who have led the discussions during the Meeting of Experts held in Geneva on 22 to 24 April 2009. They have indeed helped us advance our understanding on the various aspects of the Protocol's implementation, notably on Clearance, removal or destruction of explosive remnants of war; Victim assistance; Cooperation and assistance, and Requests for assistance; Recording, retaining and transmission of information; National reporting; as well as Generic preventive measures.

5. In his message to the Third Conference, the Secretary-General of the United Nations asserted that the States parties had made a good start, but more was needed. He encouraged the States Parties to agree on strong practical steps to assist victims of explosive remnants of war. He urged that the States parties should give even more support to the clearance, removal and destruction of unexploded ordnance, as well as to establish a culture of information-sharing, in particular to collect and record information despite the obstacles posed by battlefield dynamics. Indeed, all these efforts would mean mobilizing the necessary resources to enhance the Protocol's implementation.

6. Mr. Chairman, explosive remnants of war are generated by every armed conflict. They kill and maim long after the end of hostilities. They are deadly hazards that must be eliminated. CCW Protocol V on Explosive Remnants of War is an invaluable tool toward that end. It provides a flexible and stable framework for addressing the horrendous humanitarian and developmental impacts of ERW. The Third Conference last year achieved much progress on the substantive issues under Protocol V, which would I am sure be continued under my successor, Ambassador Peter Richard Woolcott of Australia as President-designate of the Fourth Conference of the High Contracting Parties to CCW Protocol V, which will be held in Geneva on the 22nd and 23rd of November this year. I would like to pledge our full support to him. I would also like to convey India's support to the two Vice-Presidents designate: the representatives of Pakistan and Slovakia.

7. Mr. Chairman, allow me now to say a few words in my national capacity. India believes that global measures on conventional arms control contribute significantly to international peace, security and development as well as to the goal of general and complete disarmament. As a State Party to the Convention on Certain Conventional Weapons (CCW) and all its five protocols, including the Amended Protocol-II on APLs, India attaches particular importance to carrying forward the CCW process, which offers a unique forum for progressive controls over certain categories of weapons through international consensus building and cooperation.

8. India has always exercised the highest degree of responsibility in conventional arms transfers. We have contributed regularly to the UN Register of Conventional Arms transfers since its inception in 1994 and have participated actively in deliberations in the UN Disarmament Commission and elsewhere on conventional arms transfers.

9. India's security interests have been affected by illicit and irresponsible transfers, especially of small arms, light weapons and explosives. Illicit trade in conventional arms is a major factor in armed violence by organized criminals and by terrorists. Therefore priority must be given to combating and eliminating the illicit trade in such arms. This implies full and effective implementation of existing obligations of Member States, in particular those flowing from the UN Programme of Action (UN PoA) on Small Arms and Light Weapons on strict national control over production, adequate marking, international cooperation in tracing of illicit arms, effective management of stockpiles, exports controls and their strict enforcement.

10. India has participated actively in discussions in the GGE, the Open Ended Working Group and the first PrepCom on the proposed Arms Trade Treaty. We believe that a legally binding instrument establishing international standards for the import, export and transfer of conventional arms should contribute tangibly to preventing, combating and eliminating the illicit trade in conventional arms. The provisions under the UN Charter for self-defence imply that states enjoy the right to engage in trade of arms, including export to another country. The exercise of this right has to be in accordance with relevant international obligations.

11. In India's view, establishing and exercising control over trade in conventional arms is a matter of national responsibility which states should discharge on the basis of their obligations under both national and international law and in the light of their legitimate security and foreign policy concerns. Our discussions underline the continuing technical and political difficulties involved in seeking to construct a single unified

instrument to govern all conventional arms transfers. We believe that a step by step, pragmatic, realistic and consensus driven approach would enhance the prospects of an instrument of universal acceptance.

12. India supports the vision of a world free of the threat of landmines where individuals and communities live in a safe environment conducive to development and where mine survivors are fully integrated into their societies. Since 1997, India has discontinued the production of non-detectable anti-personal landmines and observed a moratorium on their transfer. We are contributing to international de-mining and rehabilitation efforts. We support the approach enshrined in Amended Protocol II of the CCW which addresses the legitimate defence requirements of states with long borders. However, we are fully committed to the eventual elimination of anti-personnel landmines. The availability of militarily effective alternative technologies that can perform cost effectively the defensive function of APLs will facilitate the achievement of this goal. India has been participating as an Observer in the meetings of the Ottawa Convention since the Review Conference held in November 2004 in Nairobi. We would be participating as an observer in the forthcoming meeting of the State Parties in Geneva.

13. India also remains engaged in negotiations on a Protocol under the CCW on Cluster Munitions. We share the international community's concerns about the humanitarian impact of the irresponsible use of cluster munitions. We believe that the use of cluster munitions is legitimate if it is in accordance with international humanitarian law. Accordingly we support the negotiation of an instrument in the CCW that strikes a balance between military and humanitarian concerns. We welcome the progress that has been made by the GGE on negotiating a draft text and look forward to concluding these negotiations so that we can add another edifice to the CCW framework.

I thank you.

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