

Explosive Weapons in Populated Areas (EWIPA)

HI is calling on all states to support the development of a strong political declaration to end the harm caused by the use of explosive weapons with wide area effects in populated areas. Explosive weapons cause immediate deaths, injuries, and destruction but also are responsible for significant reverberating damage beyond the area of the original explosion. Globally in conflict, 90% of casualties from explosive weapons used in populated areas are civilians.

Wide Area Effects

Explosive weapons are a category of weapons that project an explosive blast, heat, and fragmentation around a point of detonation.⁽¹⁾ These include aircraft bombs, artillery shells, mortars, missiles and rocket warheads, as well as Improvised Explosive Devices (IEDs). These weapons are most often launched in attacks from airplanes, helicopters, and drones but may also be launched from ground-based vehicles or by hand.⁽²⁾

These weapons are devastating because of their wide area effects, which include:

- A large radius blasts and a fragmentation effect that impacts areas far beyond the intended target;
- Inaccurate delivery of the weapons often due to the nature of airborne delivery from heights far above the intended target;
- The practice of firing multiple munitions at once to compensate for inaccuracy, multiplying the destructive impact of these weapons.

These characteristics of wide area effects mean that **explosive weapons are by their nature inaccurate**. When used in populated areas, there is no way to control the effect these weapons have on civilians and the surrounding infrastructure.

Because of these wide area effects, when explosive weapons are used in civilian areas and cities, they contravene the basic principles of international humanitarian law dictating that **attacks must not disproportionately impact civilians**.⁽³⁾

EWIPA in Yemen

Yemen is among the countries most affected by the wide area effects of explosive weapons. Evidence shows that explosive weapons are used extensively in populated areas with significant impact on civilians.

- Explosive weapons used in populated areas including towns, cities, and villages are considered the **top cause of**

Explosive Weapons Use in Yemen		
From open source data collected by the Yemen Protection Cluster		
	Incidents	Civilian Casualties
Airstrikes	1,625	4,179
Shelling	2,331	2,680
Improvised Explosive Devices (IEDs)	121	320
Unexploded Ordnance (UXOs)	59	152

Source: Civilian Impact Monitoring Project (CIMP), a service of the Protection Cluster in Yemen. Data from 1 December 2017 until 31 January 2020.

civilian casualties from conflict incidents in Yemen.

- **More than 50%** of civilian casualties in Yemen verified by United Nations High Commissioner for Human Rights during their first report on Yemen came from incidents that occurred in **peoples' homes**, at **marketplaces**, or while **using cars and buses**.⁽⁴⁾

Bombing cities has consequences that go beyond human lives. When used in populated areas, explosive weapons with wide area effects destroy civilians' homes and **essential infrastructure** including roads, sanitation systems, schools, and health facilities. Farms, markets, businesses and the freedom of movement necessary for **livelihoods are also destroyed**. The destruction of homes, disruption to livelihoods, and damages to critical infrastructure also cause **mass displacement** and situations where civilians are **internally displaced** and unable to return to destroyed cities.

In a context such as Yemen, where **24.4 million people** (80% of Yemen's population) **require humanitarian support**, the reverberating damages of explosive weapons on infrastructure and civilian homes directly undermine the population's ability to survive.⁽⁵⁾

Impact of EWIPA and conflict in Yemen

There is no single monitor of EWIPA use in Yemen. However of the 40,000 conflict related incidents recorded in Yemen,⁽⁶⁾ notable forms of EWIPA including airstrikes and shelling are among the most extensively documented. Collectively, the toll of conflict including forms of EWIPA has caused the following casualties and destruction in Yemen.

- **Civilian Casualties:** At the height of the conflict, there were as many as **100 civilian casualties per week**. **One-quarter** of all civilian casualties are **children**.⁽⁷⁾
- **Civilian Buildings:** As many as **600 civilian structures** can be damaged or destroyed per month in Yemen.⁽⁸⁾
- **Health Systems:** Only 51% of Yemen's health facilities are fully functional.⁽⁹⁾ Collateral damage from the conflict

1. AOAV. "Explosive Violence Monitor." Action on Armed Violence. 2018. 2

2. AOAV. "Wide-Area Impact: Investigating the wide-area effect of explosive weapons." Action on Armed Violence. 2016.

3. IHL - Through the principles of proportionality, distinction and precaution, parties to the conflict are obliged to limit the loss of civilian life, injury to civilians and damage to civilian objects as far as possible.

4, 5 & 9. OCHA. Yemen Humanitarian Needs Overview. 2019. 7-4

6. ACLED. "Press Release: Over 100,000 Reported Killed In Yemen War." 31 October 2019.

7. Civilian Impact Monitoring Project. "CIMP Quarterly Report Q3: July - September 2019." October 2019.

8. CIMP. "Annual Report." 2018.

Towards An International Political Declaration on Explosive Weapons

Humanity & Inclusion believes that stopping the use of wide area explosive weapons in populated areas is the most practical approach for reducing the humanitarian harm caused by explosive weapons. To that end, Humanity & Inclusion supports the global work towards the development of political declaration against the use of explosive weapons in populated areas.

In September 2019, the Secretary-General of the United Nations, António Guterres, and the President of the International Committee of the Red Cross, Peter Maurer, made a joint appeal to end the use of explosive weapons in cities. To date, 109

states had acknowledged the humanitarian harm caused by explosive weapons in populated areas. In October 2019 a political process announced in Vienna has begun paving the way for *International Political Declaration Against The Use Of Explosive Weapons in Populated Areas*.

This declaration aims to:

- to put an end to the human suffering caused by the use of explosive weapons;
- to better protect civilians in war zones;
- to assist the victims.

has affected health facilities in at least 120 incidents.⁽¹⁰⁾

■ **Food Security:** The conflict has resulted in 780 civilian farms being destroyed, 62 markets, and 190 local businesses.⁽¹¹⁾

■ **Water and Sanitation:** Extensive airstrikes and shelling across Yemen has damaged water, power, and sanitation facilities which are all critical to ensuring access to water. The decimation of Yemen's water and sanitation systems has exasperated what is considered the world's most severe cholera crisis with cholera found across 92% of Yemen's districts.⁽¹²⁾

Reverberating Effects in Yemen

Each explosive weapon used has a reverberating effect on the services and resources civilians need

for survival. The damages in critical infrastructure, destruction of homes, and disruptions to key services have a long-term impact on the population.

■ Survivors of explosive weapons and the families of those injured or killed require **lifesaving emergency aid, comprehensive physical rehabilitation, and psychosocial and mental health support**. In addition, survivors often face long-term impairments, ongoing medical needs, and psychosocial trauma as well as a high likelihood of needing **socioeconomic inclusion** support.

■ Furthermore, **unexploded weapons** leave behind remnants of war that **contaminate** farmland and cities, posing a **continuous risk for civilians** and threatening future generations.

10. Qtd. In OCHA. Yemen Humanitarian Needs Overview. 2019. 38. From the WHO Global Report "Surveillance Systems for attacks on Healthcare."

11. CIMP. Key Statistics: Data from 1 September 2017 to 31 January 2020.

12. WHO. "Outbreak Update - Cholera in Yemen." 4 August 2019."

Recommendations

States should:

- Strongly condemn the use of explosive weapons in populated areas.
- Endorse the UN Secretary-General's and ICRC's recommendations that states should avoid the use of explosive weapons with wide area effects in populated areas.
- Support the development of a strong political declaration to end human suffering caused by the use of explosive weapons. This includes:
 - Developing strong commitments to actively address the humanitarian harm from the use of explosive weapons in populated areas; including both direct and indirect effects;
 - In particular, recognizing the harm from, and a commitment to avoid the use of explosive weapons with wide area effects in populated areas;
 - Ensuring recognition of the rights of victims, and assistance to victims and affected communities.

Parties to the conflict must:

- Immediately end the use of explosive weapons with wide area effects in populated areas.

- Immediately end the use of cluster munitions and landmines in accordance with the international treaties banning them.
- Ensure and be accountable for effective precautionary measures in the conduct of hostilities, in order to avoid further damage to civilians.
- Ensure that humanitarian actors be granted unimpeded, principled access to affected communities in order to provide humanitarian assistance;

All stakeholders: donors, States, UN agencies and other involved parties should:

- Publicly condemn the use of explosive weapons with wide area effects in populated areas.
- Recognize the long-term health impacts for victims of explosive weapons and prioritize funding for the health sector, including physical rehabilitation services, as well as mental health and psychosocial support.
- Ensure that the rights of victims from explosive weapons are recognized and that a Victim Assistance approach is funded and prioritized.



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