



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

**GENEVA, 18 NOVEMBER 2019**

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Chair,

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

2. The past number of years has seen greater awareness on the issue of the harm arising from the use of EWIPA. Various efforts have been undertaken by states and civil society on this issue, including the joint statements by states at the 73<sup>rd</sup> GA in 2018, and the ongoing 74<sup>th</sup> GA – both of which Malaysia had joined – and the work done by the ICRC and other international organisations, and civil society such as the International Network against Explosive Weapons (INEW) and others. It is timely to bring these all together into single global effort. The process now is in its political and diplomatic phase, and member states need to work together on this goal of ensuring that harm towards civilians can be mitigated in times of conflict and to reduce suffering.

3. Malaysia supports the need to address the issue of addressing the humanitarian harm of the use of EWIPA. The issue deserves the attention of all states. For Malaysia, we recognise that, while avoiding armed conflict should be in principle the priority of states, armed conflict will continue to exist. Moreover, increased urbanisation in all regions, and patterns of conflict have shown that potential future conflicts will likely take place in urban and built-up settings amongst civilian populations. There clearly is a problem of already too many victims from the use of EWIPA. As such, the EWIPA political declaration, at its core, should be for the purpose of reducing the harm, suffering and reverberating impact of explosive weapons to civilians, and ensure compliance with international humanitarian law.

Chair,

4. In our view, the major elements that should go into the declaration would be to:

- 4.1 Recognise 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;
- 4.2 Reinforce and reaffirm IHL – what is there already;
- 4.3 Collecting better data 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
- 4.4 Provide assistance to victims in a non-discriminatory manner.

This is not exhaustive, but are some of the major elements that we see as essential and useful for the political declaration.

5. We do not see the declaration as a form of prohibition on any particular types of weapons, nor does it seek to target or stigmatise any state. It should not seek to reinterpret existing international humanitarian law or establish new instruments – it is for compliance, to allow states to move forward and seek practical and pragmatic outcomes.

6. We have to ensure that what states agree to is followed-up and implemented. We need not to be prescriptive, but we should be ambitious. And as this process necessarily has to be one that is open, transparent and inclusive, we encourage all states to engage constructively in the process. And Malaysia stands ready to contribute constructively as well.

I thank you.