

CIVIC Statement on Political Declaration to Strengthening the Protection of Civilians from Humanitarian Consequences that can arise from the use of Explosive Weapons in Populated Areas

March 4, 2021

Thank you, Ambassador.

I am speaking on behalf of Center for Civilians in Conflict (CIVIC), which works to strengthen the protection of civilians by engaging armed actors and conflict-affected communities to develop and implement solutions to prevent, mitigate, and respond to civilian harm.

CIVIC welcomes the progress made in the draft circulated by Ireland on the elements of a forthcoming political declaration.

We recognize the states present have expressed concern and are committed to addressing the challenges from the use of explosive weapons in populated areas.

We support recommendations made by the International Network of Explosive Weapons (INEW), which CIVIC is a member of, to strengthen the declaration – in particular, the avoidance of the use of explosive weapons with wide area effect in populated areas and a stronger commitment on victims' assistance. CIVIC has submitted additional comments to strengthen sections of the paper.

CIVIC has helped create civilian casualty tracking mechanisms within militaries (Afghanistan and Ukraine) and with multinational forces (AMISOM and G5 Sahel Joint Force). We recommend strengthening language in para 1.7 to ensure military tracking mechanisms are supplemented by information recorded outside the military by media and NGOs to allow for comprehensive analysis on all possible incidents, identify lessons learned, and undertake remedial measures.

On Section 2, we support calls to adhere to international humanitarian law (IHL) in the declaration, but given the evolving nature of armed conflict and high toll on civilians and civilian objects, the declaration should promote concrete actions backed with political will to implement. As such we urge recognition that there is constant need to adapt, identify, and I would emphasize **implement** new policies and practices to mitigate civilian harm. The harm to civilians is not only from indiscriminate attacks, CIVIC sees gaps in implementing good policies and practices to mitigate incidental civilian harm, with devastating consequences for civilians.

Para 3.2 recognizes commitment to IHL trainings, but this is insufficient. We urge language specifying scenario-based practical trainings on how to plan, prepare, and mitigate civilian harm, which will allow for more effective protection of civilians and civilian objects.

For para 3.4, we recommend strengthening foreseeability during military planning processes by consulting with urban experts to better predict direct and reverberating effects from weapons usage in urban areas. In recent conflicts, CIVIC has documented that lack of such expertise in targeting processes did not allow for comprehensive assessments on direct and reverberating effects from weapons when used in urban areas.

Thank you.