



Protecting Civilians in Urban Warfare Conference

Statement by New Zealand
The Way Forward

Delivered by H.E. Dell Higginson
Ambassador for Disarmament

2 October 2019

Thank you Mr Moderator.

New Zealand's support for the EWIPA issue, and our determination to see it successfully carried forward, is reflected in our being listed, *inter alia*, as a "supporter" for the related item - Action Item 14 - under the UN **Secretary General's** "Agenda for Disarmament". I note that Action 14, entirely fittingly, falls under the Agenda's category which deals with "Disarmament that Saves Lives".

The SG reported to the Security Council in May this year that there is cause for "great concern" with regard to the protection of civilians in situations of conflict." We fully support his conclusion that: "We must take urgent action to reduce the humanitarian impact of urban warfare and, in particular, of explosive weapons."

New Zealand is not prescriptive about the *only* way or ways in which this can be done. Indeed, we remain open to any idea which holds the promise of strengthening the protection which civilians are entitled to expect when they live in any war zone around the world. Our insistence is simply that the international community *does* act to address this issue – and addresses it now as a matter of urgency.

Certainly, one of the ways in which we can make progress in achieving our goal is by beginning work on a **Political Declaration**. In pursuing such a Declaration, our intention above all would be to give profile to the obligations of International Humanitarian Law (IHL) and to help frame their application and implementation in the context of the 'new normal' of urban warfare. We would see the Political Declaration also as a launching pad for discussion on further options, such as policy measures

and the articulation of best practices, all focused on enhancing the protection of civilians.

In accepting the value of a Political Declaration in moving forward on this issue, New Zealand is drawing from the useful precedent of the **Safe Schools Declaration**. Its Guidelines are not in themselves legally-binding rules; nor do they not purport to change existing international law. Rather, they are focused on a shift in real-world behaviour in the application and implementation of IHL.

Alongside a Political Declaration, as just noted, it will be important to pursue ancillary tracks such as **data collection** on EWIPA and civilian casualties, and **information-sharing** including through military-to-military dialogue. In this regard, we welcome the transparency already illustrated by some States on their targeting directives with regard to the use of explosive weapons in areas close to, or within, concentrations of civilians. New Zealand encourages the further sharing of information relating to the use of explosive weapons – including regarding existing policies and practices and lessons learned.

In closing, may I convey the New Zealand Delegation's deep gratitude to Austria for hosting this inaugural Conference and our thanks as well to everyone here for their participation.

It is time for action to reduce the risks associated with the use of EWIPA. We are delighted that this Conference appears to be generating a shared understanding of the humanitarian harm caused by the use of explosive weapons in populated areas and a **clear pathway forward** to address this. As a member of the EWIPA Core Group – but, most importantly, as a country deeply concerned about the plight of civilians in zones of conflict around the world – New Zealand looks forward to continuing these discussions and concluding the text of a Political Declaration as an effective measure to redress this situation.

Thank you.