

Third Conference of the High Contracting Parties to Protocol V on Explosive Remnants of War

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Opening Statement for the United States Delegation by

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Thank you, Mr. Chairman. On behalf of the members of my delegation, we are extremely pleased to be here today as a party to the Convention and all its protocols. As some of our colleagues here are no doubt aware, on January 21, 2009, the United States deposited its instruments of ratification for Protocols III, IV, and V of the CCW and for the amendment to Article 1 of the Convention. The United States took a leading role in negotiating these protocols and the amendment, has long complied with the norms contained in them, and is pleased to now finally be a party to each of them. This action reaffirms the U.S. commitment to the development and implementation of international humanitarian law (IHL).

The United States is concerned by risks created by Explosive Remnants of War (ERW) and continues to be a world leader in Humanitarian Mine Action (HMA). For many years our HMA assistance programs have addressed both ERW and landmines. Since 1993, the United States has provided more than \$1.5 billion for HMA in over 46 countries. This amounts to between one-quarter to one-third of the global humanitarian assistance in this area. In 2009, the Department of State provided \$113 million in assistance to 35 countries and continues to work bilaterally and multilaterally to reduce the threat to civilians. An important element of our assistance is the Quick Reaction Force, which is a deployable

team of experts on conventional weapons destruction that works in concert with U.S. Embassies and host nations to respond to critical risks posed by ERW. The United States has provided survivors' assistance around the world. Any U.S. assistance is based only on need; it is not predicated on the type of munition or its origin.

Although we have seen real progress in combating the threat of mines and ERW, conflicts do persist, threatening peace and stability around the world. Recognizing that governments and international organizations cannot do it all, the United States, through the Department of State, continues to expand our public-private partnership program. Our partner organizations, now numbering more than 60, raise awareness and resources for mine action. These organizations educate civilians on the risks of ERW and assist ERW and landmine survivors with rehabilitation and reintegration into society, as well as removing and destroying landmines and ERW.

The United States takes seriously Protocol V's guidance on generic preventive measures to limit the creation of ERW. The U.S. Department of Defense carries out a robust Physical Security and Stockpile Management program for all U.S. munitions that include regular surveillance to ensure that weapons are performing effectively. Through the Defense Threat Reduction Agency and the Department of State, we offer technical advice, training, and in some cases technical assistance to help states improve their stockpile management.

With respect to cluster munitions, let me confirm today that the United States remains committed to negotiate a legally binding Protocol on Cluster Munitions in the CCW to mitigate the threat to civilian populations resulting from the use of cluster munitions. We realize many delegations here are parties to the Convention on Cluster Munitions (CCM). However, many States, including the United States, have determined that their national security interests cannot be fully ensured consistent with the terms of the CCM. A comprehensive international response to the humanitarian concerns associated with cluster munitions must include action by those States that are not in a position to

become parties to the CCM, because those States produce and stockpile the vast majority of the world's cluster munitions. The United States believes that it should be possible to reach agreement in the CCW on a protocol on cluster munitions that will have significant humanitarian benefits. The U.S. delegation is committed to working cooperatively with delegations across the spectrum of views represented here to achieve this positive result.

On the national level, the United States continues to implement the cluster munitions policy that was signed by Secretary of Defense Robert Gates in June 2008. The main feature of this policy is that, by 2018, the U.S. armed forces will not use cluster munitions that, after arming, result in more than 1 percent of unexploded ordnance across the range of intended operational conditions. The use of cluster weapons that will not result in more than 1 percent unexploded ordnance across the range of intended operational conditions will substantially address the humanitarian concerns associated with reliability concerns related to other types of cluster munitions. This policy affects over 95 percent of the current U.S. stockpiles. The 2018 deadline for the 1 percent unexploded ordnance requirement allows us time to design and produce cluster munitions to replace existing stocks. The current stockpile is huge; the Department of Defense currently holds more than 5 million cluster munitions with 700 million submunitions. Using our current demilitarization capabilities, it will cost \$2.2 billion to destroy this stockpile.

We know that negotiations on a cluster munitions protocol in the CCW will continue to be difficult, and we realize that strong differences remain among the various delegations. Nevertheless, we believe that it is worth devoting a significant effort to achieve a successful result. A CCW protocol that imposes meaningful requirements on the countries that hold 90 percent of the world's stockpiles of cluster munitions would be an important step forward from a humanitarian standpoint.

On behalf of the United States, let me reaffirm that we have come prepared to listen to all reasonable proposals and comments regarding the existing text. We

look forward to working this week, and if necessary, into next year, with other delegations to look for ways to resolve the most challenging issues before us, in order to complete our important work.

Thank you.