

Meeting of the High Contracting Parties to 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

20 November 2023

English only

Geneva, 15-17 November 2023

Agenda item 7

General exchange of views

Australia's engagement in the Convention on Certain Conventional Weapons

Submitted by Australia

1. Australia attaches great value to the Convention on Certain Conventional Weapons (CCW) and its five Protocols. Ongoing conflicts around the world from Russia's illegal and immoral invasion of Ukraine, to insecurity in central Africa, and the conflict unfolding in the Middle East all underscore the vital importance of these instruments.
2. The CCW prohibits or regulates the use of weapons that cause unjustifiable suffering to combatants or that affect civilians indiscriminately. These are aims that can only be achieved through strict adherence to all relevant obligations.
3. Reported widespread use of anti-personnel landmines, IEDs and victim-activated booby-traps by Russia in the course of its illegal and immoral invasion of Ukraine raise serious questions about its compliance with its CCW obligations, most notably under Amended Protocol II.
4. Australia is also gravely concerned by increasing reports of the use of incendiary weapons, as well as weapons with incendiary effect against civilian populations. It is imperative that obscurants and illuminates are used in a way that complies with IHL.
5. It is vital for the health of the CCW that High Contracting Parties can discuss implementation of all Protocols, including Protocol III.
6. Australia also remains convinced that the CCW is equipped to address new weapons technologies. We support the CCW Meeting of High Contracting Parties delivering a strong mandate for the LAWS GGE to intensify its work next year.
7. While not a product of the CCW but worthy of mention, Australia participated in the adoption ceremony held in Dublin in November 2022 for the Declaration on the Humanitarian Consequences Arising from Use of Explosive Weapons in Populated Areas.
8. The Declaration, to which Australia remains firmly committed, stresses the importance of full compliance with international humanitarian law as a means of protecting civilians when military operations take place in populated areas. We urge adherence to its commitments by all parties to armed conflict.
9. Achieving the full universalisation of the CCW and its Protocols is a priority. Australia extends a warm welcome to Singapore as the newest state to deposit its instrument of ratification to the CCW and encourage other states yet to do so to follow its lead.



I. Amended Protocol II: Mines, Booby Traps and Other Devices

10. Australia considers that a number of global situations have relevance to Additional Protocol II and we underscore the need for our collective commitment to it.

11. Russia's illegal and immoral invasion of Ukraine has inflicted an intolerable toll on the Ukrainian people. We share the concern of the international community as the impacts of the conflict in the Middle East continue to unfold. The situation in Myanmar is also of concern.

12. Australia knows that weapons such as mines and IEDs pose a long-lasting threat to civilians and hinder humanitarian access.

13. Australia welcomes innovative developments underway that employ autonomous technologies to assist with clearance, including remote detection, ground penetrating radar, and detection algorithms, all of which can reduce risk to clearance operators and civilians.

14. Australia acknowledges the complementarity between Amended Protocol II and other conventions such as the Anti-Personnel Mine Ban Convention and the Convention on Cluster Munitions (CCM). We note the importance of Amended Protocol II however as the only instrument regulating the use of both IEDs and anti-vehicle mines. And we also recognise that Amended Protocol II contains provisions on facilitating the removal of mines, booby-traps and other devices after conflict has ceased.

15. Australia is committed to playing our part to help universalise and strengthen implementation of Amended Protocol II.

16. As co-leads with France of the biennial UNGA resolution on countering the threat posed by Improvised Explosive Devices, Australia ensures that the resolution recognises the work of states to the Amended Protocol, including the informal group of experts. Australia will again seek support for the resolution next year.

17. Earlier this year, Australia significantly elevated its commitment to the Geneva International Centre for Humanitarian Demining (GICHD) to provide A\$6 million over 4 years commencing this year. And in addition, Australia has committed four years of funding to the CCW Sponsorship Programme from 2023-26.

18. Australia also actively participates in the ASEAN Defence Ministers' Meeting Plus Experts' Working Group on Humanitarian Mine Action, co-chaired in 2022 by Cambodia and China.

19. Australia would like to pay tribute to the courage of clearance operators in their difficult and dangerous work. Australia is committed to working with them and our partners to meet the challenge posed by mines and IEDs.

II. Protocol V

20. Australia is steadfast in its commitment to the Protocol, to enhancing its implementation and promoting its universalisation.

21. This year has regrettably seen a further rise in ERW contamination. This flows from conflicts and insecurity in different parts of the world - from Russia's illegal and immoral invasion of Ukraine, to insecurity in central Africa, and more recently as a result of the Hamas-Israel conflict. Australia remains concerned by ongoing ERW contamination in parts of Myanmar. UN OCHA reported a near 170% increase in the number of casualties reported due to landmines and ERW in Myanmar in the first seven months of this year compared to last year's total.

22. In the Pacific region, countries continue to live with the impacts of explosive remnants of war. Australian funding to the Geneva International Centre for Humanitarian Demining (GICHD) is being directed to work with affected countries to address the question of how to achieve a mine impact-free Pacific. A new four year multi-million-dollar arrangement with

GICHD is the centrepiece of Australia's investment in advancing global explosive ordnance risk reduction.

23. Australia's long-standing support to our Pacific family through Operation RENDER SAFE is now well-known. The annual joint operation sees militaries and police forces from Australia, the United States, Japan, New Zealand, and Pacific islands countries focus on ERW clearance in different locations around the Pacific each year.

24. In 2023, at the request of the Government of Nauru, Operation RENDER SAFE assisted the Government of Nauru with disposal of unexploded ordnance (UXO). Australian technicians worked with the Nauru Police Force to safely dispose of an unexploded WWII-era bomb. The contingent also delivered unexploded ordnance safety training to frontline workers and secondary school students. Australia is also engaging with the Governments of Vanuatu and Tuvalu on activities under Operation RENDER SAFE.

25. Emerging technologies have the potential to make mine clearance activities safer and faster. Existing commercialised technology such as drones and robotics also hold promise. Australia is proud of our home-grown research and development in autonomous ground vehicles for landmine clearance, and Australian companies are at the forefront of new detection capabilities for humanitarian demining. By way of example, Australia has been prominent in developments in thermal imaging innovations and in the use of small drones for humanitarian demining in Chad under the Odyssey 2025 project.

26. Australia urges all states parties to maintain their commitment to this important Protocol, and ask those states yet to sign and ratify to consider doing so without delay.

III. Observers

27. Australia strongly regrets attempts to undermine the principles of transparency and openness at this year's Meeting of High Contracting Parties to the CCW by seeking to deny observers the ability to fully participate in our deliberations, as High Contracting Parties have intended.

28. Civil Society and other relevant organisations played an important role in the development of the CCW leading to its entry into force in 1983. Since that time, observers to the CCW, including intergovernmental organizations, UN organizations, the ICRC, and civil society, continue to make significant substantive contributions that inform the work under the CCW through their unique experience, insight and knowledge which Australia highly values.

29. Consistent with the proud history of the CCW, Australia supports the continued inclusion of all observers in the work of the CCW, including the full participation of all observers in the deliberations of the Conference and its subsidiary organs and public meetings of the Conference and its Main Committees, as well as in meetings under CCW protocols, in accordance with applicable Rules of Procedure and longstanding established practice.
