

New Zealand intervention on EWIPA Political Declaration Section 1, 6 April 2022

Thank you Mr Chair.

Firstly, on behalf of the New Zealand delegation, I would like to extend our thanks and sincere gratitude to Ireland for its leadership and hard work in driving this process forward over the last three years, despite the significant disruption the Covid-19 pandemic has caused. Your updated draft, as circulated, is – in New Zealand’s view - significantly improved. We are pleased to see that much of the conditionality in earlier drafts has made way for clearer and more specific language. New Zealand is very supportive of this, and indeed please let me extend our support to you, Mr Chair, in your vital task.

The Political Declaration has an important role to play in highlighting the significance of this issue and raising awareness of the particular characteristics and implications of the use of explosive weapons with wide area effects in urban conflict. The powerful and affecting testimony we heard by video this morning from Nujeen Mustafa brought home these effects to us all, and powerfully set out why we must achieve meaningful progress this week.

As Finland noted, our efforts here are not happening in a vacuum. In this regard, New Zealand condemns Russia’s recent illegal invasion of Ukraine and the human harm and material damage its military operations in urban areas have inflicted on the Ukrainian civilian population and civilian infrastructure, including through the use of explosive weapons with wide area effects. Russia’s conduct is a stark reminder of why enhancing the protection of civilians in conflict zones is needed.

Aotearoa New Zealand encourages all delegations here today to focus on reaching agreement on the text, so the declaration can be adopted, promoted and implemented with the urgency it demands. It’s time to get this Political Declaration done and we are well poised to do so. Overall, the text is in a very good place and we support the improvements to it, put forward by Ireland in this latest draft.

New Zealand has read carefully the excellent materials the ICRC and INEW have prepared. We wish to state our appreciation for their inputs, in particular with respect to emphasising the significance of “wide area effects” - not as a qualifier, but as a descriptor that ensures our declaration remains firmly linked to the humanitarian consequences caused by these weapons.

Taking on board the task set by our Irish colleagues to make specific textual suggestions, we would like to turn now to offering some following specific comments on section 1 of the text:

1. In general, we support the removal of conditionality throughout the preamble;
2. On paragraph 1.1, we endorse the ICRC's proposal to include language that links explosive weapons, wide area effects and the risk of civilian harm. Namely, this would be through a new sentence that reads: "These risks are exacerbated..."
3. On paragraph 1.2, we support ICRC proposals to include the phrase "explosive weapons in populated areas", and echo its points that it is civilians "who overwhelmingly bear the brunt" of these weapons' use.
4. Also in regard to paragraph 1.2, we support additional language put forward by the ICRC on psychological and psychosocial harm to civilians, and would suggest this fits better in paragraph 1.2, not 1.3. We also support INEW's proposal that we include the particular vulnerability of children in conflict zones.
5. Finally, on this paragraph, we support INEW's proposal that we explicitly refer to a lack of civilian access to humanitarian relief. This urgent need has again been brought into stark relief during Russia's invasion of Ukraine.
6. In paragraph 1.3, we note the point made by several delegations that hospitals be included in the first line and can support this.
7. On paragraph 1.4, we support the ICRC's proposal to refer to the severe consequences for health and livelihoods caused by the use of explosive weapons in populated areas.
8. Our final point on section 1 relates to paragraph 1.5. New Zealand supports the ICRC's proposal that we reference the urgency of our work to reduce the unacceptable levels of civilian harm, and to strengthen the protection of civilians in urban warfare.

I thank you.