



## **INEW Intervention on Operative Section 4**

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7 April 2022, Geneva

Thank you chair,

I speak on behalf of INEW.

I will now present our comments to section four. This section is a very important one, providing core humanitarian commitments such as victim assistance, and it addresses collection and sharing of data, as well as follow-up.

INEW was pleased to see many improvements from last time in the draft text we are discussing today. Particularly positive were the changes made to 4.4 on victim assistance.

Please allow me to give some more detail on our suggestions, starting with **4.2 Data collection:**

Data collection, matched with commitments to be transparent over data sharing, and to investigate credible allegations of civilian harm, can help to provide better protection to civilians and promote compliance with international law.

Data collection on the consequences of the use of explosive weapons, both the direct and reverberating effects is crucial for understanding and responding to civilian harm.

**Our suggested wording for 4.2 is:** "Collect, share and make publicly available disaggregated data, on the direct and reverberating effects on civilians and civilian objects involving the use of explosive weapons in populated areas."

Furthermore, INEW suggests an additional commitment after 4.2 on collecting and sharing data on use of explosive weapons, including types of munitions, locations and quantities used. Gathering this information is important for building understandings of impacts of explosive

weapon use. This includes the risks and effects of explosive ordnance. Such data would help mine action organizations do clearance, risk education and put scarce resources to where they are most needed.

**So our suggested wording for 4.2 bis is:** “Collect and record the location of areas targeted using explosive weapons, including the approximate number of explosive weapons used, the type and nature of explosive weapons used, and the general location of known and probable unexploded ordnance”.

Let me now turn to victim assistance and paragraph 4.4.

#### **4.4 – Victim Assistance**

As mentioned, the provision on victim assistance has been significantly improved. However, it could be further strengthened by laying out what victim assistance includes, so I will present what we want **to add to paragraph 4.4:** .

“Victim assistance includes ensuring basic needs are met, and safe and timely access to the provision of emergency medical care, physical rehabilitation, psychosocial support and socio-economic inclusion, as well as support towards the full realisation of the rights and full participation of victims in societies.”

We also suggest a short new paragraph under 4.4, on supporting **humanitarian relief and access**. We welcome the reference to rapid and unimpeded passage of humanitarian relief for civilians in need in the legal section. However, we are concerned that it only mentions “humanitarian passage” and not “humanitarian access”. Passage is usually understood as more constrained, and is less sustained, whereas “Humanitarian access” is a broader concept. We therefore would like to suggest the following **for an additional short paragraph:**

“Provide and facilitate safe, rapid and unimpeded access for principled humanitarian relief in line with international norms and standards for providing principled and inclusive humanitarian assistance.”

#### **Lastly, let me turn to 4.6 – follow-up**

This is an important commitment for an effective follow-on process.

The follow-up process should be inclusive, and the main purpose of meetings should be to review implementation.

The declaration should not suggest a few types of select activities which could be undertaken by certain actors which is unnecessarily limiting, but be broader. This sits awkwardly within the declaration text which should communicate actions at a higher level, and meetings under the declaration should provide the agenda for work and broader framework of activities to be carried out under this declaration.

**Suggested wording on 4.6:** “Meet on a regular basis with states, the United Nations, the ICRC, and other international and civil society organisations to review the implementation of this Declaration and identify any relevant additional measures that may need to be taken to improve compliance with International Humanitarian Law and strengthen the protection of civilians and civilian objects with regard to armed conflict involving the use of explosive weapons in populated areas.

Point 4.7: the additional text in the current draft is welcome and promotes effective implementation of the political declaration.

**To summarize, the declaration text should:**

- 1) Commit states to tracking civilian harm in military operations and strengthen the commitment on gathering and sharing data on civilian harm and the use of explosive weapons.
- 2) Maintain a robust commitment to assist victims of explosive weapons.
- 3) The text should commit states to ensuring unimpeded “access” to humanitarian aid.
- 4) The implementation should be driven by holding regular, open and inclusive meetings.