

What are explosive weapons with a wide area effect?

Explosive weapons refer to conventional weapons that are activated by the detonation of a highly explosive substance creating a blast and fragmentation effect, such as aircraft bombs, artillery shells, mortars, missile and rocket warheads, grenades or improvised explosive devices (IEDs).⁽¹⁾ These weapons kill and injure people and damage buildings and other infrastructure in the area where they explode.

The use of explosive weapons is particularly devastating for civilian population in a populated area when they have “**a wide area effect**”: because they have a large destructive radius, i.e. large fragmentation or blast range (ex. large bombs, high-powered missiles); because they spread multiple munitions over a wide area (ex. multiple-launch rocket systems); or because of the lack of precision of their launcher system (ex. unguided indirect fire weapons, including artillery and mortars).

A heavy toll on civilians



Syria/ Kobani © Ph. Houliat / Humanity & Inclusion

The use of explosive weapons in populated areas, in particular those with a wide area effect, constitutes a serious threat for the civilian population, both in the short and the long term.

Direct impact on people - Explosive weapons often create deadly injuries or permanent impairments. According to a study conducted by Handicap International on Syrian refugees and internally displaced persons in Syria between 2012 and 2013,⁽³⁾ 60% of the interviewees with new injuries due to the crisis had been injured by explosive weapons, of which:

- 60% suffered from fractures,
- 25% had undergone an amputation,
- 7% suffered from spinal cord injuries.

Frequently, those who lived through bombardments also experience severe psychological trauma. Furthermore the use of explosive weapons in populated areas often forces

the population to flee affected areas, making them even more vulnerable during times of conflict.

Reverberating effects on civilian infrastructures - The use of explosive weapons in populated areas causes the destruction not only of people's homes but also of essential infrastructure: hospitals, schools, water and sanitation systems, power plants, etc. In the face of destruction, coupled with a lack of access to basic services, civilians are often forced to leave their home communities for long periods of time. The delivery of humanitarian aid is complicated due to the destruction of roads, rendering them inaccessible and beyond compromising access to basic services, prohibiting access to food. Thus, beyond the people and the areas directly affected by bombing and shelling, this is the whole system of an area or a country which can be affected.

An obstacle to recovery after the conflict - Unexploded munitions represent a sustainable danger for the civilian population, often preventing them to returning home after the conflict. Moreover, the destruction of homes and other infrastructures prevent them to return to a normal life; basic services such as hospitals, schools, food production or power systems being inaccessible.

KEY FACTS⁽²⁾

Between 2011 and 2015 , nearly 188,325 persons were reported dead or injured globally due to the use of explosive weapons.

- 77% of those casualties were civilians.
- When explosive weapons were used in populated areas, more than 90% of the identified victims were civilians.
- Casualties have been identified in 110 different countries and territories. The most affected ones are Iraq (41.018 civilian victims), Syria (31.290), Pakistan (14.360), Afghanistan (10.712) and Yemen (8415).

A political commitment to protect civilians

International humanitarian law (IHL) sets out legal standards of behaviour for parties to armed conflict which must be applied even in the most desperate circumstances. Under IHL, direct attacks on civilians and civilian objects are prohibited, indiscriminate and disproportionate attacks are prohibited, and parties to an armed conflict are required to take feasible precautions in attack in order to avoid, and in any event, minimize civilian harm.

There are, however, limitations to the extent to which IHL can provide sufficient protection to civilians from the use of explosive weapons in populated areas. IHL guides states towards preventing direct death and injury to civilians in specific attacks, but it does not address the long-term, and indirect effects that the use of explosive weapons in populations has on the civilian population, including from the impact to buildings, infrastructure and services, which is both foreseeable and a cause of widespread harm to civilians. Therefore state must adopt policies and specify the rules regarding the use of these weapons in populated areas, with the sole objective to respect their commitments to protect civilians.

Humanity & Inclusion believes that stopping the use of wide area explosive weapons in populated areas is the most practical policy approach for reducing harm, and also for reducing the incidence of indiscriminate attacks. In this light, Humanity & Inclusion supports the global work towards the development of political declaration that will promote actions to reduce humanitarian harm from the use of explosive weapons in populated areas, and increase the protection of civilians living through conflict.

- **78 States and 4 territories, 4 groups of States, the UN Secretary-General together with several UN agencies, the International Committee of the Red Cross (ICRC) and the European Union** officially acknowledged that the use of explosive weapons with a wide effect in populated areas poses a specific humanitarian problem.
- Among these countries, 65 urged to take action against this threat, including by supporting the call of UN Secretary-General on the elaboration of a political declaration on this topic.
- During the Maputo regional conference, held from 27-28 November 2017, representatives of 19 African States acknowledged the urgent need for further actions to address this issue, such as, inter alia, "fully support the process that will lead to the negotiation and adoption of an international political declaration on the use of explosive weapons in populated areas".
- The International Network on Explosive Weapons (INEW), co-founded in 2011 by Handicap International, gathers 37 international NGOs calling for concrete actions to prevent the human suffering caused by the use of explosive weapons in populated areas.

The international community is widely mobilized

- **Ban Ki-Moon, Former United Nations Secretary General :**

"That carnage of innocent people must not continue...We must all work to achieve solid political commitments to refrain from using explosive weapons in populated areas, in accordance with international humanitarian law, which is now so often neglected".

- **International Committee of the Red Cross**

"The use of explosive weapons in populated areas is one example that raises serious concern in terms of compliance, especially in urban environments. These weapons are prone to indiscriminate effects, with often devastating consequences for civilians. Many civilians are killed or injured by such weapons".

Recommendations

Humanity & Inclusion calls States to :

- **Acknowledge that the use of explosive weapons in populated areas causes severe harm to individuals and communities and furthers suffering by damaging vital infrastructure.**
- **Condemn the use of use of explosive weapons in populated areas.**
- **Endorse the UN Secretary-General's and ICRC's recommendation that states should avoid the use of explosive weapons with wide area effects in populated areas.**
- **Review their policy and national practices regarding the use of explosive weapons in populated areas and share their good practices .**
- **Support for the development of an international political instrument on explosive weapons to reduce harm from the use of explosive weapons by stopping the use of explosive weapons with wide area effects in populated areas, and by providing a framework for assistance to victims including affected communities.**

Further reading

INEW, "Explosive Weapons and the Protection of Civilians", January 2015 | Human Rights Watch, "Deadly Cargo: Explosive weapons in populated areas", January 2015 | ICRC, "Report of the Experts Meeting: Use of Explosive Weapons in Populated Areas, Consideration of the issue from a humanitarian, legal, technical and military perspective", February 2015 | ICRC, "Enhancing civilian protection from use of explosive weapons in populated areas: building a policy and research agenda", September 2011 | Humanity & Inclusion, "Syria, a mutilated future: a focus on the persons injured by explosive weapons", 2016, "Kobani: a city of rubble and unexploded devices", 2015.

References ⁽¹⁾ Afghanistan, **Angola**, Argentina, **Australia**, **Austria**, **Azerbaijan**, **Bangladesh**, **Belgium**, **Benin**, **Botswana**, **Brazil**, **Bulgaria**, **Canada**, **Chile**, **Costa Rica**, **Croatia**, **Cyprus**, **Czech Republic**, **Denmark**, **Estonia**, **Finland**, **France**, **Gabon**, **Germany**, **Greece**, **Guatemala**, **Holy See**, **Hungary**, **Iceland**, **Indonesia**, **Ireland**, **Italy**, **Japan**, **Jordan**, **Kazakhstan**, **Latvia**, **Liechtenstein**, **Lithuania**, **Luxembourg**, **Madagascar**, **Malaysia**, **Mali**, **Malta**, **Mexico**, **Monaco**, **Montenegro**, **Mozambique**, **Netherlands**, **New Zealand**, **Nigeria**, **Norway**, **State of Palestine**, **Panama**, **Paraguay**, **Poland**, **Portugal**, **Qatar**, **Republic of Korea**, **Republic of Moldova**, **Romania**, **San Marino**, **Slovakia**, **Slovenia**, **Somalia**, **South Africa**, **Spain**, **Sri Lanka**, **Sweden**, **Switzerland**, **Thailand**, **Togo**, **Tunisia**, **Turkey**, **Ukraine**, **United Kingdom**, **United States**, **Uruguay**, **Zambia**. (as of November 2017).⁽²⁾ The European Union, the Human Security Network, the Nordic Group and the Organisation of Islamic Cooperation ⁽³⁾ States in bold in the list (as of November 2017).