

**OPEN-ENDED WORKING GROUP ON CONVENTIONAL AMMUNITION
THIRD SUBSTANTIVE SESSION
(New York, February 13-17, 2023)**

**Statement by
Commodore Nitin Parvataneni, Director (Military Affairs),
Ministry of External Affairs**

On

**INTERNATIONAL CO-OPERATION AND COMMENTS ON OTHER
ISSUES BROUGHT OUT BY VARIOUS DELEGATES**

(17 February 2023)

Thank you chair,

At the outset we must, as a delegation, admit that the previous draft document given to us before we came for the substantive session was quite nice, crisp and implementable requiring minor changes and some considerations of various state parties involved to match their national legislations and stands. Having said that, we also appreciate the draft given out yesterday regarding paras 19 to 24 and we completely concur with what has been presented to us in terms of it being a **voluntary document** without prejudice to national legal systems addressing national ammunition ownership and the fact that we need to commit to some common and additional possible enabling measures voluntarily.

Having said that, we as a delegation feel that too many changes have been made to an already crisp document and we would like to address some of our concerns in these changes. Some that we agree with, and some that we may like others to consider for the pure logic.

We bring out our arguments not as paragraphs or legalese or language but as concepts. The first concept I would like to address is **voluntary commitment**. If it has already been mentioned in the preamble that this is a voluntary commitment as a framework, would there be a need to separate the enabling

measures as **common enabling measures and additional enabling measures**? That's one point we would like the forum to consider; though as a delegation we're willing to compromise on that as long as we achieve the Group's objective finally. But do consider that now we have removed the lines 'we commit to the following measures' and "we commit to additional measures". It is now enabling measures in any case and we could merge them together.

Point no 2 and this is a major area of concern for our delegation- we find that the document is **not well balanced at the moment between an exporting state and receiving state**. We feel the onus on the receiving state is too high at the moment and this is particularly reflected on objective 11. We voiced our concern in our opening statement at this forum in this session and we voiced it in formal as well. We find it disappointing that the exporting state does not have adequate onus in this document still. If you see objective 11, it's all about "when procuring", it is all about "receiving state" requesting information and markings etc.

We feel that there should be **adequate and equal responsibility of the exporting state as well**. Only at one point we find that exporting 'entity' has been mentioned. However, we find that is not adequate. It is finally the State that should take the responsibility and therefore, exporting state takes preeminence in this framework.

IATG

May I for the benefit of all just read out what IATG does?

The foreword of the IATG itself indicates that it's aim is to stop unplanned explosions and ammunitions sites and diversions to illicit markets. It consists of twelve volumes that provide practical guidance and it has basic, intermediate and advanced levels and one can utilize the IATG for the development of national standards and Standing Operating Procedures. With so much effort being put into the IATG in the past, we find it difficult to understand **why parties are not willing to accept IATG as a predominant guideline** to make their own national guidelines. You may be party to the IATG technical review or not party to it... but what stops us from taking these guidelines as the predominant guidelines after so much work has been done on it?

Also, May I refer to articles 2.3, 2.4 and 2.5 of IATG, they lay out quantitative distances, explosive limit licensing procedures in a very lucid manner and if followed can actually stop unplanned explosions, and if they do occur, can stop civilian population from being devastated by it. So we do not understand why we need to replace that with a word '**Adequate Safety Hazards**'. We believe that IATG gives you the minimum acceptable safety standards and that is what we must strive to achieve.

If the distance between civil population and storage is less than IATG guidelines, I would suggest that as States, we strive to ensure that the distance increases and not use that as an excuse not to consider IATG in this document. We do support China and Cuba in the addition of the words **Non State Actors** in 8(a)5. But having said so, we frankly do not understand what 'Non Authorized Non State Actors' means. We don't see how a 'Non State Actor' could be authorized in this framework and we also don't understand that if the previous paragraph says that we will deny export to unauthorized users, why do we need to once again say **Non Authorized Non State actors**. That is a matter we Propose for consideration while we completely support China and Cuba's view that non state actors should be a part of this.

We also do not understand how in 8(a)4 we can use the term '**unacceptably higher risk of diversion**'. We do not understand what is 'acceptable high risk of diversion' and therefore we feel that the word 'unacceptable' is not required. We also do not understand why the word '**end use**' has cropped up in the latest draft. 'End user' is a valid term but to be able to talk about 'end use' is something we feel is not possible, feasible or viable.

We also support Pakistan's view in **objective 9** wherein we could remove "including through the maximum possible use of end user certificates" and we support that view entirely. We feel the objective should be generic and whatever points are inclusive and that should be a part of the paragraphs below it.

While we fully support Russia's view that **risk assessment** is a term taken from the ATT and we are not party to the ATT as well; but we do feel that there is a certain assessment required before you could actually export ammunition and therefore whether the term is 'assessment' or 'risk assessment', or whatever we as member states or participating states decide, we feel there should be a term which talks about assessment and I would request the russian delegation

to reconsider that and name it not alike the ATT but to ensure that we achieve our objective. We would also urge all to support that view as well.

PARA 12(a)4 talks about **MANPADS and ATGMs**. Please consider that ATGM or MANPADS are not conventional ammunition. A MANPADS is a whole system in itself and just the missile portion of that could be ammunition if anything. If you would take the whole MANPADS into account, then we should take small arms and light weapons as well into the account in this forum as they are the ones who actually fire the ammunition and therefore we would strongly urge this forum to delete MANPADS and ATGMS and just stick to all relevant types of conventional ammunition. We also support the United States in their statement that this is **not a forum for considering humanitarian mine action** and there are other fora in CCW to do so.

We also support the **fellowship proposal** by the NAM countries wholeheartedly.

The final two points we'd like to make are that in para 42 we're talking about discussing, in particular, the topics that have arisen out of technical experts' meetings. We would encourage you to delete that line and we could talk about topics that emerged from **both technical expert's meeting as well as meeting of states**.

We feel as a delegation, and we have said that in the previous meeting very clearly, that amongst all the guidelines that you should have for a conventional ammunition framework, **National Ownership** is the most essential principle and therefore we do not see why, in Para 29, National Ownership has been removed or deleted as that is the most important and significant aspect of conventional management to prevent diversion in the world and a minor point- 8(b)4 talks about **exchange of information and assessment**. We feel that this could go into objective 12 which is about international co-operation but that's a very minor pedantic language issue.

Finally Mr. chair

We would once again like to support you wholeheartedly by saying that your earlier document was a crisp and implementable one which did not require too many changes. However, we do appreciate the changes that were brought out and I hope you take our proposals today into account.

Thank you for your patience and time.