



**STATEMENT BY
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FIRST SECRETARY
PERMANENT REPRESENTATIVE OF MALAYSIA
TO THE UNITED NATIONS IN GENEVA**

**AT THE CONSULTATIONS
TOWARDS A POLITICAL DECLARATION TO ADDRESS THE HUMANITARIAN
HARM ARISING FROM THE USE OF EXPLOSIVE WEAPONS IN POPULATED
AREAS**

GENEVA, 10 FEBRUARY 2020

Chair,

We thank Ireland for taking the initiative to convene this second round of consultations on working “Towards a Political Declaration to Address the humanitarian Harm Arising from the use of Explosive Weapons in Populated Areas”, in line with the call by the Secretary-General for member states to develop such a political declaration.

2. We would also like to thank Ireland for its efforts in preparing this elements paper, which we view favourably, and we believe it is positive towards the goal of a political declaration.

3. The draft elements contained in the document prepared, incorporates the elements highlighted by Malaysia at the 18 November 2019 consultations, that is:

- 3.1 Recognising the impacts of explosive weapons in populated areas on civilians, and the nature of the harm towards human beings, in various aspect – physical and psychological harm – but also holistically, on civilian infrastructure, the environment, and longer-term effects;
- 3.2 Reinforcing and reaffirming IHL, and not to reinterpret it or develop new instruments;
- 3.3 Recognise that while IHL provides minimum standards towards the use of such weapons, more can be done, and recognise the efforts that states have taken to mitigate the effect of the use of explosive weapons;
- 3.4 Calling on states to develop, where they do not exist, standards, doctrines and procedures on the use of explosive weapons in populated areas, and for states, where such does exist, to share.. their risk

mitigation strategies, as well as best practices and experiences on the use of such weapons;

3.5 Calling for better data collection to assist in better understanding of the issue to further mitigate risk, and in this respect, develop further studies into the impacts of urban warfare, and the use of explosive weapons in those scenarios; and

3.6 Calling for assistance to be provided to victims in a non-discriminatory manner.

4. We note that the draft elements include condemning the deliberate targeting of civilians and civilian objects; the use of improvised explosive devices; and the use of human shields, and calling for an end to such practices.

5. We note that the elements have been organised in two parts, with various sections in each part. We see each element as having its own merit, and at the same time, there is overlap and redundancy. We understand that based on the comments today, the elements will get further refined into the language of a political declaration.

6. We will provide further detailed comments as the consultations today proceed to consider the various sections.

I thank you.