



Norwegian People's Aid (NPA)

Comments to the draft political declaration

Norwegian People's Aid welcomes the draft text presented by Ireland in March 2020 with its many improvements since the elements paper.

As a member of INEW, NPA fully supports INEW's comments and suggestions for improvements submitted, but nevertheless appreciates the opportunity to give individual comments. NPA expresses its thanks to Ireland for the inclusive leadership style and involvement of civil society in this process.

Further to the INEW submission, from which we highlight the importance of stronger and more concrete wording in the descriptive paragraph, as well as the need for a clear policy commitment to avoid the use of explosive weapons with wide area impact in populated areas, please find some concrete recommendations on the content, followed by some general comments:

Environment: The negative consequences on the natural environment from the use of explosive weapons should be addressed by the declaration and include concrete descriptions of this impact, such as: Contamination and degradation of air, water, and land from toxic pollutants contained in explosive weapons/ERW, destruction of animal species and wildlife habitats, deforestation, destruction of infrastructure for environmental management, such as waste and water treatment facilities, risk of exposure to chemicals from facilities damaged by explosives, or exposure to pollutants such as dust or asbestos. The removal of huge amounts of debris from towns and cities destroyed by explosives constitutes a further risk to the environment.

Victim assistance/risk education and humanitarian programming: the political declaration will hopefully get a long way in protecting civilians from explosive harm. However, we must also acknowledge that some actors may not respect the commitments, and explosive weapons will continue to be used in towns and cities, to the detriment of the civilian population. Thus, states should go beyond the negative obligation of avoiding certain use of explosive weapons, and also commit to humanitarian programming aimed at reducing suffering and casualty figures, and assist people who have already become victims.

Local response is and will remain an important part of mitigating direct consequences of urban warfare, and people should have access to knowledge and tools on how to mitigate the risk they are exposed to, for example unexploded devices, as well as what constitutes safer behaviour in times of fighting. Capacities such as being able to provide lifesaving first aid to peers could improve protection of civilians' lives and health. Risk education and risk reduction measures should ideally be addressed in a separate paragraph in section 4. We should ensure the text focuses on prevention as well as response, as one will have limited impact without the other. Humanitarian programming in general will be an important part of implementing this declaration and achieving its goals.



Norwegian People's Aid

On the gendered impact: the reference to “potential” gendered impact should be removed, as explosive weapons use will naturally have different impact on men, women, boys and girls. The aim should not merely be to further research this, but to tailor prevention and response programmes to the gendered impact of explosive weapons.

General comments and style of writing: in line with comments from HRW, WILPF and INEW, we would like to see a tweak of language style, making the text more available for a broader audience. The language also needs to avoid normalising the use of EWIPA, and furthermore avoid reducing the text to be relevant merely for fixed point in time. The declaration should avoid giving the impression that states are already compliant with the commitments without needing to change much in their current military procedures. That is, the writing style should render the text relevant both for the current and future situations and present protection of civilians as an ongoing challenge that does not stop with this text or a single revision of military policy.

The choice of the word “can” as a caveat in several sentences downplays well-documented humanitarian consequences with the use of explosive weapons with wide area impacts in populated areas. A stronger acknowledgement of the causal connection between EWIPA and the harm on civilians is needed, and the harm should be described in more detail, as stated in the INEW feedback document. The description of the humanitarian concerns thus needs to be tied to the policy commitments in 3.4 (NPA agrees with other input submitted that 3.4 should be the first paragraph of a future operational section). Another correlation that would benefit from clearer language is that between the use of explosive weapons with wide area impacts and the reverberating effects and its humanitarian consequences. From this follows the logical conclusion that in order to comply with IHL and better protect civilians, an avoidance policy is a reasonable response.

The references to displacement and the SDGs would benefit from stronger language. It should be safe to say that bombing and shelling does indeed have a negative effect on development. Bombing and shelling, as well as unexploded ordnance, are directly linked to population movements and return challenges.

Post-conflict stabilisation should be separated from its current mention in 4.4 and could for example be replaced with “supporting humanitarian responses”.

Lastly, implementing the declaration will be where the real change will stem from, and we would thus welcome a more concrete commitment from states to meet annually during the first years after the declaration in order to keep the momentum and implement positive changes that have a real impact on civilian protection. Committing to inviting relevant international and local organisations and civil society should be part of the implementation and follow-up.