

Elements for a political declaration on EWIPA

- Noting that the global trend to urbanisation is persistent and armed conflicts are increasingly being fought in populated areas, resulting in high numbers of civilian casualties, damage and destruction of civilian infrastructure due largely to the use of explosive weapons in populated areas;
- Acknowledging the high likelihood of civilian harm, damage to and destruction of civilian objects, when explosive weapons with wide area effects are used in populated areas;
- Gravely concerned about the direct impacts of the use of explosive weapons in populated areas, including but not limited to death and injury of civilians causing often long-term physical impairment and psychological harm as well as damage or destruction of civilian infrastructure, i.a. housing, schools and hospitals;
- Also gravely concerned about the indirect impacts of the use of explosive weapons in populated areas, including but not limited to the disruption of essential services such as water, sanitation, energy and healthcare, as well as of education and livelihoods; the threat of explosive remnants of war; displacement and prevention of returns of displaced persons; impediments to humanitarian access; and negative effects on socioeconomic development;
- Mindful of the concern expressed and awareness raised by the United Nations, the International Committee of the Red Cross as well as by civil society and taking note of the Joint Appeal by the Secretary-General of the United Nations and the President of the International Committee of the Red Cross on the Use of Explosive Weapons in Cities;
- Acknowledging that the risk to civilians caused by the use of explosive weapons in populated areas is increased by factors such as weaknesses in targeting processes, including limitations in collateral damage estimation and battle damage assessment, the wide area effects of weapons, lack of relevant training and expertise, improper weapons-target matching and real-time information shortages about the nature of the target and its surroundings;
- Alarmed also by the use of explosive weapons in populated areas by non-state armed groups often in violation of international humanitarian law;
- Condemning the use of civilians as human shields and other forms of exploitation of the proximity of civilians and civilian objects to military purposes such as locating military objectives in populated areas;
- Stressing that existing international humanitarian law provides a sufficient framework to address the problem when fully implemented;
- Underlining the need for better understanding, implementation of and enhancing compliance with existing international humanitarian law obligations;
- Emphasizing in particular the importance of distinguishing between combatants and civilians as well as between military objectives and civilian objects, of the prohibitions of indiscriminate and disproportional attacks, and of the obligation to take all feasible precautions in attack with a view to avoiding and in any event to minimizing, incidental civilian harm;

- Recalling also the obligation under international humanitarian law to provide civilians with general protection against dangers arising from military operations;
- Committed to strengthening the protection of civilians and civilian objects in armed conflict from the use of explosive weapons in populated areas, we will
 - Fully respect existing obligations under international humanitarian law when using explosive weapons in populated areas;
 - Adopt and review for this purpose policies and practices that will enhance the protection of civilians when explosive weapons are used in populated areas, including policies and practices to avoid the use of explosive weapons with a wide impact area, when there is strong likelihood of indiscriminate effects;
 - Implement, review, and where needed, develop or improve national policy and practice, including doctrine and rules of engagement;
 - Identify, share and support the implementation of good policy and practices, as well as lessons learned, on the use of explosive weapons in populated areas, and strengthen international cooperation and assistance in that regard;
 - Train armed forces and conduct exercises on the protection of civilians from the use of explosive weapons in populated areas and urban warfare in general;
 - Make every effort at a national level to collect or support the collection of reliable and relevant data, including disaggregated data, on the civilian harm caused by the use of explosive weapons in populated areas;
 - Provide assistance to victims of the use of explosive weapons in populated areas in a non-discriminatory manner;
 - Investigate allegations of violations of applicable national and international law in the use of explosive weapons in populated areas and, where appropriate, duly prosecute perpetrators;
 - Work to raise awareness of the humanitarian concern caused by the use of explosive weapons in populated areas and urban warfare in general;
 - Promote this Declaration and seek the adherence of the greatest possible number of States;
 - Meet on a regular basis, inviting also relevant international organisations and civil society, to review the implementation of this Declaration.