The Conference heard widespread expressions of support for an open and transparent process to facilitate the elaboration of a political declaration to address the humanitarian impact of the use of explosive weapons in populated areas.

The purpose of this paper is to identify possible thematic elements for consideration in a future political declaration addressing the humanitarian impact of the use of explosive weapons in populated areas. The following issues of concern were identified during discussions. This list of issues is not exhaustive but aims to reflect views expressed during the Vienna Conference. It may be helpful in forming the outlines of possible future work.

Participants in the Vienna Conference expressed general support for working towards a political declaration that recognises the humanitarian impact of the use of explosive weapons in populated areas and articulates shared principles, and sets out a range of commitments and practical measures to address that humanitarian impact and enhance compliance with existing IHL. It was noted that rather than being an end in itself, a political declaration would be a useful mechanism to advance the protection of civilians.

**Issue: The increased urbanisation of warfare and the changing nature of conflict**
- increased urbanisation in general reflected in patterns of armed conflict
- high likelihood of civilian harm and destruction of civilian objects when explosive weapons with wide area effect are used in populated areas.

**Issue: The impacts, including direct, indirect and reverberating effects, of the use of explosive weapons in populated areas**
- full range of direct impacts from the use of explosive weapons in populated areas such as immediate civilian casualties (death and injury including long-term physical impairment and psychological harm), damage or destruction of civilian infrastructure (including housing, schools and hospitals).
- full range of indirect impacts on civilians from the use of explosive weapons in populated areas such as disruption of essential services, including water and sanitation, energy, as well as to healthcare, education and livelihoods. Indirect impacts also include the threat of explosive remnants of war, displacement and preventing returns, and affecting humanitarian access and impeding socioeconomic development.
- issue of victim assistance.

**Issue: The factors that increase the risks to civilians caused by the use of explosive weapons in populated areas.**

- factors that increase the risk of civilian harm from explosive weapons in urban warfare
- issues including but not limited to weaknesses in targeting processes, including limitations in collateral damage estimation and battle damage assessments; the wide area effects of weapons; lack of relevant training and expertise; weapon-target matching; real-time information shortages about the nature of the target and its surroundings.

**Issue: The role of non-state actors as a complicating factor**

- concerns about the use of explosive weapons by non-State actors and violations of IHL
- exploitation by non-state actors of proximity to civilians and critical infrastructure in urban areas for their own ends

**Issue: Enhancing compliance with international humanitarian law**

- existing IHL obligations providing a sufficient framework to address the problem of operating in urban areas and should be fully implemented
- address deliberate violations of IHL
- focus on better understanding, implementation and enhancing compliance with existing obligations
- obligation to take all feasible precautions in attack with a view to avoiding and in any event to minimizing, incidental loss of civilian life, injuries to civilians and damage to civilian objects.
- IHL obligation to provide civilians with general protection against dangers arising from military operations

**Issue: National polices, doctrines, rules of engagement and other practical measures to improve the protection of civilians from the use of explosive weapons in populated areas**

- applying, reviewing, and where needed, developing or improving national practice, policy, doctrine and rules of engagement
- sharing good policy and practices, as well as lessons learned, in the use of explosive weapons in populated areas and urban warfare more generally to enhance the protection of civilians and to improve compliance with IHL
- enhanced training for, and reflection within, militaries on urban warfare and protection of civilians in populated areas

**Issue: The need for better data collection, quality, accuracy and disaggregation.**

- existing data on the use of explosive weapons in populated areas likely to underestimate direct and indirect impacts
- difficulties and challenges associated with accurate and systematic data collection
- need for improved data, including disaggregated data.

**Issue: Follow up and review**

- need for appropriate follow-up and review