Statement by the International Network on Explosive Weapons
UNGA First Committee, October 2014

We associate the bombing and bombardment of towns and cities with the inhumanity of carpet-bombing in World War II and in Southeast Asia during the Vietnam War.

Such practices are no longer tolerated. The international rules put in place after those wars were a direct response to the death and destruction wrought on civilians and their communities. Few people would want to see a return to this type of bombing and bombardment as a legitimate military tactic.

Yet in many conflicts around the world, the use of explosive weapons in populated areas remains the main cause of death and injury to civilians. It is explosive weapons that destroy houses, hospitals and schools, places of worship and places of commerce, and the electricity and water networks upon which civilians depend.

We have seen the same predictable pattern of unacceptable harm this year in Syria, Gaza, Ukraine, South Sudan and Iraq. We have seen it in past conflicts in Lebanon, Somalia, Sri Lanka and many others. When armed actors use explosive weapons designed to cover large areas with deadly blast and fragmentation in populated towns and cities, civilians make up the vast majority of the people killed and injured. As Afghanistan noted during its general debate statement, the use of “high explosive weapons systems with wide area effects” in populated areas has caused a “dramatic increase in civilian casualties.”

Many states have recognised that stopping this pattern from being repeated again and again is a central challenge for the protection of civilians. Governments, the ICRC, and the UN Secretary-General have all called for states to avoid the use in populated areas of explosive weapons with wide area effects. Austria has called on the international community to “step up its efforts” and explore ways to protect civilians from the use of explosive weapons in populated areas.

The International Network on Explosive Weapons, a network of NGOs with experience of the harm caused by conflict, calls on states to start work towards an international commitment to prevent the use in populated areas of explosive weapons that have wide area effects.

As words on paper, such commitments cannot change the behaviour of warring parties overnight. But international commitments can and do shape perceptions of what is acceptable and unacceptable in conflict. History shows us that over time these perceptions do constrain how armed groups act.

We have seen examples of armed forces constraining their own practice in relation to explosive weapons in populated areas. In Afghanistan ISAF curtailed airstrikes due to concerns over civilian casualties from bombing in populated areas. In Somalia, civilian casualties prompted AMISOM to move away from the use of ‘indirect fire’ – essentially shelling – in response to mortar attacks by militants. Practice in this area can and does change, even in challenging combat theatres.

The UN Secretary-General recently sent a note verbale to all states asking them to provide information on their policies and practices related to the use of explosive weapons in populated areas. We urge states to provide meaningful responses to this request. Your responses will be the basis for a partnership of states, international organisations, and civil society to develop a clear standard rejecting the shelling, bombing and bombardment of towns and cities.

For people living in cities, towns and villages that are subject to bombing and bombardment with heavy explosive weapons the fear and the physical impact are intolerable. By committing to prevent such use of explosive weapons with wide area effects, governments can take a concrete step to protect such people in the future. Governments should start work on such an international commitment without delay.