



Statement by Monsignor John D. Putzer, Head of Delegation of the Holy See to the  
**Sixth Review Conference of 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)**  
**Agenda Item - General Exchange of Views**  
*Geneva, 14 December 2021*

Monsieur le Président,

C'est avec beaucoup de satisfaction que la délégation du Saint-Siège salue votre élection à la présidence et exprime son appréciation pour le remarquable travail de préparation que vous avez effectué, avec votre équipe, y compris pour adresser les défis posés par la question financière. Ma délégation fera tout son possible pour soutenir vos efforts et sortir de cette Conférence d'examen avec des résultats tangibles notamment pour toutes les populations affectées par les conflits.

Mr. President,

The desire for peace, security and stability is one of the deepest longings of the human heart. On the occasion of this Sixth Review Conference, it is legitimate to ask this simple question: what difference has the CCW made for civilians living in conflict areas?

Never must we forget that there is a direct link between the decisions taken in the CCW and the impact on people on the ground. Weak decisions and the partial or lack of implementation of the solemn obligations undertaken may have heavy costs in terms of human lives. The so-called balance between military and humanitarian considerations is almost impossible to be defined, much less be determined, before seeing the results of a military operation. How many dead, wounded and disabled will be necessary before we condemn certain military behavior, to be unacceptable and determine that such "balance" is broken?

As Pope Francis has affirmed: *"Every war leaves our world worse than it was before. War is a failure of politics and of humanity, a shameful capitulation, a stinging defeat before the forces of evil. Let us not remain mired in theoretical discussions but touch the wounded flesh of the victims. Let us look once more at all those civilians whose killing was considered 'collateral damage'. Let us ask the victims themselves [...] In this way, we will be able to grasp the abyss of evil at the heart of war. Nor will it trouble us to be deemed naive for choosing peace."*<sup>1</sup>

This Review Conference offers an opportunity to have an honest evaluation of the relevance of this treaty and its Protocols in the real world. The CCW and its Protocols, are intended to be an important part of the fabric of international humanitarian law, which is not an end in itself but a means to protect civilians in armed conflicts. Indeed, the most perfect instruments would be useless if their implementation had no concrete consequences for women and men living in areas of armed conflict

At the same time, this review conference should also look to the future, otherwise it risks "freezing" in place. In a constantly changing world, particularly in terms of emerging technologies and their military applications, the CCW has a duty to examine the nature and use of certain weapons. Its flexible structure, indeed, allows it to do so. This is in line also with the affirmations

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<sup>1</sup> Pope Francis, *Fratelli tutti*, N. 261.

expressed in the preamble on the “need to continue the codification and progressive development of the rules of international law applicable in armed conflict”.

Mr. President, on the occasion of this Sixth Review Conference, the Holy See wishes to elaborate on the following three issues:

1. Explosive remnants of war are not only posing a safety problem for the local population, but also a national and regional security problem. The legacy of present conflicts should not continue to retain whole populations hostage to the explosive remnants of war and abandoned weapons. In this regard, serious implementation of Protocol V will help to keep a glimmer of hope of preventing additional victims, and it can also be an effective element towards reconstruction, reconciliation and development. Universalization efforts need to be stepped up, as well as international cooperation, to assist affected countries in a true spirit of fraternity.

The Holy See is also concerned about the illicit traffic of small arms and light weapons, as well as explosive weapons, particularly in populated areas, which have become less and less “conventional” and more and more “weapons of mass destruction” and displacement, wreaking havoc on cities, schools, hospitals, places of worship and basic infrastructure for the civilian population, thus affecting their prospects for integral human development.<sup>2</sup>

2. The reported use of incendiary weapons since the last review conference prompts us to ponder on the adequacy of Protocol III in reducing human suffering. As it has done in previous meetings, this Delegation wishes to reiterate its support 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.
3. Research and development into “new” weapons present important challenges for the CCW. These include, inter alia, laser weapon systems outside the scope of Protocol IV, radio frequency and other direct energy technology, antisatellite weapons, the increased use of cyber for malevolent purposes, weaponization of A.I., including through the research and development of LAWS. It is legitimate to ask what are the legal, ethical and security challenges around their potential use. In this regard the Holy See urges other High Contracting Parties to be mindful of prevailing humanitarian and ethical considerations and wishes to recall the “importance of pursuing every effort which may contribute to progress towards general and complete disarmament under strict and effective international control”, as affirmed in the CCW Preamble.

With regard to the issue of Lethal Autonomous Weapons Systems (LAWS), the Holy See has submitted a position paper to this Conference, outlining some of the ethical and legal concerns that the Holy See has raised since the beginning of the discussion on LAWS, and suggesting certain elements for a possible way forward. This Delegation will elaborate on this position paper later during the dedicated agenda item.

Mr. President,

In the face of a world pandemic of uncertain duration, during which social and economic crises remain severe, and the increasingly serious effects of global climate change, it is scandalous

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<sup>2</sup> Cf. Statement of H.E. Archbishop Gallagher, Secretary for Relations with States of the Holy See, to the High-Level Segment of the Conference on Disarmament, 24 February 2021.

that military expenditures continue to be on the rise, diverting potential resources from addressing poverty, inequality, injustice, education and health.

Disarmament, development and peace are three interdependent issues. The link of national security to the accumulation of weapons is a false “logic”. While there are understandable concerns for effective security and the legitimate right to self-defense, it is a deceptive and self-defeating logic to think that the security and peace of some could be somehow separated from the collective security and peace of others. This, among others, is also one of the lessons that the Covid-19 pandemic has tragically demonstrated.

Mr. President,

The CCW has an important place and role in the international system that seeks to reduce the impact of indiscriminate weapons. There are plenty of past, present and future challenges for the CCW in its efforts to accomplish its objectives and retain its forward-looking approach towards the progressive development and codification of IHL in the field of conventional weapons.

The choice of convenient or unjust and inefficient compromises – or even worse, inaction – is a serious risk that will deprive the CCW of its credibility. International security and peace are best achieved through the promotion of a culture of dialogue and cooperation, through peace education, and not through an arms race in which civilians always and inevitably bear the highest price.

Je vous remercie Monsieur le Président !