



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

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:



Syria/ Kobani © Ph. Houliat / Handicap International

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 return to their 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 2014, nearly 150.000 persons were reported dead or injured globally due to the use of explosive weapons.
- 78% of those casualties were civilians.
- When explosive weapons were used in populated areas, 90% of the identified victims were civilians.
- Casualties have been identified in 92 different countries and territories. The most affected ones are Iraq (35959 civilian victims), Syria (22574), Pakistan (13058), Afghanistan (8686) and Gaza (4769).

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.

A POLITICAL COMMITMENT TO PROTECT CIVILIANS

The International Humanitarian Law (IHL), via the Geneva Conventions and their additional protocols, sets the essential principles of protection of civilians, which concerns all parties to a conflict. Thus, these must respect the principles of distinction, proportionality and precaution: the civilian populations and infrastructures must be protected from hostilities, and not targeted by attacks.

When used in populated areas, most of the time explosive weapons with a wide area effect cause damages to civilian populations and infrastructures. Such a use is therefore contrary to IHL, and we know that conflicts more and more tend to take place in urban areas such as in Syria, Ukraine, and Yemen... The rules set up in the IHL represent the minimum standards of behavior for parties engaged in armed conflict and therefore should be applied under all circumstances. However without a specific instruments or clear rules about the use of these weapons in such contexts, it is urgent to act to ensure the protection of civilians. States must acknowledge that the use of explosive weapons with wide area effect in populated areas constitutes a violation of IHL principles, and therefore 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.

THE INTERNATIONAL COMMUNITY IS WIDELY MOBILIZED

- **53 States and territories,⁽¹⁾ three groups of States,⁽²⁾ 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, 28⁽³⁾ 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.
- The International Network on Explosive Weapons (INEW), co-founded in 2011 by Handicap International, gathers 19 international NGOs calling for concrete actions to prevent the human suffering caused by the use of explosive weapons in populated areas.

- **Ban Ki-Moon, 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".

- **The 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. Critical infrastructure on which civilians depend for their livelihoods and survival, such as power stations, water treatment plants and hospitals, can be continuously and cumulatively damaged so that they cease to be able to provide essential services to meet people's basic needs".

RECOMMENDATIONS

HANDICAP INTERNATIONAL CALLS STATES TO :

- **Take part in the development of an international political declaration to protect civilians from the use of explosive weapons in populated areas.**
- Acknowledge that the use of explosive weapons in populated areas represents a serious threat for the civilians.
- Commit to stop and seize all international opportunities to systematically condemn the use of explosive weapons with a wide effect in populated areas.
- Review their policy and national practices regarding the use of explosive weapons in populated areas and share their good practices
- Recognize the rights of the survivors, the families of those killed or injured, and the affected communities; and ensure a response to their short and long term needs.

TO GO FURTHER

INEW, "Explosive Weapons and the Protection of Civilians", January 2015 | INEW, "Explosive Weapons in Populated Areas: Where civilians pay the price", 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 | Handicap International, "Syria, a mutilated future: a focus on the persons injured by explosive weapons", 2016 | Handicap International, "Kobani: a city of rubble and unexploded devices", 2015.

References ⁽¹⁾ Afghanistan, **Angola**, Argentina, **Australia**, **Austria**, Azerbaijan, Bangladesh, **Belgium**, **Benin**, **Botswana**, **Canada**, **Chile**, **Costa Rica**, Denmark, **Germany**, European Union, Finland, Gabon, Greece, Guatemala, Indonesia, Ireland, Israel, Japan, **Jordan**, **Liechtenstein**, **Lithuania**, Luxembourg, **Malaysia**, Mali, **Mexico**, **Montenegro**, **Netherlands**, **New Zealand**, Nigeria, **Norway**, Palestinian Occupied Territories, Panama, **Poland**, **Qatar**, **Slovakia**, Slovenia, South Africa, **South Korea**, **Spain**, Sweden, **Switzerland**, Thailand, Togo, **Tunisia**, Turkey, **Ukraine**, United States, **Vatican** (as of March 29, 2016).⁽²⁾ The European Union, the Human Security Network and the Nordic Group ⁽³⁾ States in bold in the list (as of March 29, 2016).