Explosive weapons in populated areas
International Network on Explosive Weapons

Background

Civilian harm from the use of explosive weapons in populated areas (EWIPA) has been highlighted as a major humanitarian priority following the increase in recent years of conflicts taking place in urban settings resulting in high levels of civilian casualties. Data shows that when explosive weapons are used in populated areas, approximately 91 per cent of those reported killed and injured are civilians.

In 2017, over 42,000 civilians were recorded killed or injured by explosive weapons, with Syria, Iraq, Afghanistan, Pakistan, and Yemen having the highest numbers of civilian deaths and injuries, and with incidents of explosive violence occurring in 59 countries.¹

Beyond those killed and injured, an even greater number of civilians are affected as a result of damage to essential infrastructure and services. The bombing and bombardment of towns and cities destroys homes, leaving people without shelter. Hospital buildings are damaged, which hampers the provision and quality of medical care to civilian populations and makes it difficult to manage treatable injuries and diseases.² Damage to sanitation systems creates additional problems around maintaining basic levels of hygiene.³ The destruction of commercial buildings and transport infrastructure impedes access to, and availability of, vital provisions including food.⁴ Humanitarian access can be hampered, or stopped entirely.⁵ Damage to electricity, energy, and power further compound such problems, and in some instances prevents the civilian population from fleeing the area, constituting a main cause of forced displacement.⁶

While there is a pattern of harm associated with explosive weapons in populated areas in general, the risk to civilians is most severe when the weapons have wide area effects. Wide area effects may result where an individual weapon has a large blast or fragmentation radius (e.g. heavy aircraft bombs), where multiple explosive munitions are launched at an area (e.g. multi-barrel rocket systems), where a weapon is not delivered accurately to the target (e.g. indirect fire mortars), or a combination of these factors.

Current context

The UN Secretary-General has called on states to engage constructively in efforts to develop a political declaration to address the harm caused by EWIPA.⁷ Discussions towards developing an international political instrument to address this humanitarian problem are on going, and already 90 states have spoken out on the issue of EWIPA.⁸ A political declaration would build on the basis provided by existing international law, and provide practical commitments to provide better protection to civilians from the impact of explosive weapons on civilians. A commitment to avoid the use of explosive weapons with wide area effects in populated areas should be central to a declaration and would provide the best
practical mechanism for reducing civilian harm. A clear collective commitment on this vital humanitarian question is urgently needed.

**Recommendations**

**During First Committee, delegations should:**

- Acknowledge that the use of explosive weapons in populated areas frequently causes severe harm to individuals and communities and furthers suffering by damaging vital infrastructure;
- Endorse the UN Secretary-General’s and International Committee of the Red Cross’ recommendation that states should avoid the use of explosive weapons with wide area effects in populated areas; and
- Indicate support for the development of an international political instrument on explosive weapons to protect civilians.

**Beyond First Committee, states should:**

- Review and make available national policies and practices related to the use of explosive weapons in populated areas, and make changes that will strengthen the protection of civilians;
- Support and make publicly available data-gathering on the use and impact of explosive weapons in populated areas, including age-, sex- and disability-disaggregated recording of casualties, and information on disabilities amongst survivors; and
- Recognise the rights of survivors, families of those killed or injured, and affected communities and respond to their short- and long-term needs.

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8 See http://www.inew.org/acknowledgements.
9 The UN Secretary General has repeatedly called on all state and non-state parties since 2009 to “avoid the use of explosive weapons with wide-area effects in populated areas,” including most recently in the Report of the Secretary-General on the protection of civilians in armed conflict (S/2017/414). Since 2011, the International Committee of the Red Cross has stated that “due to the significant likelihood of indiscriminate effects and despite the absence of an express legal prohibition for specific types of weapons, the ICRC considers that explosive weapons with a wide impact area should be avoided in densely populated areas.” See http://bit.ly/2uLSsJm.