



Explosive Weapons¹ and the Protection of Civilians

Briefing paper by the International Network on Explosive Weapons ahead of the
UN Security Council Protection of Civilians Debate, 12 February 2013

Whether from a bomb in a market in Pakistan or Iraq, shelling and bombing in Sudan, Syria or Gaza, or the use of unguided rockets in Israel, the use of explosive weapons in populated areas is a major cause of death, injury and destroyed livelihoods. It is estimated that 84% of casualties from the use of explosive weapons in populated areas are civilians.²

At the upcoming UN Protection of Civilians Debate on 12 February 2013, the International Network on Explosive Weapons (INEW) urges states to:

- Acknowledge that the use of explosive weapons in populated areas frequently causes unacceptably high levels of harm to civilians and communities, and furthers suffering by damaging vital infrastructure;
- Undertake further work on this issue - including focused discussions to develop responses that will improve civilian protection;
- Recognise the need to end the use of explosive weapons with wide area effects in populated areas.

An urgent humanitarian problem

Action on Armed Violence (AOAV) estimates that at least 25,000 civilians were reported killed and injured from explosive weapon use in 2012.³

The worsening humanitarian situation in **Syria**, including the bombardment of Homs, Aleppo⁴ and other populated areas, led the President of the UN Security Council to call on the Syrian government to “*end the use of heavy weapons in population centres.*”⁵ A particular cause for concern has been the use in densely populated neighbourhoods of explosive weapons with wide area effects, such as multiple launch rockets, makeshift air-dropped bombs, high explosive artillery and mortar shells, and powerful improvised explosive devices (IEDs), as well as cluster munitions (which are prohibited outright under the 2008 Convention on Cluster Munitions).⁶

¹ Explosive weapons include improvised explosive devices (IEDs) as well as explosive ordnance such as mortars, rockets, artillery shells and aircraft bombs. These weapons use blast and fragmentation, and kill and injure people in the area around the point of detonation. When these weapons have been used in public places such as markets and residential areas, people that should be protected have often been severely affected, both directly, from the blast and fragment projection, and through damage to vital infrastructure such as to hospitals, housing and water and sanitation systems.

² Action on Armed Violence (AOAV), March 2012, “Monitoring explosive Violence: The EVMP dataset 2011”, http://www.aoav.org.uk/uploads/changing_policy/The%20Impact%20of%20Explosive%20Weapons/Reports/2012_03_monitoring_explosive_violence_the_evmp_dataset_2011.pdf

³ This figure is based on preliminary analysis by Action on Armed Violence (AOAV) Explosive Violence Monitoring Project, which records data on the global harm caused by explosive weapons as reported in English-language media sources. This data does not capture every incident or casualty of explosive violence. For more information on the Explosive Violence Monitoring Project (EVMP) see <http://www.aoav.org.uk>

⁴ Article 36, “The bombing of Aleppo: Heavy weapons and Civilian Protection”, 10 August 2012, <http://www.article36.org/cat1-explosive-weapons/bombardment-of-aleppo-heavy-weapons-and-civilian-protection/>

⁵ Statement by the President of the Security Council, 21 March 2012, S/PRST/2012/6

⁶ Action on Armed Violence (AOAV), December 2012, “Wide of the Mark: Syria and the use of explosive weapons with wide area effects http://www.aoav.org.uk/uploads/changing_policy/The Impact of Explosive Weapons/Reports/2012_12_Wide_of_the_Mark.pdf

Rocket fire into **Israel** and subsequent air strikes in **Gaza** in November 2012 reportedly killed over 100 civilians, and injured more than 900, including a high proportion of children.⁷ Elsewhere in 2012, explosive weapons killed thousands of civilians across Iraq, Pakistan, Afghanistan and Nigeria.

Stronger standards

An increasing number of actors are calling for greater restraint in the use of explosive weapons in populated areas:

- The 2012 **UN Secretary-General's** Report on the Protection of Civilians in Armed Conflict urged parties *"to refrain from using explosive weapons with a wide-area impact in densely populated areas"*.⁸
- The **UN Special Representative for Children and Armed Conflict** has noted the devastating impact the use of explosive weapons in populated areas has on civilians, and especially children, and called on states to refrain from using explosive weapons in populated areas in 2012 reports to the Human Rights Council and the General Assembly.⁹
- In 2011, the **International Committee of the Red Cross** stated that, *"due to the significant likelihood of indiscriminate effects and despite the absence of an express legal prohibition for specific types of weapons, the ICRC considers that explosive weapons with a wide impact area should be avoided in densely populated areas."*¹⁰
- Across a variety of fora, **more than twenty countries** have expressed concern about the impact of explosive weapons including: Australia, Austria, Azerbaijan, Belgium, Finland, Gabon, Germany, Japan, Liechtenstein, Luxembourg, Mexico, Nigeria, Norway, Slovenia, Switzerland, Togo, Tunisia, and the United States, as well as the EU and the Human Security Network.

The February 2013 Security Council Open Debate on Protection of Civilians in Armed Conflict presents an opportunity for states to express support for concrete steps that will curb the use of explosive weapons in populated areas and to provide stronger protection to civilians in the future.

About INEW

INEW is a network of NGOs founded by Action on Armed Violence, Handicap International, Human Rights Watch, IKV Pax Christi, Medact, Norwegian People's Aid, Oxfam International and Save the Children UK, that calls for immediate action to prevent human suffering from explosive weapons in populated areas. For more information see: www.inew.org

⁷ Palestinian Center for Human Rights, "Israeli offensive on Gaza stopped following 8 days of attacks", 22 November 2012, http://www.pchrgaza.org/portal/en/index.php?option=com_content&view=article&id=9044:israeli-offensive-on-gaza-stopped-following-8-days-of-attacks-&catid=36:pchrpressreleases&Itemid=194

⁸ United Nations Secretary-General Ban Ki-moon, "Report of the Secretary-General on the protection of civilians in armed conflict," UN Security Council, S/2012/376, 22 May 2012, http://reliefweb.int/sites/reliefweb.int/files/resources/Full_Report_4150.pdf

⁹ See UN Special Representative for Children and Armed Conflict Radhika Coomaraswamy, "Annual Report of the Special Representative of the Secretary-General for Children and Armed Conflict," Human Rights Council, 28 June 2012, http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session21/A-HRC-21-38_en.pdf and UN Special Representative for Children and Armed Conflict Leila Zerrougui, Report of the Special Representative of the Secretary-General for Children and Armed Conflict, UN General Assembly A/67/256, http://www.un.org/ga/search/view_doc.asp?symbol=A/67/256

¹⁰ International Committee of the Red Cross (ICRC), International Humanitarian Law and the challenges of contemporary armed conflicts, October 2011, 3IIC/11/5.1.2