Remarks on Section 1 of the draft elements
for a political declaration on the use of explosive weapons in populated areas
Women’s International League for Peace and Freedom
10 February 2020

Thank you, Chairperson, for the opportunity to make some recommendations on the draft declaration elements. As a member of the International Network on Explosive Weapons, WILPF aligns with the statement from INEW about our overall comments on the draft elements. We also have some specific suggestions to make, with a view to ensuring that the declaration establishes a clear and unequivocal policy commitment against the use of explosive weapons with wide area effects in populated areas.

In response to a few remarks that have been made so far in the room today, we’d also like to add that while IHL provides the framework for preventing the use of EWIPA, violations of these rules and norms show that this declaration is needed as a standard-setting exercise. Otherwise, we are not adding value. Also, we agree with Austria and others that this declaration needs to focus on the use of EWIPA as a particular problem of the urbanisation of warfare, as it causes incredible, long-term devastation to civilians. Further, this problem is not just about non-state armed groups but all parties to conflict. States are often among the worst offenders when it comes to bombing towns and cities. The violation of IHL by some parties to conflict does not justify violations by others.

We agree with many of the comments raised by civil society colleagues and governments in this section and would like to add the following:

We suggest that section 1.4 reflect the joint appeal from the UN and ICRC in September 2019, to “call on all parties to armed conflicts to employ strategies and tactics that take combat outside populated areas to try to reduce urban fighting altogether, and to urge parties to allow civilians to leave besieged areas.”

1.4 should also include a call for the collection of data on the type and effects of weapon(s) used, in order to better track which weapon systems are causing harm and to develop better understandings of the impacts of particular weapons.

From 1.5, the word “ongoing” should be removed, as it normalises the idea that the use of explosive weapons in populated areas will continue.

In 1.6, the declaration should already also acknowledge or recognise that gendered impacts do exist. It should drop the word “potential” in terms of future research.

Furthermore, rather than committing to “empower and amplify” the voices of those affected, the declaration could say “amplify, integrate, and respect,” or other terms that suggest such perspectives will be taken on board as credible interventions for policy making and not simply listened to in a tokenistic way.
In 1.7, the expression of concern about “erosion in respect for international humanitarian law” arguably feeds into such erosion. The declaration could take a more proactive stance on this issue, such as by saying, “We seek to underline and enhance respect for international humanitarian law and condemn any violations of IHL or actions that undermine IHL.”

Given increasing global concerns with environmental degradation, Section 1 could also recognise the environmental impacts of the use of EWIPA, including the long-term harm to human health posed by toxic remnants of war introduced or released into the environment by explosions, including hazardous chemicals, heavy metals, and fuel hydrocarbons. It could also recognise that the use of explosive weapons in populated areas undermines the Sustainable Development Goals.