Statement

by

Ambassador Thomas Hajnoczi
Permanent Representative of Austria to the United Nations in Geneva

at the

Thematic Discussion on Conventional Weapons of the First Committee

New York, 28 October 2013

Check against delivery!
Mr. Chairman,

Austria aligns herself with the statement by the European Union on conventional weapons delivered earlier. Also, Austria made a couple of relevant points during the general debate. Let me therefore just make a few additional remarks on one important aspect: the protection of civilians in the light of current and future challenges.

International law, including humanitarian law as enshrined in the Geneva Conventions and their Additional Protocols, human rights law and disarmament treaty law, provides the normative framework for the protection of civilians. Let me also mention in this context Security Council resolutions 1325/2000, 1894/2009 and most recently 2117/2013 that have an important bearing on this issue. All parties of a conflict are under an obligation to comply strictly with applicable international humanitarian law, human rights and refugee law and to ensure respect and protection of the civilian population.

Humanitarian disarmament instruments such as the Anti-Personnel Mine Ban Convention and the Convention on Cluster Munitions have been playing a crucial role in strengthening the normative realm of the international legal framework for the protection of civilians. These instruments have had a preventive impact. They have also set the norm for the recognition of the rights of victims on a non-discriminatory basis and incorporated provisions for victim assistance. We emphasise here that States have a responsibility to protect and safeguard their people that includes the assistance to persons who fall victim to the use of such weapons. The assistance to survivors, affected families and communities is at the heart of these humanitarian disarmament instruments. We need to ensure that we effectively fulfil our obligations to assist those who have fallen victims and step up our efforts to meet the rights and needs of survivors, affected families and communities in partnership with all relevant stakeholders, including international organisations and NGOs. Undoubtedly, thus, and notwithstanding remaining challenges in universalisation and national implementation, the Anti-Personnel Mine Ban Convention and the Convention on Cluster Munitions have marked important progress in humanitarian disarmament as well as in the further development of international humanitarian law.

Disturbingly, however, we continue seeing reports of massive human suffering of civilians resulting from armed violence in many countries. In the face of this it is our duty to continue assessing the international legal framework against the background of a constantly changing international environment and in particular new weapon technologies and new
weapons systems that have to be evaluated for their potential humanitarian impact and implications for the international legal framework.

One example of particular concern is the humanitarian consequences of explosive weapons. Their wide-spread use in densely populated areas causes indiscriminate harm and inflicts appalling suffering, with most of the victims being civilians. We welcome the call by the Secretary General to the Security Council and the member States to recognize and act on this critical issue and to consider the concrete steps that can be taken to reduce the humanitarian impact of explosive weapons in populated areas.

Today, arms technology is undergoing rapid changes. The use of armed drones in conflict situations is increasing, causing far too many collateral civilian deaths. In a not too distant future, fully autonomous weapons systems might become available. As a result, the implications of these developments on international humanitarian law require urgent engagement by relevant UN forums and further discussion with a view to ensure that these weapons will not be used in a way that violates universally recognized principles such as the proportionality of the use of force or the obligation to distinguish between civilians and combatants.

Another area of concern is the use of ammunitions from depleted uranium. Recent studies suggest that the radiation as well as the heavy metal toxicity of uranium accumulate to a significant long term detrimental effect on the environment and people of contaminated areas. Since scientific evaluation seems not to be final at this stage, Austria is in favour of continuing research in this area.

Mr. Chairman,

Austria is much aware that the humanitarian impact of armed violence is by no means limited to armed conflict. The majority of civilian casualties and deaths resulting from armed violence actually occur in countries that are not affected by armed conflict. Victims of such violence have needs and rights that have to be addressed. Moreover, armed violence cannot be separated from transnational crime, including trafficking of persons, drugs and arms.

In this context, we would like to highlight the crucial role that we expect the Arms Trade Treaty to play in reducing civilian casualties by - for the first time - regulating international arms trade. Austria remains committed to preventing gender-based violence and has been a strong supporter of
including the concept in the Arms Trade Treaty. The recognition of the impact of illegally and irresponsibly transferred conventional weapons on gender-based violence in the Treaty is an important step forward. Austria remains committed to the ATT process and will work towards its universalization. Austria will ratify ATT at the latest in the first half of 2014 and will upon ratification declare provisional application of Art 6 and Art 7 of the ATT.

Mr. Chairman,

I would like to take this opportunity also to inform you that Austria recently deposited its instrument of ratification for the Protocol against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition supplementing the United Nations Convention against Transnational Organised Crime.

The prevention and reduction of human suffering resulting from armed violence, including in armed conflict, must continue to be a priority for the UN membership. These issues need to be addressed comprehensively, involving disarmament, human rights, humanitarian and development communities, and with the partnership among states and relevant international and civil society actors.

I thank you, Mr. Chairman.