

IMPACT OF EXPLOSIVE WEAPONS IN POPULATED AREAS

Tens of thousands of civilians are killed and injured every year by explosive weapons, such as mortars, rockets, artillery shells, air-dropped and improvised explosive devices used by national armed forces and non-State armed groups. On 8 February 2013, Member States, United Nations experts and representatives of civil society gathered for a special event in New York to discuss the challenges posed by explosive weapons and to make policy recommendations on how to address the issue.

Explosive weapons function through blast and fragmentation and cause indiscriminate destruction around the point of detonation. While the use of explosive weapons against civilians is not a new phenomenon, the prominence of civilian casualties in contemporary conflicts is a reflection of the changing nature of conflict, in which we see the increased use of improvised explosive devices and new technologies, the conduct of hostilities increasingly in urban or densely populated areas, and a blurring of the distinction between civilians and combatants.

Civilian Casualties

According to the NGO Action on Armed Violence, at least 25,000 civilians were killed from explosive weapons in 2012, making up 84 per cent of all casualties from the use of explosive weapons. Children are disproportionately impacted by these weapons, both physically and psychologically. An analysis by the International Network on Explosive Weapons found that the proportion of women and children amongst the civilian victims of explosive weapons in Iraq between 2003 and 2011 was far greater than that from firearms or from direct assaults. A particularly disturbing trend is the use of children as suicide or victim bombers, where children are used as vehicles for explosive weapons, sometimes unbeknownst to them. In addition, children experience disproportionate psychological trauma and distress from the use of these weapons.

Long-term effects on civilians

Explosive weapons also have severe long-term consequences through the destruction of infrastructure, including water supply, sanitation, housing, schools and hospitals. They also leave behind explosive remnants of war which continue to pose a threat to civilians and which can also lead to significant socio-economic problems in the affected areas. Children also suffer particularly from this long-term legacy of explosive weapons. The Landmine and Cluster Munition Monitor found that in 2011, around 40 per cent of civilian casualties from landmines and unexploded ordnance were children. The human misery produced by explosive weapons far exceeds the immediate effects such as death and injuries. Displacement, loss of family members as well as the terror and sense of helplessness they inflict on people create immeasurable suffering not only to individuals, but to society as a whole.

Need for action

The Secretary-General has expressed grave concern about the humanitarian impact of explosive weapons, in his last three reports on the Protection of Civilians of [2009](#), [2010](#) and [2012](#). He has called for more systematic data collection and information sharing to deepen the understanding of the humanitarian impact of such weapons and to inform the development of policy and practice in the area. He has also recommended that parties to conflict refrain from the use of explosive weapons with wide area effect in populated areas. In her latest [report](#) to the General Assembly, the Special Representative for Children and Armed Conflict furthermore calls for greater acknowledgment of the severe consequences of explosive weapons for children and for immediate action to effectively protect children from such weapons.

AMISOM provides an example of measures to better protect civilians from explosive weapons through data collection, training on international humanitarian law and the revision of its rules of engagement. In 2011, the Indirect Fire Policy introduced a stricter policy on the use of mortar and artillery fire and the establishment of no-fire zones where civilians were located. It involves a four-step process, avoiding indirect fire, attributing responsibility to the originator, assisting the victims and alleviating their suffering in the long term. A Civilian Casualty Tracking, Analysis and Response Cell (CCTARC) will also be established to track and investigate incidents of harm to civilians, and provide appropriate compensation.

During the discussion, the following policy recommendations were shared by the panellists, for consideration by Member States, the United Nations and civil society.

Policy Recommendations

1. Strengthen normative frameworks

- a. A common understanding of the impact of explosive weapons should be developed, and clear and commonly understood definitions of terms such as 'wide spread' or 'wide area' and 'densely populated' should be agreed.

b. Concrete measures should be considered at the international level to acknowledge the impact of explosive weapons on civilians, and public commitments to strengthen civilian protection should be made in the form of political statements or declarations. The World Humanitarian Summit in 2015 could provide a useful benchmark for the achievement of progress in this area.

2. Collect and analyze disaggregated data

a. States, civil society and UN actors should collect disaggregated data on victims, including by sex and age, and the damage caused to enable the accurate assessment of the impact of explosive weapons. This would constitute a key step towards the formulation of action to mitigate their impact.

b. States should consider making information available to the public on measures taken to track and address the issue.

3. States should ensure compliance with IHL and develop stronger standards to strengthen protection of civilians in military operations

a. As a first step, States should ensure that their policies and rules of engagement of their security forces comply with International Humanitarian Law (IHL), particularly the principles of distinction, proportionality and precaution, and strongly encourage the use of direct rather than indirect fire.

b. States should also ensure that military personnel are aware of the obligations arising from IHL, and that they are sensitized to the particular vulnerability and protection needs of children.

c. States should work towards stronger standards that will better protect civilians from the use of explosive weapons with wide area effects in populated areas.

4. Accountability

a. States should ensure that those using explosive weapons in contravention of international humanitarian law are held accountable for their actions.

Panellists: H.E. Mr. Geir O. Pedersen (Permanent Representative of the Mission of Norway to the UN); Major-General Simon Karanja (Deputy Force Commander of AMISOM); Hansjoerg Strohmeyer (Chief of the Policy Development and Studies Branch of OCHA); Naomi Miyashita (Programme Officer OSRSG-CAAC); Richard Moyes (Coordinator of the International Network on Explosive Weapons [INEW]); Annemiek Verduin (UNMAS Policy Analyst). Susan Bissell (UNICEF Chief of Child Protection) moderated the event.