

Protecting Civilians in Urban Warfare
Towards a Political Declaration to Address the Humanitarian Impact of the
Use of Explosive Weapons in Populated Areas
Geneva Consultations
10 February 2020

Statement delivered by OCHA on behalf of United Nations
and other organizations engaged in humanitarian action*

I am pleased to deliver this statement on behalf of 21 United Nations and other organizations engaged in humanitarian action.

We welcome today's consultation and are grateful to Ireland for the preparation of the elements paper. It provides a solid and comprehensive basis for moving the discussion towards the development of a declaration text.

The paper reflects a number of the points made in the inter-agency statement delivered at the November consultation for which we are grateful.

We welcome the recognition of the devastating humanitarian impact that arises from the use of explosive weapons in populated areas, both in the short and long-term. However, this could be strengthened by expressly referencing the reverberating effects of the use of explosive weapons and how these impact the civilian population more broadly. It could also better reflect the complex and cumulative nature, as well as its gender dimension, of the impact and how this undermines human rights and development and gives rise to the need for considerable humanitarian and development assistance.

We also welcome the inclusion of elements relating to data collection, victim assistance, clearance of explosive remnants of war, humanitarian access, and support to the work of the United Nations and other organizations in addressing the humanitarian impact of explosive weapons in populated areas. Again, there is scope to further strengthen and improve these and other elements and we will make suggestions to this end during today's discussion.

At the same time, we are extremely concerned that the elements paper does not express a clear and unequivocal commitment to avoid the use of explosive weapons with wide-area effects in populated areas and to develop operational policy based on a presumption against such use, as recommended by the United Nations Secretary-General.

We would note that in addition to the United Nations Secretary-General, the International Committee of the Red Cross (ICRC), African States adopting the 2017 Maputo Communiqué, and Latin American and Caribbean States adopting the 2018 Santiago Communiqué, and others, have all called upon States and parties to conflict to avoid the use of explosive weapons with wide-area effects in populated areas.

As field-based humanitarian and human rights organizations, protecting and assisting millions of people in the world's conflict zones, we are acutely aware of the catastrophic humanitarian

impact that results from the use of explosive weapons with wide-area effects in towns, cities and other populated areas. We are equally aware that the only realistic way of addressing that impact and strengthening the protection of civilians is for parties to conflict to avoid the use of explosive weapons with wide-area effects in populated areas.

The inclusion of an express commitment to this end seems neither unreasonable nor unprecedented. There are well-documented situations, such as in Afghanistan and Somalia, where militaries have enacted policies that avoid the use of explosive weapons to better protect civilians. Moreover, they have done so without compromising mission effectiveness and force protection.

These and other examples demonstrate that there are courses of action open to militaries that do not involve the widespread use of explosive weapons, or that restrict that use to very specific situations. They provide an important basis for the development of avoidance policies and for promoting thinking and research into tactical alternatives to the use of explosive weapons in populated areas.

This is the forward-looking approach that must be reflected in the future declaration if it is to genuinely strengthen the protection of civilians and make a meaningful difference to the lives of conflict-affected populations.

*Endorsed by:

Centre for Civilians in Conflict (CIVIC)
DanChurchAid
Danish Demining Group
Global Protection Cluster
Heartland Alliance International
Humanity and Inclusion
International Council of Voluntary Agencies (ICVA)
InterAction
Mercy Corps
Mines Advisory Group (MAG)
Norwegian People's Aid
Norwegian Refugee Council
Oxfam
Save the Children
Secours Islamique

United Nations Children's Fund (UNICEF)
United Nations High Commissioner for Refugees (UNHCR)
United Nations Human Settlement Programme (UN-HABITAT)
United Nations Office for the Coordination of Humanitarian Affairs (OCHA)
United Nations Office of the High Commissioner for Human Rights (OHCHR)
United Nations Population Fund (UNFPA)