

From Afghanistan to Iraq, Libya to the occupied Palestinian territory, Sudan to Syria, Ukraine and Yemen, the use of explosive weapons in populated areas is a major cause of civilian deaths, injuries and displacement. In 2015, when explosive weapons were used in populated areas, 92 per cent of people killed or injured were civilians. The use of explosive weapons in populated areas also has a severe and long-term humanitarian impact: it destroys housing and vital infrastructure such as hospitals, clinics, and water and sanitation systems. In addition, explosive weapons often leave explosive remnants of war, which can kill and injure civilians for decades after hostilities have ended.

Explosive weapons create a blast-and-fragmentation zone that can kill, injure or damage anyone or anything within that zone. These risks increase when the weapons' effects extend across a wide area. This makes their use in populated areas, such as towns, cities, markets and refugee camps, devastating for civilians. In other words, these weapons are likely to have indiscriminate effects when used in populated areas. Since the blast-and-fragmentation zone is based on the technical specification of the explosive weapon in question, its likely impact on civilians is often foreseeable. The use of explosive weapons in populated areas therefore raises serious moral and, in many cases, legal questions.

Explosive weapons and international humanitarian law

While the use of explosive weapons is not prohibited under international humanitarian law (IHL), it must comply with the general rules of IHL aimed at protecting civilians in the conduct of hostilities. The rules of distinction, proportionality and precautions are fundamental:

- Parties to armed conflict must distinguish at all times between civilians and combatants, and between civilian objects and military objectives.
- Parties to armed conflict must not direct attacks against civilians or civilian objects, and they must not launch attacks that are indiscriminate.
- Parties to armed conflict must take constant care in the conduct of military operations to spare civilians and civilian objects, and they must take all feasible precautions to avoid and minimize incidental civilian death and injury, and damage to civilian objects.

Full compliance with IHL by all parties to armed conflict is essential to protect civilians from the effects of explosive weapons. Yet, even where the parties claim to be complying with IHL in the conduct of hostilities, the use of explosive weapons in populated areas commonly causes a widespread, predictable and unacceptable pattern of harm. It is increasingly recognized that stronger policy standards specifically governing the use of explosive weapons, particularly those weapons with wide-area effects, would provide additional protection to civilians.



The terrible aftermath of a huge bomb blast in the western Pakistani city of Peshawar on 29 October 2009, which left 117 people dead. © Abdul Majeed Goraya/IRIN.

The human cost

The vast majority of people affected by the use of explosive weapons in populated areas are civilians:

- In 2015, when explosive weapons were used in populated areas, 92 per cent of people killed or injured were civilians.¹ Overall, 33,307 civilians were reportedly killed or injured by explosive weapons in 2015, which was a 54 per cent increase compared with 2011.²
- When explosive weapons are used in populated areas, housing and essential infrastructure, such as water and electricity supply systems, are damaged or destroyed. Livelihoods are also devastated as commercial property and means of production (e.g., factories and fishing boats) are damaged or destroyed.
- The use of explosive weapons in populated areas is a major driver of displacement as people are forced to flee due to fear of, or as a result of, explosive weapon attacks.
- Explosive weapons are the leading cause of damage to health-care facilities during conflict and armed violence.³ This makes it difficult or impossible for those injured by explosive weapons to receive the emergency and specialist medical treatment, rehabilitation and psychosocial support services that they need.
- Explosive weapons also damage or destroy schools, often interrupting or halting access to education.
- The use of explosive weapons in populated areas has a dramatic effect on post-conflict reconstruction requirements and costs.
- Explosive remnants of war continue to pose a long-term threat to civilians.

Types of explosive weapons

Many types of explosive weapons exist, and many are in use by national military forces and armed groups. These include aircraft bombs, artillery shells, missile and rocket warheads, mortar bombs and improvised explosive devices (IEDs). Some are launched from the air, others from the ground.

Different technical features dictate their precision and explosive effect, but these weapons generally create a blast-and-fragmentation zone that makes their use highly problematic in populated areas. Particular concern exists over the higher risk to civilians posed by the use in populated areas of explosive weapons that have wide-area effects. This is because of their blast radius, their inaccuracy, or the use of multiple warheads in an area.

Air-launched explosive weapons

- In 2015, these weapons reportedly killed or injured 9,200 civilians, accounting for 28 per cent of recorded civilian deaths and injuries from explosive weapons.
- Almost half (43 per cent) of aerial attacks were reported in populated areas.
- When aerial explosive weapons were launched into populated areas, civilians comprised 91 per cent of recorded deaths and injuries, compared with 21 per cent in other areas.

Ground-launched explosive weapons

- In 2015, these weapons reportedly killed or injured 7,095 civilians, accounting for 21 per cent of recorded civilian deaths and injuries from explosive weapons.
- Mortars were the single most dangerous weapon type to civilians, resulting in 2,021 recorded civilian deaths and injuries. More than half (57 per cent) of all reported mortar incidents took place in Iraq and Syria.

Improvised explosive devices (IEDs)

- In 2015, these weapons reportedly killed or injured 16,199 civilians, accounting for 49 per cent of recorded civilian deaths and injuries from explosive weapons.
- When IEDs were used in populated areas, 94 per cent of people reportedly killed or injured were civilians. This is higher than the proportion recorded from ground attacks (91 per cent) and aerial attacks (91 per cent) in populated areas.⁴



Ahmed Abdel, a 31-year-old taxi driver, lives in the Al-Tufa area, east of Gaza City. He ran for his life with his wife and three young children after a small rocket exploded in their living room on 13 January 2014. Minutes later, three missiles from an Israeli F-16 levelled their home. © Erica Silverman/IRIN

Taking action

Since 2009, the United Nations Secretary-General has repeatedly called on all parties to conflict—national military forces and non-State armed groups—to refrain from using explosive weapons with wide-area effects in populated areas. There has been important progress on this.

Some military forces, such as the International Security Assistance Force in Afghanistan and the African Union Mission in Somalia, have instituted policy and practice that place limits on the use of certain explosive weapons in certain contexts, and seek to minimize the impact of military operations on civilians in ways that go beyond the minimum requirements of IHL. These lessons need to be applied across other military forces.

The United Nations Office for the Coordination of Humanitarian Affairs (OCHA) has convened three international expert consultations on the issue and is compiling examples of good practice, such as those in Afghanistan and Somalia. OCHA will share these with States, national armed forces and other relevant actors to help promote and contribute to a change in practice.

Member States, the United Nations and civil society are working together to promote States' adoption of a political declaration that will recognize the humanitarian impact of explosive weapons in populated areas and embody commitments to reduce that impact in the future.

¹ Action on Armed Violence, *Unacceptable Harm: Monitoring Explosive Violence in 2015*.

² Action on Armed Violence, *Patterns of Harm: Five Years of Explosive Violence 2011 – 2015*.

³ ICRC, *Health Care in Danger: A Sixteen Country Study* (2011).

⁴ Figures, Action on Armed Violence, note 1 above.