



**Statement for session 1 on military policy and practice on behalf of
International Network on Explosive Weapons (INEW)**

The first international follow-up conference to the adoption of the Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas (EWIPA Declaration)

Oslo, 23 April 2024

Delivered by Bonnie Docherty

Thank you, Chair.

I speak on behalf of the International Network on Explosive Weapons (INEW).

Over the past year, the bombing and shelling of cities and towns has had devastating humanitarian consequences. According to the *Explosive Weapons Monitor*, the number of civilian deaths and attacks on healthcare, education, and humanitarian aid due to the use of explosive weapons increased dramatically. Harm to civilians occurred in at least 75 countries and territories, including Myanmar, Palestine, Sudan, and Ukraine.

This data highlights the urgency of implementing the Political Declaration on Explosive Weapons. The Declaration commits endorsing states to adopt preventive and remedial measures to better protect civilians from the effects of explosive weapons in populated areas.

Paragraph 3.1 calls on states to review and improve existing policies and practices, adopt new ones where necessary, and implement all of them. This process implicates several principles that are applicable throughout the Declaration.

First, the process should advance the humanitarian goal of the Declaration. Second, the process should be ongoing. As additional data is acquired and technology evolves, policies and practices should be revisited and sharpened to best protect civilians. Third, the process should be transparent and collaborative to ensure militaries learn from each other and from other experts.

The Declaration also calls on endorsing states to adopt policies and practices in specific areas. Paragraph 3.3 commits states to “restrict[] or refrain[] as appropriate from the use of explosive weapons in populated areas.”

When explosive weapons have wide area effects, civilian harm is to be expected. An explosive weapon has a wide area effect if it has a large blast or fragmentation radius, is inaccurate, or delivers multiple munitions at once. Therefore, states should find it appropriate to *refrain from* the use of explosive weapons with wide area effects in populated areas.

Endorsing states should in turn *restrict* the use of other explosive weapons in populated areas. They should set limits on their use, based on such factors as an understanding of the weapon, the operational environment, and the presence of civilians and certain civilian objects (such as hospitals, schools, or cultural heritage sites) in the target area.

Paragraph 3.4 calls for military policies and practices that “take into account” foreseeable harm to civilians and civilian objects. Armed forces should evaluate direct and indirect effects, which the preamble makes clear are foreseeable. They should also consider cumulative effects.

The commitment to “take into account” should entail concrete steps to enhance civilian protection. Armed forces should estimate the risks of civilian harm before an attack and assess the humanitarian consequences afterwards.

Finally, states should disseminate their policies and practices. Paragraph 3.2 calls for armed forces to comprehensively train their troops on the application of the standards.

Paragraph 4.8 urges endorsing states to “actively promote” the Declaration and “seek adherence to its commitments,” even to those who have not joined the Declaration.

In conclusion, adopting and implementing policies and practices that advance the Declaration’s goal of protecting civilians can help the Declaration realize its humanitarian potential.

Thank you.