EWIPAs and armed non state actors.

1 October 2019, Vienna Conference
Explosive weapons & IHL

**Distinction**
- Distinguish between civilian and military targets at all times
- Direct attack against civilians - prohibited

**Proportionality**
- Military advantage derived from the attack shall always be higher than the collateral civilian damage

**Precautions**
- Duty to take all feasible precautions to minimise civilian loss
- **Choice of means and methods of warfare, inter alia**

**Means**
- The use of weapons or ammunition that cause unnecessary suffering is unlawful.
- Lawful weapons can not be used indiscriminately
EWIPAs & ANSAs

• Challenges:
  • Increased presence of ANSAs in cities; also a problem for states to fight them in accordance with IHL;
  • Increased number of NIACs;
  • No knowledged of international obligations
    • no knowledge of how to do *proportionality assessments*;
    • Distinction between *enemies and civilians*, difficulties to do identify the enemy;
    • **Precautions** : no experience in planning the types of precautionary measures to be taken before the attack;
    • **Access to arms** : ANSAs use improvised explosive devises for they are cheap and easy to get. Little view on the long term consequences.
    • Problematic of *Improvised Explosive Devices*
ANSAs and EWIPA: Geneva Call’s 6 point message.

- Don’t use explosives that are designed to cause wide area effects in populated areas.
- Know the accuracy and destructive radius of the explosive weapons you use in order to avoid civilian harm.
- Assess the potential short and long term effects your attack will cause for civilians.
- Have rigorous targeting procedures.
- Assist and facilitate care to victims of explosive weapons.
- Learn from your experiences and take corrective measures to avoid future civilian harm.
Types of improvised explosive devices (IEDs)
Type of manufacture

Commercially Manufactured vs Improvised

Improvised
An explosive device, constructed using non-commercial methods, usually in a domestic setting; or a device using ammunition that has been modified to allow it to be initiated in a non-standard way and for a purpose not envisaged by the original equipment manufacturer.
ANSAs found to have used EW in 2018

<table>
<thead>
<tr>
<th>Africa</th>
<th>Asia</th>
<th>Middle East</th>
<th>Americas</th>
<th>Europe</th>
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</thead>
<tbody>
<tr>
<td>• Al Qaeda affiliates: Jama’at Nasr al-Islam wal Muslimin/Group to</td>
<td>• Abu Sayyaf (Philippines)</td>
<td>• Afrin Falcons (Syria)</td>
<td>• ELN (Colombia)</td>
<td>• Anarchist group (Greece)</td>
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<td>Support Islam and Muslims (Mali)</td>
<td>• Baloch Liberation Army (Pakistan)</td>
<td>• Ansar al-Furqan (Iran)</td>
<td>• Former FARC rebels (Ecuador)</td>
<td>• ISIS (Russia)</td>
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<td>• Al Shabaab (Kenya and Somalia)</td>
<td>• BIFF (Philippines)</td>
<td>• Ansar al-Tawhid (Syria)</td>
<td>• Gulf Clan (Colombia)</td>
<td>• Local Mafia group (Italy)</td>
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<td>• AQIM (Tunisia)</td>
<td>• CPI (naxals) (India)</td>
<td>• Hamas (Israel), Hayyaat Tahrir al-Sham (Syria)</td>
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<td>• Ukrainian separatists (Ukraine)</td>
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<td>• Boko Haram (Cameroon, Niger and Nigeria)</td>
<td>• ISIS (Afghanistan, Indonesia, Pakistan)</td>
<td>• Hezbollah (Lebanon)</td>
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<td>• White supremacist group (USA)</td>
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<td>• ISIS (Egypt, Libya, Mali)</td>
<td>• Jaish-e-Mohammad (India)</td>
<td>• Houthi rebels (Saudi Arabia and Yemen)</td>
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<td>• Libya (East) (Libya)</td>
<td>• Lashkar-e-Taiba (India)</td>
<td>• ISIS (Iraq, Syria and Yemen)</td>
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<td>• Pro-governemnt militias (Sudan)</td>
<td>• NPA (Philippines)</td>
<td>• Kurdish gangs (Iraq)</td>
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<td>• NSCN-K (India)</td>
<td>• PKK (Iraq and Turkey)</td>
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<td>• Pakistan Taliban (Pakistan)</td>
<td>• Popular Mobilisation Units (Syria)</td>
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<td>• People’s Liberation Army (India)</td>
<td>• SDF (Syria)</td>
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<td>• Pro-government militia (Afghanistan)</td>
<td>• Syrian rebels (Syria)</td>
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<td></td>
<td>• Taliban (Afghanistan)</td>
<td>• YPG (Syria and Turkey)</td>
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<td></td>
<td>• Tehreek-ul-Mujahideen (India)</td>
<td>• There were also various other actors identified only as gang</td>
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<td>• United Liberation Front of Assam Independent (India)</td>
<td>rebels or separatists and those that staged the Turkish coup.</td>
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<td>• United National Liberation Front (India)</td>
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The Victim-Activated Anti-Personnel Mine Ban

For State signatories to the **Ottawa Convention** (APMBC) and ANSA signatories to the Geneva Call’s **Deed of Commitment**:

- Ban on the use, development, production, acquisition, retention and transfer of anti-personnel mines is banned
- Mine action
  - Stockpile destruction
  - Mine Clearance (including marking and mapping)
  - Mine Risk Education
  - Victim Assistance
  - Advocacy
Ammunition Safety Management

Dual Challenge

- Diversion of ammunition from stockpiles
  - security dimension
  - proliferation, protracted conflict, IEDs, safety repercussions
- Unintended ammunition explosions
  - safety dimension
  - humanitarian, socio-economic and financial impact
  - reduced defence capability, unsafe ammunition risk to own troops