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# A COMMITMENT TO ACT

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Protecting civilians from  
the use of explosive weapons  
in populated areas





A boy stands on the roof of a house destroyed in a Scud attack in Aleppo, Syria. (© Hannah Smith)

## ABOUT THIS BOOKLET

Bombing and bombardment in towns and cities is recognised as a major cause of civilian suffering in conflict. This booklet is a resource to support work to prevent that suffering. It provides background on the humanitarian problems caused by the use of explosive weapons in populated areas and on the actions that can be taken by governments to address these problems. In particular it calls on states to develop a joint commitment to stop the use in populated areas of explosive weapons that have wide area effects.

This booklet has been produced by the International Network on Explosive Weapons (INEW), a partnership of NGOs with direct experience of the impact of violence and conflict on civilians. For more information see [www.inew.org](http://www.inew.org).

## A COMMITMENT TO ACTION

Against the background of conflict in Syria, Gaza, Ukraine and elsewhere there is growing international recognition that civilian harm from the use of explosive weapons in populated areas presents a humanitarian problem that must be addressed. More than 40 countries have spoken out to acknowledge this problem and it is now time to turn this recognition into a commitment to action. It may not always be possible to stop conflict from engulfing locations where civilians are concentrated. However, we can build a strong standard against use, in these areas, of those explosive weapons that expose civilians to the gravest risks.

## STRUCTURE OF THE BOOKLET

This booklet explains both the humanitarian problem and the steps needed towards a solution. It is in two parts – the first section provides an overview, and the second section more detailed information on the humanitarian problem, on explosive weapons and on the legal and policy considerations.



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## SUMMARY OF KEY MESSAGES

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### THE HUMANITARIAN PROBLEM

The use of explosive weapons in populated areas is a key cause of harm to civilians in conflicts around the world. Bombing and bombardment in towns and cities consistently causes high levels of civilian death and injury, as well as destruction of property and infrastructure vital for health, education, shelter, water and sanitation. Too often, this situation is considered the inevitable result of conflict, yet experience shows that armed actors can curb or stop the use of certain weapons, and in doing so can strengthen civilian protection. The current pattern of harm is unacceptable and states have a responsibility to take action now to prevent and alleviate civilian suffering. Stopping the use in populated areas of explosive weapons with wide area effects is a humanitarian priority.

#### INEW URGES STATES TO:

- Join efforts to develop a political commitment to reduce harm to civilians from the use of explosive weapons in populated areas;
- State should commit to:
  - Stop the use in populated areas of explosive weapons that have wide area effects;
  - Review national policy and practice and make changes that will strengthen the protection of civilians;
  - Support stronger data-gathering on the use and impact of explosive weapons, including age-, sex-, and disability-disaggregated recording of casualties;
  - Recognise the rights of survivors, families of those killed or injured, and affected communities, and to ensure a response to their short- and long-term needs

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## PROBLEM OVERVIEW

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### EXPLOSIVE WEAPONS

Explosive weapons are conventional weapons that detonate to affect an area with blast and fragmentation. There are many types of explosive weapons, including grenades, mortar bombs, artillery shells, aircraft bombs and missiles, as well as improvised explosive devices (IEDs). As the name suggests, these weapons explode – killing and injuring people, or damaging vehicles and buildings, through the blast and fragmentation that an explosion creates around the point of detonation. Different types of explosive weapons may be delivered in different ways (some are thrown, others are fired from the ground or dropped from the air), and they may vary in the scale of effects that they create, but they share the characteristic of affecting an area with blast and fragmentation.

#### A CONSISTENT PATTERN OF HARM

When used in populated areas (including cities, towns and villages), this area-effect means that civilians are exposed to a high risk of harm. Data indicate that approximately 90% of those killed and injured when explosive weapons are used in populated areas are civilians. In some cases this is because civilians have been deliberately targeted – which is illegal. In other cases civilians are harmed because the effects of the weapons are not limited to the military target they are being used against. This is a critical issue of concern to INEW.

In addition to large numbers of people killed and injured directly from explosive weapon use, still more are affected by the damage that explosive weapons do to essential infrastructure such as schools, hospitals, housing, and water and sanitation systems. Living under bombing and bombardment also causes severe psychological distress, which often continues to impact the lives of those affected even if they have fled the area or the conflict has ceased. The use of explosive weapons in populated areas is also a key cause of displacement.

#### EXPLOSIVE WEAPONS WITH WIDE AREA EFFECTS

There is a pattern of harm associated with explosive weapons in general, but the risk to civilians is most severe when the weapons have wide area effects.

Wide area effects may result where an individual weapon has a large blast or fragmentation radius, where multiple explosive weapons are launched at an area, where a weapon is not delivered accurately to the target, or a combination of these factors. These same weapons often have the capacity to severely damage buildings and infrastructure. The use in populated areas of explosive weapons with wide area effects puts civilians at an excessive risk and should be stopped.

The political strategy outlined below aims to address the continued use of explosive weapons with wide area in effects in cities, towns and villages. Setting a strong standard against the use in populated areas of explosive weapons with wide area effects would be a major step towards better protection for civilians. Practical examples from state-led operations in Somalia and Afghanistan show that review of policy and practice can reduce the impact of conflict on civilians.

## A FAILURE OF RESPONSIBILITY

So far, users of explosive weapons have not done enough to understand the patterns of civilian harm that explosive weapons cause. Data on humanitarian impact has mainly been produced by non-governmental organisations, not by the users of these weapons. States and other actors need to take responsibility for assessing harm caused by the weapons that they use.

In addition, those affected often experience inadequate support for medical care, rehabilitation or social and economic reintegration – with no clear policy framework through which to articulate that experience or to seek assistance.

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# A POLITICAL STRATEGY

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**INEW is calling on states to develop a political strategy that can establish a framework through which the humanitarian impact of explosive weapon use in populated areas can be addressed.**

The ongoing humanitarian problem requires a political response. That response should promote stronger standards for civilian protection, greater accountability for weapon users and better assistance for survivors, families of those killed or injured, and affected communities. It should also provide a framework for maintaining political attention on this issue and working collectively to prevent harm in the future.

**INEW urges states to join efforts to develop a political commitment to reduce harm to civilians from the use of explosive weapons in populated areas.**

A political instrument should provide a mechanism for recognising the humanitarian problem, for promoting stronger standards, and for reviewing the issue on an ongoing basis. Of course, a political commitment will not solve the humanitarian problem in itself, but it can provide a strong basis for ongoing efforts to prevent harm.

INEW advocates that such an instrument should not only recognise the humanitarian problem, but also set stronger standards and promote better practice, including:

- **To stop the use in populated areas of explosive weapons that have wide area effects.**

Weapons that can be expected to spread explosive effects across a wide area are not acceptable for use in places where civilians or civilian objects are concentrated. The International Committee of the Red Cross has said that, "due to the significant likelihood of indiscriminate effects and despite the absence of an express legal prohibition for specific types of weapons, the ICRC considers that explosive weapons with a wide impact area should be avoided in densely populated areas." A political commitment should set a standard against which military practice can be assessed.

- **To review national policy and practice and make changes that will strengthen the protection of civilians.**

An international political instrument can serve as a framework for reviewing policy and practice at the national level. In this way stronger standards can be translated into national level operational frameworks that will affect behaviour on the ground.

- **To support stronger data-gathering on the use and impact of explosive weapons, including age-, sex- and disability-disaggregated recording of casualties.**

States already have obligations in treaty law to record and retain information on their use of explosive weapons in order to facilitate the clearance of unexploded ordnance that is left behind. Stronger data gathering on the use and impact of explosive weapons more broadly will strengthen the international community's ability to develop strategies to reduce harm and to respond effectively to the needs of survivors. As well as providing a basis for ongoing policy considerations, impact data is also vital to planning appropriate assistance programmes.

- **To recognise the rights of survivors, families of those killed or injured, and affected communities, and to ensure a response to their short- and long-term needs.**

A political commitment can also provide a framework for promoting efforts to ensure that the victims of violence are supported towards the full realisation of their rights. It can provide a forum within which national and international level efforts to address the needs of victims can be encouraged, practical experiences shared and understanding of good practice developed.

Such a commitment would build on the basis provided by existing international law, including human rights and international humanitarian law (IHL). The rules of IHL represent the minimum standards of behaviour for parties to armed conflict and must be applied even in the most desperate circumstances. It is clear that there is substantial scope for parties to adopt policies and practices that enhance the protection of civilians, beyond the protection guaranteed by IHL. A stronger political standard would bring greater clarity which will help the international community to minimise the harm caused by explosive weapons.

As well as supporting work towards a political commitment states should:

- Acknowledge the humanitarian problem caused by the use of explosive weapons in populated areas, which can be done in UN Security Council or other international debates on the protection of civilians, children and armed conflict, human rights, women peace and security, disarmament, or in public statements on specific country situations where explosive weapon use in populated areas causes harm to civilians;
- Undertake an inter-ministerial consultation on the use of explosive weapons in populated areas and set out publicly the government's existing national policy and practice in this area;
- Welcome the recommendations of the UN Secretary-General in relation to preventing harm from the use of explosive weapons in populated areas, including that states should avoid the use in populated areas of explosive weapons with a wide area effect;
- Discuss with NGOs and actors working on humanitarian and disarmament issues the harm caused by the use of explosive weapons in populated areas and develop measures that can be taken to prevent this harm;
- Collect and make available to the UN and other relevant actors information on civilian harm resulting from the use of explosive weapons including age-, sex- and disability-disaggregated data, to better understand the impacts of such use.





Damage caused by three bombs dropped by Israeli jets on the town center of Tyre, Southern Lebanon on the 26th of July 2006. (© Jason Howe)





A family returns to their damaged home in Libya  
(© Richard Moyes)

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## THE PATTERN OF CIVILIAN HARM

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Statistics and case studies on the pattern of harm that INEW is calling on states to address.

### STATISTICS ON DIRECT IMPACT

INEW member Action on Armed Violence (AOAV) has monitored the impact of explosive weapons from 2011 through 2014, using a methodology based on analysing English-language news media reports. Their data provides a snapshot of the direct impact of explosive weapons in populated areas. Due to the methodology the data should be considered a low estimate of the casualties caused by explosive weapons – in particular, it underreports the impact of large-scale use of explosive weapons in situations of intense conflict. Also, it does not reflect the indirect impact of explosive weapons such as through damage to infrastructure or population displacement, or casualties from unexploded ordnance left behind.

From 2011 through 2014, AOAV recorded:

- 10,397 incidents in some 96 countries.
- These incidents resulted in a total of 112,262 civilians reported killed or injured.
- More than half of the recorded incidents took place in populated areas (6,372 incidents – 61%).
- In populated areas, 90% of casualties were civilians, as opposed to 34% elsewhere.
- A large proportion (63%) of overall civilian casualties were caused by improvised explosive devices (IEDs). This issue is already under consideration in the UN Convention on Certain Conventional Weapons and other international forums.
- 73% of all incidents of the use of manufactured explosive weapons in populated areas were ground-launched, compared to 23% identified as air-delivered (with the remainder either mixed or unclear).
- When armed actors or military objects were reported as being targeted, 73% of casualties in populated areas were civilians, as opposed to 15% elsewhere.
- When just looking at casualties attributed solely to state forces,<sup>1</sup> 61% of casualties in populated areas were civilians, as opposed to 6% in other areas.



## EFFECTS ON CHILDREN

The NGO Save the Children has noted that the use of explosive weapons in populated areas directly contributes to grave violations against children in armed conflict, including killing and maiming, attacks on schools and hospitals and denial of humanitarian access: "In addition to killing and injuring children, use of explosive weapons, particularly in populated areas, results in children being denied access to healthcare and the opportunity to go to school. It can also prevent life-saving humanitarian aid from reaching children, causing them to be displaced from their homes, exposing them to the risk of separation from their families and communities, and increasing their vulnerability to exploitation and abuse."<sup>2</sup>

In 2013, Oxford Research Group compiled data on 10,586 child casualties that occurred over a 30-month period in Syria and where a weapon type had been recorded. Some 71% of these were attributable to explosive weapons – almost all of them reported to result from air bombardment, artillery and shelling.<sup>3</sup>

In 2012, the UN Special Representative for Children and Armed Conflict urged states to refrain from using explosive weapons with wide-area effects in populated areas and noted this again in her 2013 report to the UNGA.<sup>4</sup>

## A LEADING CAUSE OF DISABILITY

In 2013 Handicap International conducted a study on the causes and types of conflict-injuries amongst internally displaced persons in Syria. It found that 60% of people interviewed with new injuries related to the crisis had been wounded as a result of explosive weapons. Most of them had very severe injuries such as fractures and complex fractures (60%) or peripheral nerve injuries (21%) whose early detection and treatment were rarely undertaken, leading to permanent effects. Some 25% of injured persons had undergone amputation, and 7% suffered spinal cord injury leading to generalized paralysis.

In addition, the collapse of key health infrastructures in Syria dramatically increased levels of vulnerability, particularly for people with disabilities, who are facing harsher conditions in terms of access to appropriate medical services and treatment.<sup>5</sup>

## Psychological impact on children

The psychological impact of the use of explosive weapons in populated areas is severe, including the increased development of post-traumatic stress disorder (PTSD) symptoms. During the war in Libya in 2011, the city of Misrata suffered heavy bombardment. With few psychologists trained to meet the needs of those who had suffered the trauma of living through these events, in 2012 DanChurchAid reported a large increase in behavioural problems and symptoms amongst children in Misrata, including aggressive behaviour, nightmares, bedwetting and fear of the dark.

In July 2014 UN OCHA estimated that 22,800 children in Gaza, whose families had suffered deaths, injuries, or the loss of their homes were in need of psychosocial support. Signs of significant trauma amongst Palestinian children following the war in Gaza in 2009 were previously documented.<sup>6</sup>

## Attacks on education

Schools in Sirte, Libya suffered extensive damage during fighting in 2011, including by explosive weapons. Seven primary schools and two secondary schools were significantly damaged, with two more totally destroyed. Yarmuk school was struck by shelling in October 2011. In May 2012, there was still extensive damage to its upper floors with classrooms unsafe but children being taught on the ground floor. No government support had been received for reconstruction of the school.<sup>7</sup>

A young girl peeks out of the door of her makeshift home, built after her house was destroyed in the Ezbet Abed-Radu area of Gaza, 2009. (© Marc Garlasco)





## A GENDERED PATTERN OF IMPACT

The damage and destruction caused by explosive weapons can affect women and men differently. There is a lack of sex-disaggregated data on the impact of explosive weapons internationally. Analysis of victim data for Gaza and Syria has found that men and boys made up the majority of people killed directly by explosive weapons. Indirect effects that result in displacement or other social and economic deprivations may exacerbate pre-existing inequality between genders.<sup>8</sup>

## INFRASTRUCTURE

Explosive weapons have the capacity to damage infrastructure that may be vital to the civilian population. By destroying houses, schools and hospitals, as well as the systems for power, water and sanitation, explosive weapons can have effects that go far beyond the immediate 'direct' casualties.

In Gaza in 2009, the United Nations Environmental Programme (UNEP) highlighted that some 600,000 tonnes of debris was produced as a result of the 2,692 buildings damaged in the fighting. UNEP reported a high probability that most of this debris was to some extent contaminated (whether from household chemicals, hazardous waste or substances such as asbestos). Following the 2014 war in Gaza, the Association of International Development Agencies reported that 20,000 metres of sewage infrastructure had been damaged by the fighting, with the destruction of power-generation facilities resulting in blackouts, and 30% of agricultural land in the Gaza Strip also damaged. There was also significant unexploded ordnance contamination amongst the rubble and debris.<sup>9</sup>

## IMPACT ON HEALTHCARE

In a sixteen-country study, the International Committee of the Red Cross (ICRC) found explosive weapons to be the leading cause of harm to patients, relatives, bystanders and health-care personnel, as well as the leading cause of damage to health-care premises and ambulances. They also noted that "the number of people killed or injured per event is greater when explosive weapons are used, as compared to other weapons."<sup>10</sup>





## DISPLACEMENT

Displacement within and across borders is a common feature of armed conflict as people flee their homes in search of safety or are otherwise forced to move. However, the use of explosive weapons in populated areas can seriously exacerbate and prolong displacement. To begin with, people are forced to flee areas under direct attack. If and when the fighting ceases or moves on, people are often unable to return due to the widespread destruction of, and damage to their homes, sources of livelihood and essential infrastructure such as water and sanitation systems. The use of explosive weapons also creates unexploded ordnance that persists as a threat to civilians, including returning refugees and internally displaced persons, until it is removed. Becoming displaced often only marks the beginning of further challenges to survival. These include continuing insecurity; repeated displacement through attacks on camps, including the use of explosive weapons; and exposure to further serious risks, especially in militarised camp settings, such as gender-based violence and forced recruitment. Displacement too often leads to hunger and illness, both physical and mental. It erodes human dignity, as individuals and families become dependent on others for their survival.

## RESTRICTED HUMANITARIAN ACCESS

Continuing to operate in conflict areas is a key challenge for humanitarian agencies. According to the organisation Insecurity Insight, which monitors security incidents affecting aid organisations, the number of incidents where explosive weapons have affected the delivery of humanitarian aid has risen over the past years. Whilst international staff members are often evacuated at the outbreak of hostilities, national staff are exposed to the effects of explosive weapons during their working hours and as ordinary civilians after work. The unintended consequences of explosive weapons use are one of the leading causes of deaths and injuries among humanitarian workers. This in turn affects the ability of organisations to provide services to the wider population that is affected by violence.<sup>11</sup>

### Displacement in Syria

Of more than 130 Syrian refugee children and their families interviewed by Save the Children between September 2012 and March 2013, almost all cited the constant threat and stress of shelling, bombing and bombardment of their communities, homes and schools as the main reason for leaving Syria.<sup>12</sup>

### Impact on aid in Yemen

Airstrikes led by Saudi Arabia during 2015 in Yemen have struck numerous facilities run by aid organisations, harming civilians and hindering vital aid work. For example, on 30 March 2015 an airstrike hit a displaced persons' camp in north Yemen, killing at least 29 civilians and wounding 41. The strike hit a medical facility in the camp and a local market. Following the attack, hundreds fled the camp. On 18 April, a strike in Saada destroyed a warehouse owned by Oxfam that contained humanitarian supplies for water and sanitation projects. A strike on 21 May hit the office of another international aid organisation, killing 5 refugees.<sup>13</sup>

A man walks past a ruined building in Aleppo, Syria.  
(© Hannah Smith)





## RESPONSES TO SOME COMMON QUESTIONS

### WHAT ARE THE MAIN EXPLOSIVE WEAPON TYPES?

The table opposite sets out some of the most commonly used explosive weapons. It is not an exhaustive list of explosive weapons and there are many different models, delivery systems and fuzing mechanisms for each of the types of explosive weapons listed in the table.

### WHAT DO WE MEAN BY 'POPULATED AREAS'?

'Populated areas' refers, broadly speaking, to places where civilians and civilian infrastructure are concentrated, such as in cities, towns and villages. 'Densely populated areas' and 'concentration of civilians' are established legal notions in relation to the protection of civilians and the regulation of the conduct of hostilities. The term 'populated areas' is also used in Human Rights jurisprudence on the use of force. In international humanitarian law (IHL), Additional Protocol I (1977) to the Geneva Conventions prohibits area bombardment of targets in "any city, town, village or other area containing a similar concentration of civilians", and Protocol III to the Convention on Certain Conventional Weapons defines "concentration of civilians" as "permanent or temporary, such as in inhabited parts of cities, or inhabited towns or villages, or as in camps or columns of refugees or evacuees, or groups of nomads."

### WHY ARE 'WIDE AREA EFFECTS' A PARTICULAR CONCERN?

Explosive weapons with wide area effects create blast and fragmentation over a large area on the ground. Where the weapons affect a wide area it is difficult to limit the harm that they will cause if used in areas where civilians are concentrated. Explosive weapons that affect a wide area on the ground create an excessive risk to civilians if used in populated areas.

For example, a single large aircraft bomb, such as the OFAB 250-270, can have a casualty-producing radius of some 155 metres around the point of detonation, and multiple launch rocket systems can spread multiple munitions over an area of 12 hectares or more. Some explosive weapons are simply so difficult to accurately deliver onto a target location that the user does not really know where they will land.

<b>Aircraft bombs</b>	Aircraft bombs are dropped from the air. They come in various sizes and with different fuzing mechanisms. Some have guidance systems, others do not.
<b>Air-launched rockets</b>	Air-launched rockets are often fired from helicopters or drones. They are usually unguided munitions driven by an integral propulsion system.
<b>Artillery projectiles</b>	Artillery projectiles come in a variety of sizes and are fired from long-range guns or howitzers.
<b>Explosive submunitions</b>	The explosive content of cluster munitions (which can be dropped from the air or fired from the ground). Submunitions scatter over a target area.
<b>Grenades</b>	Relatively small explosive weapons that can be thrown by a person or fired from different types of launchers.
<b>Ground-launched rockets</b>	Many ground-launched rockets can be fired over a long range (e.g. 30km). The delivery systems can be fixed or mounted on vehicles and include multi-barrel rocket launchers which can fire multiple rockets across an area.
<b>Improvised explosive devices (IEDs)</b>	IEDs are any explosive weapon that is not mass-produced. Common ground-based types include roadside bombs used to target vehicles and car bombs that pack a large quantity of explosive into a vehicle that is driven at a target or left in a target area.
<b>Missiles</b>	Missiles have a propulsion system and a guidance system and include air-to-air, air-to-surface, anti-tank, surface-to-air, and surface-to-surface.
<b>Mortar bombs</b>	An "indirect fire" weapon. Launched from a tube, mortars arc up into the air and then fall towards the target.
<b>Rocket propelled grenades</b>	Often designed to penetrate armour, rocket propelled grenades are designed to be fired from a shoulder-held launcher.
<b>Tank shells</b>	Explosive tank shells come in a variety of sizes and are fired from tank cannons.

**Note:** This list is not exhaustive, but provides an introduction to the main explosive weapon types.

Three key factors – the quantity of explosives, the number of munitions and the accuracy of the weapon – can work on their own or in combination to create wide area effects. Using these types of weapons in populated areas puts civilians at grave risk of harm. Even if the attack is aimed at a specific military target it is likely to affect people present in the surrounding area. Not only do explosive weapons kill and injure, but such attacks, especially if repeated or prolonged, also affect people through damage to infrastructure and psychological distress. Over time these effects can become very severe.

### WHAT CAN BE DONE ABOUT IMPROVISED EXPLOSIVE DEVICES (IEDS)?

IEDs are basically homemade explosive weapons, which tend to be manufactured and used by non-state actors. However, they also include barrel-bombs that have been used by state forces. They may use military explosives, conventional ammunition, or homemade explosives for their main charge. Like other weapons, IEDs can be used in attacks that deliberately target the civilian population – which is already illegal. However, even when directed at a military objective, IEDs containing large quantities of explosives can affect a wide area with blast and fragmentation. There are a range of specific policies and measures that can be undertaken to address challenges which are distinct to IEDs. These could include increasing cooperation to monitor and restrict the transfer of materials from which they are built, coordinating joint data collection, ensuring that military ordnance or industrial explosives are secured, and removing UXO. Concerned states should take every opportunity to condemn IED attacks in populated areas because of the humanitarian harm that invariably follows.

Victim-activated IEDs come under the 1997 Mine Ban Treaty's definition of an antipersonnel landmine and therefore are banned outright for parties to that treaty.

### Large quantity of explosives

On 18 November 2012, a single bomb with a large explosive content dropped by an Israeli fighter jet killed three generations of the same family in their own home in Gaza City. Ten members of the Dalu family, including five women and four children, were killed when the bomb exploded through their three-story house in the densely populated Nasser neighbourhood. The whole of the Dalu house collapsed under the force of the explosion. The blast was so powerful it also destroyed several neighbouring homes, killing a young man and an elderly woman living next door. Human Rights Watch called on Israel to explain why such a large munition was used in the attack in a densely populated area.<sup>14</sup>

### The use of multiple munitions

On 24 January 2015, salvos of unguided Grad rockets struck a residential area around Kyiv market in east Mariupol, Ukraine. 29 civilians and 1 soldier were killed, and more than 90 civilians wounded according to the authorities. Human Rights Watch observed 31 rocket impacts along a 1.2km stretch of Kyivska Street. Rockets fell on the market, and on a school. The northernmost impact site was 600m south of a road on which there was a government checkpoint – the presumed target (two additional salvos later struck an area closer to this checkpoint).<sup>15</sup>



A man cleans up debris after an unguided Grad rocket struck his house in the Kuibyshevskiyi district in Donetsk, Ukraine on the 19th of July 2014. (© 2014 Human Rights Watch)

### Inaccurate delivery

In both Sudan and South Sudan, unguided, inaccurate bombs have been repeatedly dropped by Sudanese Armed Forces' airplanes on villages and farmland. During 2011-2014, AOAV recorded 72 aerial bombing incidents with at least 490 civilian deaths and injuries. On 14 April 2012, four civilians and a soldier were killed when six bombs were dropped on Bentiu, the capital of South Sudan's Unity State. Media reports claimed that the intended target of the strikes was a nearby bridge which led to the Sudan/South Sudan border. However, at least one of the bombs missed its target and hit a market 100 metres away, killing traders. The bridge was left undamaged.<sup>16</sup>



## IF WE ARE LIMITING THE USE OF CERTAIN EXPLOSIVE WEAPONS IN POPULATED AREAS, ARE WE ENCOURAGING THE USE OF OTHER, MORE TARGETED WEAPONS?

Stopping the most dangerous explosive weapons from being used in populated areas will curb some of the worst effects of conflict, but it will not solve all of the problems that violence produces. This initiative is an effort to progressively reduce the level of explosive force considered acceptable in areas where civilians are concentrated. INEW does not advocate for the use of alternative weapons, but presents the general pattern of harm associated with explosive weapons and highlights that weapons covering a wide area with explosive blast and fragmentation present a particularly high risk of harm to civilians when used in populated areas. While greater precision of delivery can address some concerns, it does not address harm to civilians from very powerful explosive weapons, or from the use of multiple explosive weapons in populated areas. No single policy approach can solve all of the complex issues relating to armed conflict, but there have been successful efforts to limit the worst excesses.

## ARE THERE EXAMPLES OF CHANGES IN MILITARY PRACTICE TO REDUCE CIVILIAN HARM FROM EXPLOSIVE WEAPONS?

There are already some examples of multinational operations where practical steps have been taken to reduce the humanitarian impact of explosive weapons. These include restrictions on airstrikes in towns and villages in a series of tactical directives and other orders by the International Security Assistance Force (ISAF) in Afghanistan, as well as an African Union Mission in Somalia (AMISOM) policy restricting the use of indirect fire in populated areas in Somalia. These examples illustrate that in certain conflict contexts militaries are able to put in place stronger standards in an effort to reduce harm to civilians.

### Airstrikes in Afghanistan

On 6 June 2012 in Baraki Barak district, Logar province, Afghanistan an ISAF airstrike was called in on a residential compound at which there was a gathering of Taliban commanders, following fighting on the ground between Taliban fighters and ISAF/Afghan forces. The airstrike killed 6 Taliban fighters, but also completely destroyed a neighbouring house, in which an extended family were celebrating a wedding, killing 18 civilians. Six days after this incident, ISAF's commander publicly announced that guidance on the use of air dropped munitions on residences had been restricted further, to situations of self-defence and as a last resort only.<sup>17</sup>

An acknowledgement of the problem and political will to address it and prevent civilian harm from the use of explosive weapons in populated areas is possible. Campaigns on landmines, cluster munitions and the Arms Trade Treaty have seen states agree to commitments that originally were thought impossible.

## WHAT COUNTRIES HAVE SPOKEN OUT ABOUT THE HUMANITARIAN IMPACT OF EXPLOSIVE WEAPONS IN POPULATED AREAS?

### States / territories that have acknowledged the humanitarian problem of explosive weapons in populated areas:<sup>17</sup>

Afghanistan, Australia, Austria, Azerbaijan, Belgium, Bangladesh, Benin, Botswana, Canada, Chile, Costa Rica, Finland, Gabon, Germany, Guatemala, Holy See, Indonesia, Ireland, Japan, Jordan, Liechtenstein, Lithuania, Luxembourg, Malaysia, Mexico, Montenegro, Netherlands, New Zealand, Nigeria, Norway, State of Palestine, Qatar, Slovakia, Slovenia, South Korea, Spain, Sweden, Switzerland, Togo, Tunisia, Turkey.

### States that have called for action on the problem, for example by welcoming the UN Secretary-General's recommendations on preventing harm from explosive weapons:

Australia, Austria, Belgium, Benin, Botswana, Canada, Chile, Costa Rica, Germany, Holy See, Jordan, Liechtenstein, Lithuania, Malaysia, Mexico, Montenegro, Netherlands, Norway, Qatar, Slovakia, South Korea, Spain, Sweden, Switzerland, Tunisia.

## NOTES:

1. AOA V recorded 19,762 civilian casualties from state forces, out of 34,745 in total
2. Save the Children, Explosive Weapons and Grave Violations Against Children, 2013, [http://www.savethechildren.org.uk/sites/default/files/images/Explosive\\_Weapons\\_and\\_Grave\\_Violations\\_Against\\_Children.pdf](http://www.savethechildren.org.uk/sites/default/files/images/Explosive_Weapons_and_Grave_Violations_Against_Children.pdf)
3. Oxford Research Group, "Stolen futures: The hidden toll of child casualties in Syria", 2013, [http://www.oxfordresearchgroup.org.uk/publications/briefing\\_papers\\_and\\_reports/stolen\\_futures](http://www.oxfordresearchgroup.org.uk/publications/briefing_papers_and_reports/stolen_futures)
4. See INEW, "Acknowledging the harm", <http://www.inew.org/acknowledgements>
5. Handicap International, "Causes and types of injuries encountered by Handicap International while working with Internally Displaced Persons in Syria: A Focus On The Impact Of Explosive Weapons, 2014."
6. See AOA V, Case Studies of Explosive Violence: Libya, June 2012, [http://aoav.org.uk/wp-content/uploads/2013/06/2012\\_06\\_case\\_study\\_of\\_explosive\\_violence\\_libya1.pdf](http://aoav.org.uk/wp-content/uploads/2013/06/2012_06_case_study_of_explosive_violence_libya1.pdf) and OCHA, "Occupied Palestinian Territory: Gaza Emergency Situation Report", 14 July 2014, [http://www.ochaopt.org/documents/ocha\\_sitrep\\_15\\_7\\_2014.pdf](http://www.ochaopt.org/documents/ocha_sitrep_15_7_2014.pdf)
7. AOA V, above note 6
8. See for example Women and explosive weapons, Women's International League for Peace and Freedom, February 2014, <http://www.reachingcriticalwill.org/images/documents/Publications/WEW.pdf> and analysis by AOA V at <https://aoav.org.uk/2015/male-civilians-explosive-weapons/>
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## ABOUT INEW

The International Network on Explosive Weapons (INEW) is an NGO partnership calling for immediate action to prevent human suffering from the use of explosive weapons in populated areas. INEW was established in March 2011 by Action on Armed Violence, Handicap International, Human Rights Watch, PAX (formerly IKV Pax Christi), Medact, Norwegian People's Aid, Oxfam and Save the Children. INEW is open to membership for other NGOs wishing to contribute to this advocacy agenda. INEW members undertake research and advocacy to promote greater understanding of the problem and the concrete steps that can be taken to address it. INEW organisations also implement field programmes to reduce the impact of explosive weapons in affected areas.

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