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Support for the Political Declaration on Strengthening the Protection of Civilians from the use of Explosive Weapons in Populated Areas

UN GENERAL ASSEMBLY'S FIRST COMMITTEE OCTOBER 2022

KEY MESSAGES

- ✘ The newly-agreed Political Declaration is a milestone achievement. It is the first formal international recognition that the use of explosive weapons in populated areas has severe humanitarian consequences and that this must be addressed urgently.
- ✘ Action is urgently needed to address the humanitarian problems that arise from bombing and shelling in towns, cities and other populated areas, and the declaration provides a framework for action.
- ✘ At the UN General Assembly's First Committee, states should welcome and publicly announce their state's intention to sign the *"Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas"*¹ and their intention to participate in the Dublin Conference on 18 November 2022.

BACKGROUND

The use of explosive weapons in populated areas is the leading cause of harm to civilians in armed conflict. For over a hundred years, explosive weapons have been used extensively in armed conflicts, including in populated areas, leading each year to tens of thousands of civilian casualties. Data shows that when explosive weapons are used in populated areas, 90 per cent of the victims are civilians.² They also suffer complex and life changing injuries and experience long-term psychological distress from the traumatic experience of living under bombing.

Beyond the risk of death and injury for civilians, the use of explosive weapons systems in populated areas destroys critical civilian infrastructure such as housing, hospitals, and schools, as well as power, water, and sanitation systems, which impacts the provision of essential services to the civilian population. Explo-

sive weapon attacks and the loss of housing and access to essential services, as well as leftover contamination from unexploded ordnance, prompts many civilians to flee or leave their homes.

The use of explosive weapons in populated areas is a persistent pattern of harm that has been documented across different contexts including in Gaza, Ethiopia, Iraq, Libya, Syria, Ukraine, Yemen, to name a few recent examples.

POLITICAL DECLARATION

The agreement of the "Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas" at a final consultation on 17 June 2022 marks a milestone achievement. It is the culmination of work undertaken by states, international organisations, and civil society groups in close partnership for well over a decade, including through a consultation process led by Ireland.

The political declaration is the first formal international recognition that the use of explosive weapons in populated areas has severe humanitarian consequences and that this must be addressed urgently. The declaration commits states to impose limits on the use of explosive weapons in populated areas and to assist victims and address the long-term impacts that stem from damage and destruction to civilian infrastructure.

The political declaration will soon be open for signature by states at a Signing Conference in Dublin, Ireland on 18 November 2022. By signing the political declaration, states will commit to take action to avoid or reduce harm to civilians in the years ahead, and to provide necessary and lifesaving assistance to victims of armed conflicts.

Implementing the declaration will require action in a number of key areas, including:

- ✘ Developing national policies to restrict or refrain from the use of certain explosive weapons in populated areas. Ending the use of explosive weapons with wide area effects in populated areas will be central to this work, because

such effects cannot be limited to a specific military objective (due to the size of the blast and fragmentation radius, inaccuracy of delivery, and/or use of multiple munitions across an area) and therefore expose civilians and civilian objects to unacceptable risks;

- ✗ Improving understanding of, and taking steps to limit, the impact of military operations on critical infrastructure, which disrupts the provision of vital services to the civilian population, giving rise to severe and long-lasting humanitarian impacts, also known as “reverberating” effects;
- ✗ Gathering and sharing data to better understand humanitarian impacts, including data on civilian casualties and damage to civilian infrastructure, and on the use of explosive weapons; and
- ✗ Providing assistance to victims, their families, and affected communities, and facilitating humanitarian access to civilian populations in need. This includes enhancing understanding of the multiple challenges of accessing and providing assistance in urban contexts when explosive weapons are being used.

The declaration also provides an important framework for future collaboration in addressing this issue, both between states as well as with the UN, International Committee of the Red Cross (ICRC), and civil society, building on the shared goal of reducing harm to civilians and ensure better protection to civilians from explosive weapons.

The declaration should be seen as a starting point—not an end point. A key area will be changing military practice away from the use of explosive weapons in populated areas. There is much more that needs to be done to strengthen the protection of civilians and building stronger standards and driving forward significant changes takes time. To start, states must sign the political declaration at the high-level international Dublin Conference on 18 November 2022.

RECOMMENDATIONS

During First Committee, delegations should:

- ✗ Welcome and publicly announce their state’s intention to sign the Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas and their intention to participate in the Dublin Conference on 18 November 2022;
- ✗ Encourage other states to sign the Political Declaration, both in Dublin and thereafter, to help to promote the adoption and implementation of the declaration by the greatest number of states possible;
- ✗ Acknowledge and call for action to address the severe harm to individuals and communities resulting from the use of explosive weapons in populated areas, both direct and indirect; and

- ✗ Endorse the policy recommendation to avoid the use of explosive weapons with wide area effects in populated areas, as called for by the UN Secretary-General and the International Committee of the Red Cross.

Beyond First Committee, states should:

- ✗ Stop using explosive weapons with wide area effects in populated areas;
- ✗ Develop policies to operationalise the declaration at the national level, which must bring about changes of practice in line with the declaration’s aim and commitments; and
- ✗ Cooperate with the ICRC, civil society, and affected communities on relevant data collection, humanitarian access, and provision of victim assistance.

ENDNOTES

1. The final text of the Political Declaration is available on Ireland’s Department of Foreign Affairs webpage: www.dfa.ie/ewipa

2. Action on Armed Violence (AOAV), Explosive Violence Monitoring Project, www.aov.org.uk