

Finland Written Submission – 10 February 2020

Finland aligns itself with the general statement made by the European Union, including the thanks to Ireland.

- A comment that does not focus on any particular paragraph in the elements: there is now no reference to binding obligations to ensure evacuation of civilians, the protection of hospital zones and demilitarized areas. We would welcome their inclusion.

Part A, Section 1:

- The problem and challenges have been well identified. It is important that the long-lasting harm to civilian population by use of explosive weapons with wide area effects has been recognized beyond the direct deaths, injuries and psychological trauma. The natural environment is among the casualties, and should be mentioned in 1.2.
- It is crucial and we appreciate that it is recalled in 1.7. that international humanitarian law applies to ALL parties to conflict, including non-state armed groups.

Part A, Section 2:

- The main title is perhaps not the best one, as it doesn't really capture the content of the section itself, we're not talking about the whole "legal framework" out there.
- We agree that existing IHL applies to the use of explosive weapons with wide area effects in populated areas. The focus is on full compliance and implementation of IHL.
- We suggest that the political declaration also recall the obligation to respect and ensure respect for IHL in all circumstances under 2.3 (*instead of "adhere to"*).

Part B, Section 3:

- We suggest rephrasing 3.1. "Comply with, and ensure (*instead of "promote"*) respect for, all obligations under international humanitarian law in all circumstances..."
- In para 3.5, our understanding is that the main idea here is to encourage voluntary information sharing and we would therefore add the word "voluntary" exchange of good practices.

Part B, Section 4:

- We support the language in 4.3. recognizing the rights of persons with disabilities, but we would like to note that attention should be given to the needs and rights of all those in the most vulnerable situations, including women and children, and most at risk due to, gender identity and sexual orientation, race, ethnicity, age or religion, besides disability.
- In Section 4 in particular, and more broadly also elsewhere in the elements, we were wondering under which mechanism will cooperation be improved, or information voluntarily shared? Which entity gathers the data and what type of follow-up mechanism will the Declaration have?
- In para 4.1. and also earlier in 1.8 IEDs are mentioned, but remain undefined. This is ok for us, as we do understand them to be covered under the Ottawa convention in case they are victim operated. If needed, however, we could borrow consensus language from the traditional UNGA I-committee resolution "*Condemning the use of improvised explosive devices in indiscriminate attacks endangering civilians.*" and its preambular para which reads: "Expressing grave concern over the devastation caused by the increasing use of improvised explosive devices by illegal armed groups, terrorists and other unauthorized recipients".