Fifth Review Conference 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

Statement at the General Debate

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HEAD OF THE DELEGATION OF CUBA

Geneva, December 12, 2016
Madam President:

I congratulate you on your election as President of the Review Conference. You can count on the full support of the Cuban delegation.

The Convention on Certain Conventional Weapons is an important instrument in the context of International Humanitarian Law. At the same time, it guarantees the legitimate security interests of its States Parties. Preserving that balance, which has been a basic pillar for the proper functioning of the Convention, will be key to the success of this Review Conference.

While it is said that there are not enough resources for development, in the world increasingly sophisticated and deadly conventional weapons are manufacturated and employed. The abysmal imbalance in favor of the industrialized countries in terms of the production, possession and trade of these weapons threatens international peace and security.

Paradoxically, some states that are leaders in the modernization, manufacture, employment, and commercialization of conventional weapons with devastating effects, try at the same time to impose international norms to limit and obstruct the acquisition and use, for the purposes of self-defense, of certain types of conventional weapons less sophisticated, such as small arms and light weapons.

We reject that double standard. The highest priority must be in the control and limitation of the most sophisticated and destructive conventional weapons, which cause the majority of innocent victims in modern wars.

Madam President:

Cuba complies with and strictly implements the provisions of the Convention on Certain Conventional Weapons and the Annexes I, II (original), III, IV and V of which it is a State Party.

Cuba’s accession in November 2012 to Annexes IV on Blinding Laser Weapons and V on Explosive Remnants of War is yet another sign of our firm commitment to the Convention and International Humanitarian Law.

The reasons why Cuba has so far been unable to become a Party to Amended Protocol II are well known. However, we have accepted and fully implemented the original Protocol II, which allows us to guarantee that the use of mines, booby-traps and other devices for the legitimate defense of our country, does not affect the civil population in any way.

In that context, I would like to emphasize that Cuba will not support any proposal aimed at calling into question the full validity of the original Protocol II or promoting its termination.
Madam President:

One of the major priorities of this Review Conference should be the adoption of practical actions to move as quickly as possible towards a legally binding instrument to prohibit lethal autonomous weapons.

Such weapons are incompatible with International Humanitarian Law, including the principles of Distinction, the Proportionality and Non Discrimination. Therefore a preventive approach, based on the Precautionary principle, is required in order to ensure their prohibition before they are produced on a large scale and deployed.

The Convention on Certain Conventional Weapons is the appropriate forum for negotiating and adopting the instrument to prohibit autonomous weapons, which should also include regulations for those weapons whose critical functions involve a human controller but also have a high degree of autonomy. Our delegation has presented a working paper on lethal autonomous weapons.

The issue of Mines other than Anti-personnel Mines has already been discussed at length in our meetings. The divergences in positions are known. We hope that the time of this Conference will not be wasted by reopening these discussions. There is no need for an additional protocol on this category of weapons, which is already sufficiently regulated by the principles of International Humanitarian Law, the provisions of the Convention and Additional Protocol II.

Cuba condemns the use of Improvised Explosive Devices (IEDs) by illegal armed groups, terrorists and actors not authorized by the States. We are ready to work on the establishment of voluntary and non-discriminatory good practices and the exchange of information and experiences on the employment of IEDs, while emphasizing that no regulation or initiative in this area can affect the right of States to their legitimate defense, enshrined in Article 51 of the United Nations Charter.

The Cuban delegation has circulated a working document on Improvised Explosive Devices.

Madam President:

It is important to have adequate and sustainable funding for the development of the work of this Convention, including the resources necessary to ensure the quality of meetings. The significant limitations and cutbacks to conference services that have been made for this Review Conference, including in terms of translation, interpretation and availability of written documents, should be considered as an exception and in no way can become a precedent.

We wish to acknowledge the work of the Implementation Support Unit, whose support, which has been of great use to States Parties, will continue to be needed in the future.
I would like to conclude, Madam President, by assuring you that the Cuban delegation will contribute actively and constructively to the success of the Review Conference.

Thank you very much.