

PROTECTING CHILDREN FROM THE USE OF EXPLOSIVE WEAPONS IN POPULATED AREAS

The use of explosive weapons in populated areas directly contributes to grave violations against children in armed conflict, including killing and maiming, attacks on schools and denial of humanitarian access. Recognising this, and in view of the upcoming UN Security Council open debate, **Article 36 calls on states to:**

- × Acknowledge the severe impact on children, and civilians more broadly, from the use of explosive weapons in populated areas
- × Endorse the UN Secretary-General’s recommendation, and that of UNICEF, UN OCHA, the UN Special Representative for Children and Armed Conflict and others including civil society and the ICRC,¹ that states should avoid the use of explosive weapons with a wide area effects in populated areas
- × Express support for the development of an international political declaration to strengthen the protection of civilians from the use of explosive weapons in populated areas, by avoiding the use of explosive weapons with wide area effects in populated areas, and containing strong humanitarian provisions to assist victims and affected communities
- × Collect and make available to the UN and other relevant actors information on civilian harm resulting from the use of explosive weapons including age and gender disaggregated data, to better understand the impacts of such use

Children and explosive weapons

Civilian harm from the use of explosive weapons in populated areas has been highlighted as a top humanitarian priority² following the increase in recent years of conflicts taking place in urban settings resulting in high levels of civilian casualties. Data consistently shows that when explosive weapons are used in populated areas, approximately 90% of those reported killed and injured are civilians.³

Such weapons are used to attack schools, hospitals, and essential infrastructure such as water and sanitation systems that is specifically critical for children. The use of explosive weapons is also a key driver of displacement, forcing children and families from their homes and rendering them additionally vulnerable to harm and exploitation.

Killing and maiming of children

The killing and maiming of children is the most immediate and visceral form of harm caused by explosive weapons. Child casualties are poorly reported in media sources, and monitoring and

observation groups often do not distinguish between adult and child casualties. Even so, between 2011 and 2020 at least 17,035 children were reported in English language media as having been killed or injured by explosive violence, with an additional 807 children reported as casualties of explosive remnants of war.⁴ Last year, explosive weapons and remnants of war were responsible for nearly half of all verified child casualties.

Medical authorities have described the ability of explosions to inflict “multi-system life-threatening injuries on many persons simultaneously”.⁵ The risk to children, whose smaller, younger bodies are more vulnerable and for whom treatment can prove more difficult, is especially acute. As their bones are more pliable, and their bodies still growing, physical injuries can be particularly difficult to treat and rehabilitate.

Exposure to explosive weapons use can also be particularly traumatic to children at a critical time in their psychological development, with long-term effects on their mental health as well as the cognitive, social and emotional aspects of their development.

Attacks on schools

Conflict and violence deprive millions of children of an education. According to the European Commission, the education of 75 million children around the world has been disrupted by humanitarian emergencies and protracted crisis.⁶ The Global Coalition to Protect Education from Attack (GCPEA) has documented a systematic pattern of attacks on education in 37 countries over the last five years.⁷

Where explosive weapons such as heavy mortars, air-dropped bombs and missiles are used, they can damage or destroy school buildings, even if the school is not the target of the attack, or is not directly hit. This can result in the death and injury of children, students and teachers, the disruption of learning opportunities and the deprivation of access to schools which often provide shelter and safety for children. The bombing and shelling of schools and universities also disrupts not only the education of those who attend a particular school, but many more children whose parents keep them home rather than expose them to the risk of being killed or maimed.

Humanitarian access

States and other parties to conflict have a duty to ensure the needs of children and other civilians affected by conflict are met, including by allowing and facilitating rapid and unimpeded access for humanitarian aid to populations in need. When explosive weapons are used in populated areas, however, they often damage and destroy infrastructure as well as cause significant casualties, thereby heightening the need for humanitarian aid while at the same time making its delivery more difficult.

The use of explosive weapons in populated areas has severe repercussions for safe and inclusive humanitarian access. Humanitarian and relief organisations can struggle to access and work in certain areas due to insecurity and the risks posed by bombardment, as well as the destruction of roads and buildings that act as key infrastructure for delivering humanitarian aid.⁸ Bombing and shelling of towns, cities and other populated areas damages and destroys healthcare facilities, hampering the provision and quality of medical care to children in need, whilst damage to water, sanitation, transport and energy infrastructure compounds such problems.⁹

Developing stronger standards for protection from explosive weapons

The UN Secretary-General has welcomed the efforts of states and organisations to engage constructively in efforts to develop a political declaration to address the civilian harm caused by the use of explosive weapons. Led by the government of Ireland through a process in Geneva, discussions to develop an international political declaration have begun and are expected to conclude later this year, aimed at strengthening the protection of civilians arising from the use of explosive weapons in populated areas.

The current draft political declaration provides a good basis for further discussion, and holds the potential to be an effective tool, but its provisions and humanitarian protection measures need to be strengthened. Building on the calls of the UN Secretary-General and the ICRC, central to the declaration should be a commitment to *avoid the use of explosive weapons with wide area effects in populated areas*.

States should also speak up in favour of stronger acknowledgments of the civilian harm and suffering, including for children, caused by the use of explosive weapons in populated areas, and advocate for stronger humanitarian provisions including on humanitarian access, as well as for disaggregated data collection that details the impact of explosive weapons use on children and for victim assistance.

Whilst not a legally-binding commitment, a political declaration should articulate a clearer standard of practice that would translate into better protection of children caught up in conflict. It would provide a tool that promotes operational policy and practice to better protect all civilians, including children, and a framework for states to work together to achieve that purpose.

A collective commitment to avoid the use of explosive weapons with wide area effects in populated areas would have a clear and positive effect on the safety and future of children living through conflict.

END NOTES

- 1 The UN Secretary General has repeatedly called on all state and non-state parties since 2009 to “avoid the use of explosive weapons with wide-area effects in populated areas”, including most recently in the ‘Report of the Secretary-General on the protection of civilians in armed conflict’ (S/2020/366). UNICEF’s Executive Director echoed this call at the June 2021 UN Security Council open debate on children and armed conflict: <https://uni.cf/3xpOSQN>
- 2 See for example, ‘Explosive weapons in cities: Civilian devastation and suffering must stop’, 18 September 2019, The Secretary-General of the United Nations Antonio Guterres, and the President of the ICRC, Peter Maurer, issue a joint appeal, <http://bit.ly/211VBkL>
- 3 Action on Armed Violence, ‘A Decade of Explosive Harm’, May 2021
- 4 Ibid.
- 5 Center for Disease Control and Prevention, “Explosions and Blast Injuries: A primer for clinicians”.
- 6 European Commission (2020), “Education in Emergencies Factsheet”. https://ec.europa.eu/echo/printpdf/what/humanitarian-aid/education-emergencies_en
- 7 Global Coalition to Protect Education from Attack (GCPEA) (2020), “Education Under Attack 2020”. eua2020.protectingeducation.org/#introduction
- 8 See Insecurity Insight, ‘Aid in Danger’ <http://www.insecurityinsight.org/aidindanger/explosives/>
- 9 See for example ICRC, ‘Explosive weapons in populated areas: The consequences for civilians,’ June 2015 <https://bit.ly/1BfcidM>, and Harvard Law School and PAX, Operating under fire: The effects of explosive weapons on healthcare in the East of Ukraine’, May 2017, <https://bit.ly/2vuYXOT>