



Statement on Incendiary Weapons
UN General Assembly First Committee on Disarmament and International Security

Delivered by Steve Goose, Human Rights Watch
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Thank you, President.

The past twelve months have borne witness to both the horrors of incendiary weapons and the potential for a diplomatic response.

On March 16, according to reports from Syria Civil Defense, an incendiary weapons attack in Eastern Ghouta, Syria, killed at least 61 people and wounded more than 200. Most of the reported victims were women and children who were burned alive.

This incident was just one of 26 incendiary attacks that Human Rights Watch documented between January and August 2018. The true number is likely much higher.

On a more positive note, countries held the most robust discussions on incendiary weapons in almost four decades at last November's Meeting of High Contracting Parties to the Convention on Conventional Weapons (CCW). Incendiary weapons were a separate agenda item for the first time since 1980. The more detailed exchange was a welcome step for efforts to reduce the suffering inflicted by these exceptionally cruel weapons.

Incendiary weapons, which produce heat and fire through the chemical reaction of a flammable substance, cause excruciating burns that are difficult to treat and lead to long-term physical and psychological injury. The weapons also start fires that can destroy civilian objects and infrastructure.

Protocol III to the CCW, adopted in 1980, prohibits certain uses of incendiary weapons, but its restrictions have failed to stop the civilian harm seen in Syria and elsewhere. The CCW protocol has two major loopholes. First, it prohibits the use of air-delivered incendiary weapons in "concentrations of civilians," but has weaker regulations for ground-launched models. Many of this year's attacks in Syria involved notoriously inaccurate, ground-launched Grad rockets, each containing 180 incendiary capsules.

Second, many High Contracting Parties believe the current definition does not cover multipurpose munitions, such as white phosphorus, because the definition is based on the purpose for which the weapons were "primarily designed," rather than on their effects. However;

white phosphorus causes comparable harm. It can burn people to the bone and reignite in cleaned wounds once bandages are removed.

Closing these loopholes would be legally if not politically straightforward. It would create stronger rules and increase the stigma against incendiary weapons, influencing even actors outside the treaty.

Most countries that spoke on incendiary weapons in diplomatic fora over the past year recognized the importance of closing these loopholes. They stressed the need for stronger law and/or called for revisiting Protocol III. At the end of the CCW meeting, High Contracting Parties adopted a final report that “condemn[s] any use of incendiary weapons against civilians or civilian objects, and any other use incompatible” with international humanitarian law. High Contracting Parties also agreed to continue discussions in November 2018.

At First Committee, delegations should publicly condemn the ongoing use of incendiary weapons and encourage all nations to join CCW and Protocol III. They should also call for stronger international law on incendiary weapons.

At their annual meeting in November, CCW High Contracting Parties should take advantage of the dedicated slot on the agenda to condemn the human suffering caused by incendiary weapons, elaborate on national policies and positions, and voice their support for revisiting Protocol III. They should also agree to set aside time in 2019 to review the implementation and adequacy of Protocol III, preferably through an informal meeting of experts.

These steps are essential to eliminating use of incendiary weapons in cities and towns and to protecting civilians from gruesome burns and agonizing death.

Thank you.