



Statement by H.E. Archbishop Ivan Jurkovič, Apostolic Nuncio, Permanent Observer of the Holy See to the United Nations and Other International Organizations in Geneva at the  
**2018 Meeting of 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 (CCW)**  
*Geneva, 22 November 2018*

Thank you, Mr. Chair.

Through the CCW and its Protocols, States Parties have achieved considerable progress to strengthen and expand the fabric of international humanitarian law by prohibiting or regulating specific types of armaments. Regrettably, violent and prolonged conflicts persist, increase and worsen. Atrocities and grave offences against the dignity of the human person are being perpetrated in the name of military and political demands.

The Holy See intends to renew its encouragement and appeal to the international community to continue on the path it has taken for the reduction of human suffering and to mitigate the negative consequences of hostilities. Every step in this direction contributes to increasing awareness that the cruelty of conflicts must be done away with in order to resolve tensions by dialogue and negotiation, and also by ensuring that international law is respected.<sup>1</sup>

Mr. Chair,

In this regard, the Holy See wishes to renew its serious and repeated concerns to encourage States Parties to act on three particular issues that are relevant for the purpose of the CCW:

- 1) **Explosive weapons.** The tragic experience of conflicts all over the world shows that the use of explosive weapons with devastating effects in populated areas has a dramatic long-term humanitarian impact. It creates deadly injuries and permanent impairments, often leaving behind deadly explosive remnants of war which can kill or maim civilians long after the end of hostilities. Furthermore, millions of refugees and displaced persons are often fleeing violence and desolation caused by the use of ever more powerful conventional weapons in urban settings. In this regard, conventional weapons are truly becoming less and less “conventional” and more and more “weapons of mass displacement”, as their destructive power and sophistication is able to devastate entire cities, schools, hospitals, infrastructures and services essential to the population.
- 2) **Incendiary weapons.** The continued reported use of incendiary weapons, which causes excruciatingly painful burns leading to long-term physical and psychological injuries or death, calls into question the adequacy of Protocol III in reducing human suffering. This Delegation wishes to reiterate the need for an honest technical and legal review of the provisions contained in Protocol III in order to strengthen this instrument so as to remain relevant in today’s conflicts and enhance the protection granted to the civilians and combatants.

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<sup>1</sup> Cf. Holy See, Declaration upon accession to the Convention on Certain Conventional Weapons, 22 July 1997.

3) **Lethal Autonomous Weapons Systems (LAWS)**. The increasingly active participation and interaction among States, civil society and the scientific community clearly indicates the urgency and far-reaching implications of LAWS. The Holy See Delegation believes that the two sessions of the Group of Governmental Experts (GGE) held in 2018 have been particularly helpful to generate even greater convergence, in particular around ethical and legal considerations. We are especially pleased that this has been duly reflected in the report of the GGE under the guiding principles section.<sup>2</sup>

Mr. Chair,

the issue of LAWS has been on the CCW agenda for five years now. The Holy See has expressed its concerns on several occasions: the development of LAWS will provide the capacity of altering irreversibly the nature of warfare, becoming more detached from human agency, putting in question the humanity of our societies and, in any case, compelling all States to reassess their military capabilities.

Various proposals for possible concrete outcomes have been put forward; what these proposals have in common is the underlying need for a multilateral approach and the need to retain the human person at the heart of decisions exerting injurious or lethal force.

In this regard, the Holy See reiterates its previous and repeated position that relying on the principle of precaution and adopting a responsible attitude of prevention are the only options that will ensure a sound and lasting outcome. In order to prevent an arms race and the increase of inequalities and instability, it is an imperative duty to act promptly: now is the time to prevent LAWS from becoming the reality of tomorrow's warfare. The CCW should make a courageous and enlightened decision of prohibiting LAWS like it did in the past concerning other types of weapons.

Mr. Chair,

In conclusion, the Holy See hopes that the flexibility of the CCW can lead to effective improvements of the protection of civilian and combatants through further developments in IHL, fully considering the nature of "modern armed conflicts and the physical, moral and spiritual suffering that accompany them".<sup>3</sup>

Thank you, Mr. Chair.

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<sup>2</sup> Cf. Document CCW/GGE.1/2018/3, available at :

[https://www.unog.ch/80256EDD006B8954/\(httpAssets\)/20092911F6495FA7C125830E003F9A5B/\\$file/2018\\_GGE+LAWS\\_Final+Report.pdf](https://www.unog.ch/80256EDD006B8954/(httpAssets)/20092911F6495FA7C125830E003F9A5B/$file/2018_GGE+LAWS_Final+Report.pdf)

<sup>3</sup> Pope Francis, Address to the Participants to the conference on International Humanitarian Law, 28 October 2017.