



The Explosive Weapons Monitor is a civil society initiative that conducts research and analysis on harms from and practices of explosive weapon use in populated areas for the International Network on Explosive Weapons (INEW).

EXPLOSIVE WEAPONS MONITOR 2023



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The Explosive Weapons Monitor is a civil society initiative that conducts research and analysis on harms from and practices of explosive weapons use in populated areas for the International Network on Explosive Weapons (INEW). It produces a monthly bulletin, which publishes data on incidents of explosive weapons use around the world as reported in open sources, including data from Action on Armed Violence (AOAV) and Insecurity Insight, respectively providing information on:

- Incidents of explosive weapons use and casualties, including deaths and injuries
- Incidents of explosive weapons use affecting aid access, education and healthcare

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Cover photo:

Smoke rises over buildings in Gaza City during airstrikes by Israeli armed forces on 9 October 2023.

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KEY FINDINGS

1. Harm to civilians from the use of explosive weapons occurred in at least 75 countries and territories around the world in 2023.

- Civilians in at least 75 countries and territories were affected by incidents of explosive weapons use that caused at least one civilian death or injury, or affected access to healthcare, education or humanitarian aid in 2023.
- Twenty-eight countries and territories affected by the use of explosive weapons in 2023 have endorsed the Political Declaration.
- Civilians in nine countries and territories – Lebanon, Myanmar, Pakistan, Palestine, Somalia, Sudan, Syria, Ukraine and Yemen – were heavily impacted by the use of explosive weapons across all areas of harm (casualties, healthcare, education and aid access).

2. Civilian deaths caused by the use of explosive weapons increased in 2023.

- Civilian deaths that were recorded as occurring as a result of the use of explosive weapons increased in 2023 compared to 2022. This increase can be largely attributed to the use of explosive weapons in Palestine.
- Civilian deaths also increased in other countries and territories in 2023, including Myanmar, Pakistan, Sudan and Syria.
- Civilian deaths decreased in other countries in 2023, including Afghanistan, Ethiopia, Iraq, Ukraine and Yemen. Though civilian deaths decreased in these countries compared to 2022, they nonetheless persisted in high numbers and contributed to the overall harm to civilians from the use of explosive weapons in 2023.

3. The use of explosive weapons in attacks on healthcare increased by 12 percent in 2023.

- At least 763 incidents in which explosive weapons damaged or destroyed health facilities or killed health workers were recorded by Insecurity Insight in 2023. These attacks occurred across 20 countries and territories. The number of attacks increased by 12 percent from 2022, in which 682 attacks were recorded.
- Attacks on healthcare in which explosive weapons were used in 2023 included 514 attacks on health facilities, 57 attacks on ambulances and 154 incidents affecting health workers.

4. The use of explosive weapons in attacks on education increased by 80 percent in 2023.

- At least 296 incidents in which explosive weapons damaged or destroyed education facilities or killed teachers or students were recorded in 21 countries and territories by Insecurity Insight in 2023. Numbers of attacks increased by 80 percent from 2022, in which 164 attacks were recorded.
- Attacks on education in which explosive weapons were used in 2023 included 278 incidents affecting schools and 25 incidents affecting teachers.

5. The use of explosive weapons in attacks on humanitarian aid occurred nearly five times more frequently in 2023.

- At least 470 incidents of explosive weapons use affecting humanitarian aid operations were recorded in 11 countries and territories by Insecurity Insight in 2023. Numbers of incidents affecting aid operations were almost five times higher than in 2022, in which 99 incidents occurred.
- Attacks on humanitarian aid in which explosive weapons were used included 23 incidents affecting aid workers and 46 incidents affecting aid programmes.

6. The use of explosive weapons by armed forces of 29 states caused harm to civilians in 30 countries and territories in 2023.

- Armed forces of 29 states reportedly used explosive weapons that caused civilian casualties or affected access to healthcare, education or humanitarian aid in 30 countries and territories in 2023.
- Armed forces of at least three states – Israel, Russia and Myanmar – used explosive weapons that reportedly caused harm to civilians in 1,000 or more incidents.
- The use of explosive weapons by armed forces of seven states that have endorsed the Political Declaration – Jordan, Kenya, Morocco, Somalia, Togo, Türkiye and the United States – reportedly caused harm to civilians in five countries and territories – Burkina Faso, Iraq, Kenya, Morocco, Somalia and Syria.

7. Non-state actors used explosive weapons that caused harm to civilians in 63 countries and territories in 2023.

- Non-state actors used explosive weapons that caused civilian casualties or affected access to healthcare, education or humanitarian aid in 63 countries and territories in 2023.
- Three countries – Myanmar, Sudan and Syria – were affected by explosive weapons use by non-state armed actors that reportedly caused harm to civilians in more than 200 incidents.

8. The Political Declaration on the use of explosive weapons in populated areas has been endorsed by 86 states.

- The Political Declaration was endorsed by 83 states in Dublin, Ireland, in November 2022. Since then, three states – Jordan, Montenegro and North Macedonia – have endorsed the Declaration.
- Endorser states have joined the Political Declaration from all world regions. Some regions and sub-regions, such as Europe, Latin America and Northern America, have moderate to high levels of endorsement, whilst others, including Africa, Asia, the Caribbean, the Middle East and the Pacific, have low levels of endorsing states and therefore remain a priority for outreach engagement.

9. Seventeen states responded to a survey for endorsing states by the International Network on Explosive Weapons (INEW), reporting on steps taken at the national level towards implementation of the Political Declaration.

- States reported actions taken towards implementation of the Political Declaration in the context of initiating policy review and development to operationalise the Declaration's commitments.
- Sixteen states reported that they had designated a focal point responsible for implementation of the Declaration, and 13 states reported that they had disseminated the Declaration nationally.
- Twelve states indicated that they had, or were in the process of, reviewing existing laws, policies, and practices relevant to the protection of civilians to identify areas where further policy development would be necessary to meet the commitments under the Declaration. Responses indicate varied stages and approaches to this review process.

INTRODUCTION

“Everything was completely destroyed...nothing but ruins, smoke and stones. When the war started, I had only one mission in my life, to protect my children. I wish I were with them when the house was hit. My body survived but my spirit died with my children, it was crushed under the rubble with them.” – Ahmad Nasman, Rafah, Gaza¹

The use of explosive weapons in populated areas kills and injures tens of thousands of civilians each year. It destroys critical civilian infrastructure, such as hospitals, schools and power and water systems, which impacts the provision of essential services and leads to long-term civilian suffering far beyond the attack. Civilians also experience the frightening and destructive effects of explosive weapons in other ways – through the sounds of explosions, the fear of bombardment from fighter jets, and the shockwaves felt from artillery fired outside their homes. When the bombing stops, communities are tasked with rebuilding homes, hospitals, schools and other infrastructure, often while facing long-lasting injuries, psychosocial trauma, food insecurity, and impeded economic development.

IN TOWNS AND CITIES ACROSS THE WORLD IN 2023, CIVILIANS EXPERIENCED AN UNPRECEDENTED LEVEL OF HARM FROM THE USE OF EXPLOSIVE WEAPONS. CIVILIAN CASUALTIES AND IMPEDED ACCESS TO HEALTHCARE, EDUCATION AND HUMANITARIAN AID INCREASED MOST DRASTICALLY IN PALESTINE, BUT ALSO IN OTHER COUNTRIES IN CONFLICT MARKED BY THE USE OF EXPLOSIVE WEAPONS, SUCH AS SUDAN, MYANMAR AND SYRIA. CIVILIAN HARM ALSO CONTINUED IN OTHER CONTEXTS, INCLUDING UKRAINE, ETHIOPIA AND YEMEN.

In towns and cities across the world in 2023, civilians experienced an unprecedented level of harm from the use of explosive weapons. Civilian casualties and impeded access to healthcare, education and humanitarian aid increased most drastically in Palestine, but also in other countries in conflict marked by the use of explosive weapons, such as Sudan, Myanmar and Syria. Civilian harm also continued in other contexts, including Ukraine, Ethiopia and Yemen.

On 18 November 2022, 83 states endorsed *the Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences of the Use of Explosive Weapons in Populated Areas* – the first formal international recognition that the use of explosive weapons in populated areas has severe humanitarian consequences that must be urgently addressed. The culmination of almost three years of consultations, it aims to limit the use of explosive weapons in populated areas and to address their immediate and longer-term impacts. By endorsing the Declaration, states both recognize the harms experienced by civilians from the use of explosive weapons in populated areas and commit to work to prevent and address these harms together with the United Nations (UN), the International Committee of the Red Cross (ICRC) and civil society, both during and after conflict.

This report marks the beginning of greater efforts by the Explosive Weapons Monitor to report on harm to civilians from the use of explosive weapons across a fuller spectrum of harm and drawing on a wider range of data sources. It also marks the Explosive Weapon Monitor’s first efforts towards monitoring progress on universalization and implementation of the Political Declaration. As such, this report takes stock of harm to civilians from the use of explosive weapons across the globe in 2023, identifies state and non-state actors reportedly responsible for this use, and reports on actions taken by states towards addressing this harm to civilians through the universalization and implementation of the Political Declaration.

¹ Amnesty International (2024). ‘New evidence of unlawful Israeli attacks in Gaza causing mass civilian casualties amid real risk of genocide’. 12 February 2024.

I. HARM TO CIVILIANS FROM THE USE OF EXPLOSIVE WEAPONS IN 2023

1. Methodology Note

The Explosive Weapons Monitor reports on civilian harm from the use of explosive weapons across four thematic areas – incidents in which civilian casualties were reported, as recorded by Action on Armed Violence (AOAV) and the Armed Conflict Location & Event Data Project (ACLED), as well as incidents that affected civilian access to healthcare, education, and humanitarian aid, as recorded by Insecurity Insight. For full methodologies, please see Annex 1.

The data presented in this report do not capture every casualty or incident of explosive weapons use that occurred in 2023. They also do not capture the many additional ways in which civilians are impacted by the use of explosive weapons, such as displacement, psychosocial trauma and impeded economic development. The impact of explosive weapons use is much greater than is presented here. Instead, this report aims to identify patterns of harm from the use of explosive weapons around the globe and to demonstrate a clear need to mitigate risk to civilians, take steps to prevent the harm to civilians caused by the use of explosive weapons, and to provide necessary, lifesaving and longer-term assistance to victims and survivors.

The Explosive Weapons Monitor defines populated areas as “any concentration of civilians, be it permanent or temporary, such as in inhabited parts of cities, or inhabited towns or villages, or as in camps or columns of refugees or evacuees, or groups of nomads,” synonymous with the term “concentration of civilians” which appears in existing international humanitarian law (IHL). The references to refugees, evacuees and nomads and the use of the term “inhabited” suggests that the presence of civilians and civilian objects – which need not be in great numbers – is a defining characteristic of populated areas.² While the data presented here do not distinguish between use of explosive weapons in populated and unpopulated areas, the indicators of harm – civilian casualties and damage and destruction of civilian infrastructure and services – suggests that the majority of incidents recorded by each data source above likely occurred in populated areas.

Identifying the numbers of civilian casualties of explosive weapons presents numerous challenges, including data availability, verification and accuracy. In conflict situations, there is often limited media access and a lack of infrastructure and resources for data collection, hindering the ability to gather comprehensive information. Underreporting of casualties can be due to a combination of factors, such as changing media focus on conflicts and inaccessible areas. Data or reporting can be biased according to specific aims, narratives or outlooks. Distinguishing civilian deaths from available information can also be challenging, especially when reporting sources use unclear terminology and terms to identify civilians, such as ‘people’ rather than specifying ‘civilians’. As such, numbers of casualties presented here are almost certainly an underrepresentation of civilian death and injury in 2023. Additionally, civilian casualties caused by explosive weapons may have occurred in countries and territories not identified in this report.

2 See Article 1(2), Protocol on Prohibitions and Restrictions on the Use of Incendiary Weapons (1980). See also ICRC (2016). ‘Explosive Weapons in Populated Areas – Factsheet’; Human Rights Watch and Harvard Law School International Human Rights Clinic (2022). ‘Safeguarding Civilians: A Humanitarian Interpretation of the Political Declaration on the Use of Explosive Weapons in Populated Areas’, pp.8-9.







2. Global Overview














































Harm to civilians from the use of explosive weapons occurred in at least 75 countries and territories in 2023. Harm to civilians occurred in incidents that caused civilian death or injury, or affected access to healthcare, education or humanitarian aid.



Of these 75 affected countries and territories, 28 have endorsed the Political Declaration – Brazil, Cambodia, Canada, Central African Republic, Colombia, Cyprus, Ecuador, Germany, Indonesia, Ireland, Kenya, Madagascar, Malawi, Malaysia, Mexico, Morocco, Netherlands, Palestine, Peru, Philippines, Serbia, Somalia, Spain, Sweden, Togo, Türkiye, United Kingdom, and United States.

Civilians in nine countries and territories – Lebanon, Myanmar, Pakistan, Palestine, Somalia, Sudan, Syria, Ukraine and Yemen – were heavily impacted by the use of explosive weapons, as they experienced harm across all reported areas (casualties, healthcare, education and aid access).

Figure 1 – Countries and territories in which civilians were affected by the use of explosive weapons in 2023

| Country |  |  |  |  | Country |  |  |  |  |
|------------------------|---|---|---|---|----------------------------------|---|---|---|---|
| Afghanistan |  | | |  | Central African Republic |  | | | |
| Algeria |  | | | | Chad |  | | | |
| Angola |  | | | | China |  | | | |
| Armenia |  | | | | Colombia |  |  | |  |
| Azerbaijan |  |  | | | Cyprus |  | | | |
| Bangladesh |  |  | | | Democratic Republic of the Congo |  |  | |  |
| Benin |  | | | | Ecuador |  | | | |
| Bosnia and Herzegovina |  | | | | Egypt |  | | | |
| Brazil |  | | | | Ethiopia |  |  | |  |
| Burkina Faso |  | | |  | Germany |  | | | |
| Burundi |  | | | | India |  | | | |
| Cambodia |  | | |  | Indonesia |  | | | |
| Cameroon |  | | | | Iran |  | | | |
| Canada |  | | | | Iraq |  |  |  | |

| Country |  |  |  |  |
|-------------|---|---|---|---|
| Ireland |  | | | |
| Israel |  |  | |  |
| Kenya |  |  | | |
| Lebanon |  |  |  |  |
| Libya |  | | | |
| Madagascar |  | | | |
| Malawi | | |  | |
| Malaysia |  | | | |
| Mali |  | | |  |
| Mauritania |  | | | |
| Mexico |  | | |  |
| Montenegro |  | | | |
| Morocco |  | | | |
| Mozambique |  | | | |
| Myanmar |  |  |  |  |
| Namibia |  | | | |
| Nepal |  | | | |
| Netherlands |  | | | |
| Niger |  | | | |
| Nigeria |  | | |  |
| Oman |  | | | |
| Pakistan |  |  |  |  |
| Palestine |  |  |  |  |
| Peru |  | | | |

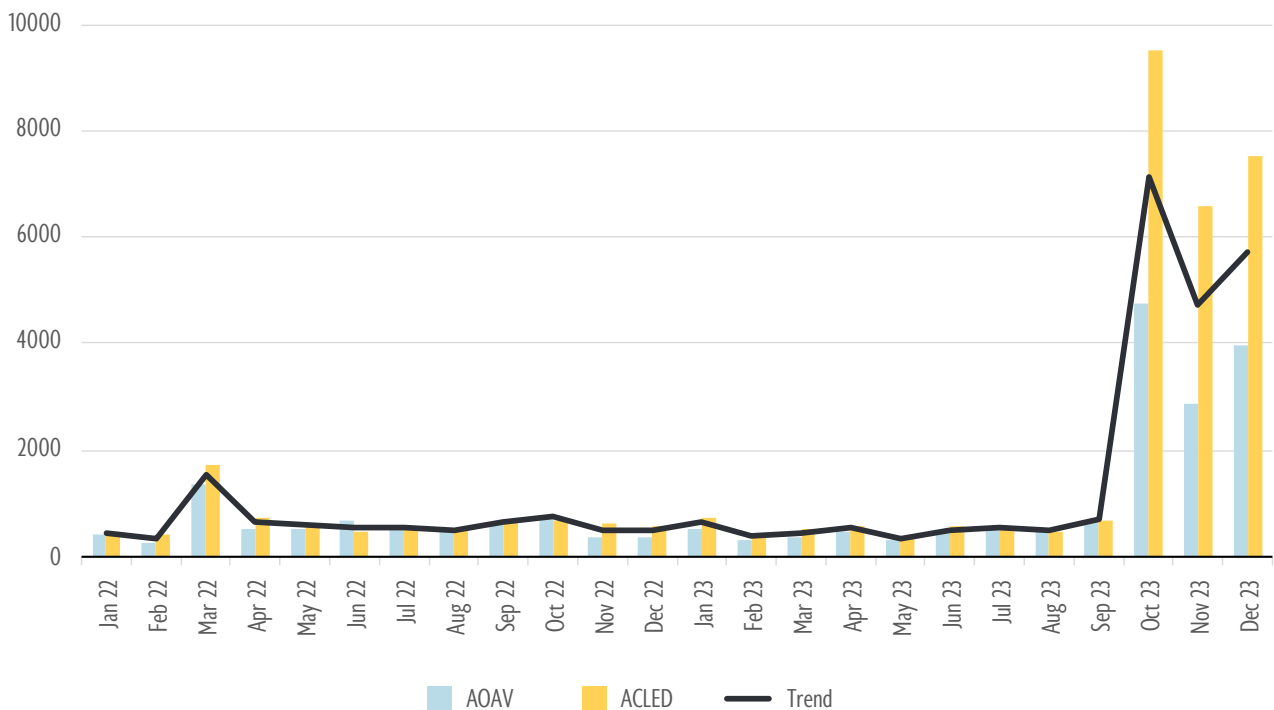
| Country |  |  |  |  |
|----------------------|---|---|---|---|
| Philippines |  | | | |
| Russia |  | | |  |
| Saudi Arabia |  | | | |
| Serbia |  | | | |
| Somalia |  |  |  |  |
| South Sudan |  | | | |
| Spain |  | | | |
| Sri Lanka |  | | | |
| Sudan |  |  |  |  |
| Sweden |  | | | |
| Syria |  |  |  |  |
| Tajikistan |  | | | |
| Thailand |  | | | |
| Togo |  | | | |
| Tunisia |  | | | |
| Türkiye |  | | | |
| Uganda |  | | | |
| Ukraine |  |  |  |  |
| United Arab Emirates |  | | | |
| United Kingdom |  | | | |
| United States |  |  | | |
| Venezuela |  |  | | |
| Yemen |  |  |  |  |

3. Casualties: Civilian Death and Injury from the Use of Explosive Weapons

Civilian casualties occurred in the majority of countries and territories where explosive weapons were used in 2023. However, the use of explosive weapons by Israeli armed forces since the beginning of military operations in Gaza in October 2023, is the main driver of a dramatic increase in civilian casualties in 2023 compared to 2022.

Using civilian deaths as the primary indicator of civilian casualties in 2023, as they were more widely reported than injuries in media and elsewhere. In Palestine, AOV and ACLED recorded increases of approximately 9,700 and 20,800 deaths, respectively, in 2023. These civilian deaths occurred almost entirely in October, November and December of that year, accounting for the immense increase in civilian deaths towards the end of 2023.³

Figure 2 – Civilian deaths from the use of explosive weapons globally by month in 2022 and 2023



Civilian deaths also increased in other countries and territories in 2023 compared to the previous year. For example, both AOV and ACLED reported increases in civilian deaths in Sudan, Myanmar, Syria and Pakistan, in addition to Palestine, as seen in Figure 3.

³ Civilian deaths reported by ACLED in Palestine are those for which Palestinian civilians were coded as the 'secondary group' and correspond to incidents where the main or only 'target' of a conflict event were civilians. This designation was not used to determine or imply that civilians were targeted with an explosive weapon. In many cases, recorded incidents refer generally to 'Palestinians' and not civilians specifically, in line with reporting on casualties by the Ministry of Health in Gaza. As such, the numbers of civilian deaths are significantly higher than those recorded by AOV, who recorded only deaths it could determine were civilians.

Civilian deaths decreased in other countries and territories in 2023. For example, both AOVAV and ACLED reported decreases in civilian deaths in Ukraine, Ethiopia, Afghanistan, Yemen and Iraq, as seen in Figure 4. Though civilian deaths decreased compared to 2022, they nonetheless persisted in high numbers and contributed to the alarmingly high levels of harm to civilians from the use of explosive weapons in 2023.

Figure 3 – Annual increases in civilian deaths in 2023

| AOAV | | | | ACLED | | | |
|-----------|-------------|-------------|---------------------------|-----------|-------------|-------------|---------------------------|
| Country | Deaths 2022 | Deaths 2023 | Annual increase in deaths | Country | Deaths 2022 | Deaths 2023 | Annual increase in deaths |
| Palestine | 37 | 9774 | 9737 ↑ | Palestine | 26 | 20858 | 20832 ↑ |
| Sudan | 5 | 1226 | 1221 ↑ | Sudan | 7 | 1212 | 1205 ↑ |
| Myanmar | 292 | 745 | 453 ↑ | Myanmar | 546 | 1116 | 570 ↑ |
| Syria | 340 | 523 | 183 ↑ | Syria | 407 | 617 | 210 ↑ |
| Pakistan | 134 | 249 | 115 ↑ | Pakistan | 126 | 329 | 203 ↑ |

Figure 4 – Annual decreases in civilian deaths in 2023

| AOAV | | | | ACLED | | | |
|-------------|-------------|-------------|---------------------------|-------------|-------------|-------------|---------------------------|
| Country | Deaths 2022 | Deaths 2023 | Annual decrease in deaths | Country | Deaths 2022 | Deaths 2023 | Annual decrease in deaths |
| Ukraine | 3672 | 1778 | 1894 ↓ | Ukraine | 3881 | 1640 | 2241 ↓ |
| Ethiopia | 632 | 120 | 512 ↓ | Ethiopia | 405 | 193 | 212 ↓ |
| Afghanistan | 404 | 95 | 309 ↓ | Afghanistan | 469 | 128 | 341 ↓ |
| Yemen | 286 | 92 | 194 ↓ | Yemen | 916 | 416 | 500 ↓ |
| Iraq | 142 | 68 | 74 ↓ | Iraq | 92 | 72 | 20 ↓ |

3.1. Case Study – Gaza: Civilian Death and Injury

On 7 October 2023, Hamas and other armed Palestinian groups launched rockets and deployed fighters into southern Israel, killing 1,200 people and taking more than 200 hostages, according to Israeli authorities. In return, Israel initiated one of the heaviest aerial bombardments in recent history, followed by a ground-invasion in which nearly 40,000 combat troops invaded northern Gaza.⁴

Israeli armed forces' use of explosive weapons, including airstrikes and ground-launched weapons, have killed civilians at a rate for which there are few precedents in the last century. Much of this damage has been caused by airstrikes conducted by the Israeli armed forces with large, air-dropped munitions with heavy explosive payloads, including 2,000-pound unguided bombs.

In 2023, more than 21,000 Palestinians were killed in Gaza since the start of hostilities, including more than 5,100 women and 7,700 children who, when combined, account for about 70 percent of all those killed, according to the Ministry of Health (MoH) in Gaza (which does not distinguish between civilian and armed-actor casualties).⁵ Israeli authorities estimate that at least 5,000 Hamas fighters were among those killed.⁶ More than 56,000 Palestinians were also reportedly injured, while even more people remained missing and presumed buried under rubble. The numbers of those killed and injured increase on a daily basis, such that in 2024, the MoH in Gaza reported in early April that more than 33,000 Palestinians had been killed and more than 75,000 injured.⁷

Amongst the dead in Gaza are entire family units. In just one airstrike on the Jabalia refugee camp on 31 October 2023, three families were killed in their entirety, according to Airwars.⁸ Other families suffered tremendous losses of extended relatives. An airstrike by Israeli armed forces on 22 October 2023 levelled two buildings in Deir al Balah, killing 68 members of the Joudeh family as they slept, after some had fled from northern Gaza as Israel had ordered residents to do.⁹ Survivors of airstrikes shared with Amnesty International the horror they faced in the aftermath of the attacks. Family members were buried in rubble. In most cases, only pieces of their loved ones could be recovered. Only a “small number of relatives were recovered more or less whole, otherwise bodies were reduced to shreds.”¹⁰

The UN Secretary-General was the first to describe Gaza as a graveyard for children. UNICEF has also made this clear: “Gaza has become a graveyard for thousands of children. It’s a living hell for everyone else.”¹¹

4 Pape, R. (2023). 'Israel's Failed Bombing Campaign in Gaza: Collective Punishment Won't Defeat Hamas'. 6 December 2023. Foreign Affairs.

5 UN OCHA (2023). 'Hostilities in the Gaza Strip and Israel - reported impact | Day 85'.

6 Times of Israel (2023). 'IDF officials: 2 civilian deaths for every 1 Hamas fighter killed in Gaza'. 5 December 2023.

7 UN OCHA (2024). 'Hostilities in the Gaza Strip and Israel | Flash Update #150'.

8 Airwars (2023). 'Incident Code ISPT07083'.

9 Abdulrahim, R. (2023). 'The War Turns Gaza into a 'Graveyard' for Children'. New York Times. 18 November 2023.

10 Amnesty International (2023). 'Israel/OPT: US-made munitions killed 43 civilians in two documented Israeli air strikes in Gaza - new investigation'. 5 December 2023.

11 UNICEF (2023). 'Gaza has become a graveyard for thousands of children'. 31 October 2023.

More than 7,700 Palestinian children had been killed as of 30 December 2023, accounting for 40 percent of all Palestinian deaths reported by the MoH.¹² As of April 2024, the MoH reported that this number had increased to 14,500 children killed.¹³ Additionally, at least 1,000 children have had one or both legs amputated, according to UNICEF.¹⁴ Thousands of children have also been orphaned by the conflict, arriving at hospitals without any surviving family members, prompting medical staff in Gaza to introduce a new acronym by which they are referred – WCNSF or ‘wounded child no surviving family’.¹⁵

THE DEATH AND INJURY FROM ISRAELI ARMED FORCES’ USE OF AIR-DROPPED EXPLOSIVE WEAPONS EXTENDS TO ALL ENDS OF THE PALESTINIAN COMMUNITY. HEALTH WORKERS, AID WORKERS, JOURNALISTS AND OTHERS HAVE ALSO BEEN KILLED WHILE WORKING TO PROVIDE SUPPORT TO CIVILIANS IMPACTED BY THE CONFLICT.

The death and injury from Israeli armed forces’ use of air-dropped explosive weapons extends to all ends of the Palestinian community. Health workers, aid workers, journalists and others have also been killed while working to provide support to civilians impacted by the conflict. As of 30 December 2023, the MoH reported that 144 UN staff, 312 health workers and 106 journalists had been killed since the start of hostilities.¹⁶

Gaza is one of the smallest and most densely populated territories in the region, with more than 2.2 million people living in an area only 40 kilometres long and 11 kilometres wide. Gaza’s population density, which on average is similar to that of the city of London, is more concentrated in urban centres such as Gaza City and Khan Younis, where tens of thousands of people live in dense neighbourhoods.¹⁷

As such, the use of air-dropped munitions by Israeli armed forces has been particularly devastating given the wide area effects of the types of munitions dropped, as well as the intensity and frequency of strikes. For example, Israeli armed forces dropped at least 29,000 explosive munitions in Gaza in 2023, according to US intelligence.¹⁸ During the first two weeks of the conflict, about 90 percent of these were 1,000-pound and 2,000-pound satellite-guided bombs.¹⁹ A 2,000-pound bomb, with an estimated crater size of 14 meters,²⁰ was used in the Jabalia refugee camp airstrike that killed at least 126 civilians, including 69 children, on 31 October 2023, according to Airwars.²¹ The remaining 10 percent of munitions used by Israeli armed forces were smaller 250lb bombs.

12 Times of Israel (2023). ‘IDF officials: 2 civilian deaths for every 1 Hamas fighter killed in Gaza’. 5 December 2023.

13 UN OCHA (2024). ‘Hostilities in the Gaza Strip and Israel | Flash Update #150’.

14 United Nations (2023). ‘Ten weeks of hell’ for children in Gaza: UNICEF’. 19 December 2023.

15 Humanity & Inclusion (2023). ‘Blast Impacts: Looking into the Consequences of Explosive Weapons in Gaza’.

16 UN OCHA (2023). ‘Hostilities in the Gaza Strip and Israel - reported impact | Day 85’.

17 Associated Press (2023). ‘The Gaza Strip: Tiny, cramped and as densely populated as London’. 5 December 2023.

18 Bertrand, N., and Bo Lillis, K. (2023). ‘Nearly half of the Israeli munitions dropped on Gaza are imprecise ‘dumb bombs’, US intelligence assessment finds’. CNN Politics. 14 December 2023.

19 Entous, A., et. al. (2023). ‘U.S. Officials Outline Steps to Israel to Reduce Civilian Casualties’. New York Times. 4 November 2023.

20 Pax and Article 36 (2016). ‘Areas of harm: Understanding explosive weapons with wide area effects’.

21 Airwars (2023). ‘Incident Code ISPT07083’.

The scope of harm to civilians in Gaza can be attributed in part to the number of airstrikes conducted by Israeli armed forces. In 2023, the number of munitions dropped in Gaza amounted to just under 500 bombs per day (though it is estimated that in the first two weeks of Israeli military operations, Israeli armed forces deployed at least 1,000 air-dropped munitions daily).²² The Jabalia refugee camp alone was hit by airstrikes nearly every day in October.²³

While not explored here, Israeli armed forces' use of explosive weapons in populated areas has also had longer-term effects on communities and infrastructure. This is already evident from the damage and destruction of civilian infrastructure, including residential buildings, hospitals, schools and camps for internally displaced persons (IDPs). A humanitarian catastrophe is unfolding as a result, as more than a million Palestinians are facing severe levels of starvation, death, destitution and acute malnutrition.²⁴



A bulldozer clears rubble in a neighbourhood in Rafah in the southern Gaza Strip after it was hit by an airstrike by Israeli armed forces on 15 October 2023.

© Said Khatib / AFP via Getty Images

22 The Economist (2023). 'Why is Israel using so many dumb bombs in Gaza?'. 16 December 2023.

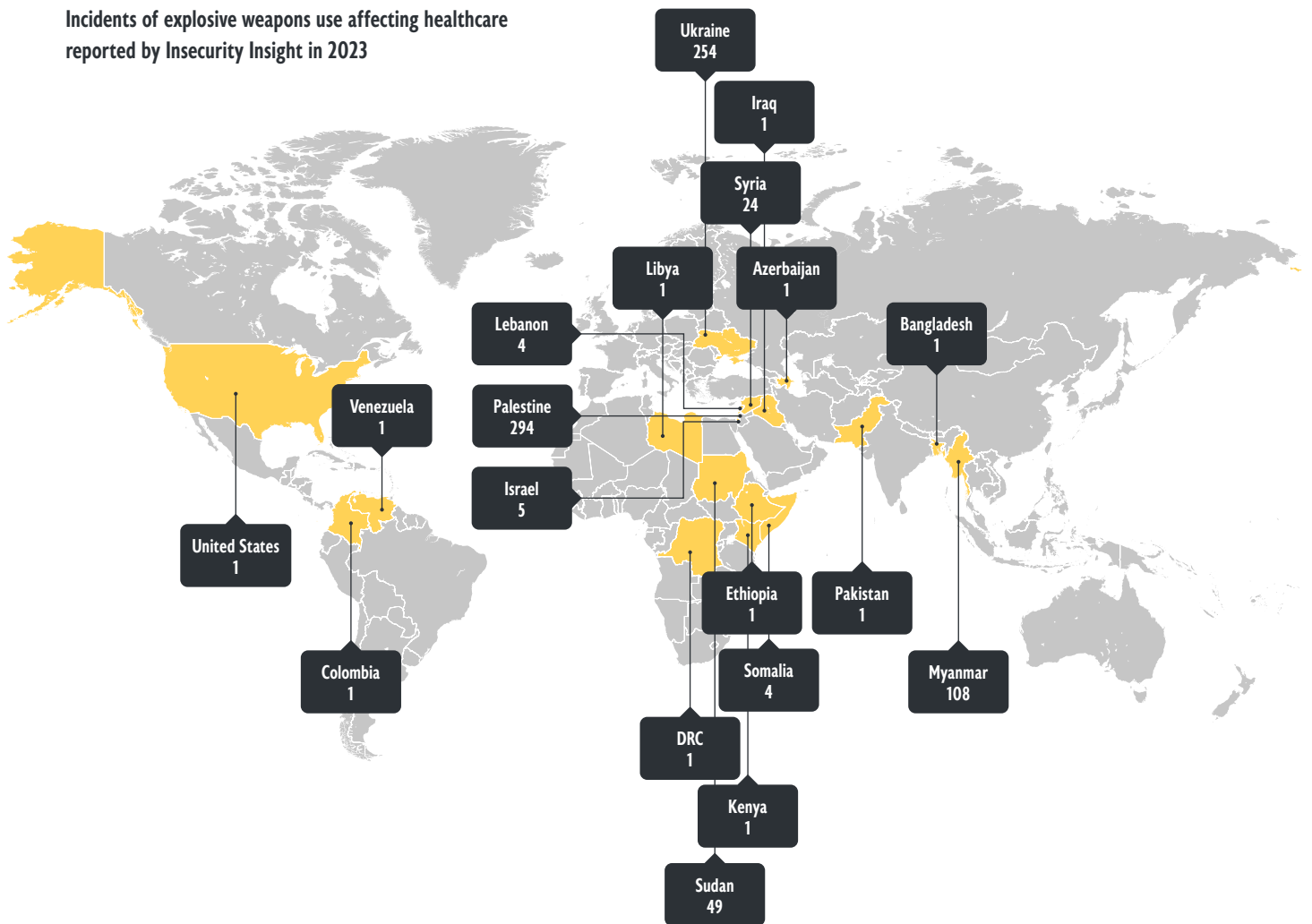
23 UNRWA (2023). 'Jabalia Camp'.

24 Gupta, G. (2024). 'Famine is 'imminent' for Northern Gaza, experts say'. New York Times. 18 March 2024.

4. Healthcare: Incidents of Explosive Weapons Use Affecting Civilian Access to Healthcare

Insecurity Insight recorded at least 763 incidents in which explosive weapons damaged or destroyed health facilities or killed health workers in 20 countries and territories in 2023. Numbers of attacks increased by 12 percent from 2022, in which 682 attacks occurred.

Incidents of explosive weapons use affecting healthcare reported by Insecurity Insight in 2023



In 2023, attacks on ambulances using explosive weapons almost doubled when compared to 2022. These incidents were reported in Azerbaijan, Ethiopia, Lebanon, Myanmar, Palestine, Somalia, Sudan, Syria, Ukraine and Yemen. In Palestine, ambulances were damaged or destroyed by the use of air-launched or ground-launched explosive weapons by Israeli armed forces whilst attempting to reach and evacuate injured civilians or during attacks on health facilities. These incidents were all reported in the last three months of the year when, on average, two ambulances were hit every week.

Attacks on healthcare with explosive weapons in 2023



In 2023, the highest number of incidents of explosive weapons use which directly damaged and destroyed health infrastructure were perpetrated by Israeli armed forces in Gaza between October and December 2023. Additionally, Insecurity Insight reported 112 incidents of explosive weapons use in the vicinity of hospitals, which indirectly affected access to healthcare through nearby bombing even though the incidents did not directly destroy the health infrastructure. As a result, areas around these hospitals were extensively damaged, affecting the ability of ambulance crews to reach or leave hospitals to assist wounded individuals or for civilians to reach these hospitals.

There was also an increase in reported incidents affecting healthcare perpetrated by Myanmar forces. In Sudan, both the Rapid Support Forces and the Sudanese Armed Forces used explosive weapons which affected healthcare following the escalation of conflict in April 2023. In Ukraine, reported incidents affecting healthcare perpetrated by Russian armed forces decreased by almost half to an average of 19 incidents per month between January to December 2023 compared to the previous year in which, on average, 47 incidents affecting health systems were recorded each month between April and December 2022.

4.1. Case Study – Myanmar: Attacks on Healthcare and the Reverberating Effects

Since the Myanmar military staged a coup and seized control of the country on 1 February 2021, Myanmar armed forces have used explosive weapons, most of which have wide area effects, causing death and injury to civilians and damage to civilian infrastructure. Armed forces have attacked villages with both ground- and air-launched explosive weapons, damaging homes, schools, hospitals, and religious buildings.²⁵ Non-state armed groups have also conducted attacks using explosive weapons in response to violence from the military. On 27 October 2023, hostilities escalated as non-state armed groups launched attacks on military posts along Myanmar's northeastern border with China, creating a new wave of explosive violence and accompanying civilian harm.²⁶

At the end of 2023, more than 2.6 million people were displaced across the country, including 660,000 people that were estimated to have been newly displaced since the escalation of armed conflict on 27 October.²⁷ The UN Office for the Coordination of Humanitarian Affairs (OCHA) said partners identified the most urgent humanitarian needs in conflict-affected areas to include food, safe shelter and basic health services, among others.²⁸

AS AIRSTRIKES AND ARTILLERY SHELLING BY MYANMAR ARMED FORCES PERSISTED IN 2023, HEALTHCARE INCREASINGLY CAME UNDER ATTACK AND HEALTH INFRASTRUCTURE WAS DAMAGED AND DESTROYED. IN ALL OF 2023, THERE WERE AT LEAST 108 ATTACKS ON HEALTHCARE WITH EXPLOSIVE WEAPONS, ACCORDING TO INSECURITY INSIGHT.

As airstrikes and artillery shelling by Myanmar armed forces persisted in 2023, healthcare increasingly came under attack and health infrastructure was damaged and destroyed. In all of 2023, there were at least 108 attacks on healthcare with explosive weapons, according to Insecurity Insight. About half of these incidents could be attributed to Myanmar forces and at least four to armed groups. Attacks on healthcare occurred most frequently in Sagaing Region, Kaya State, Shan State and Chin State.

Health infrastructure was also damaged by explosive weapons use in 93 incidents, according to Insecurity Insight. This included 47 hospitals, 27 health centres, 11 clinics, one children's hospital and seven ambulances. Air-launched explosive weapons were reportedly used in nearly half these incidents, while 27 incidents involved ground-launched explosive weapons. At least four health workers were also killed in 2023. In one incident, a health worker and two family members were injured after his home was hit by either artillery shelling or a bomb in December 2023 in Shan state.

25 Amnesty International (2022). 'Bullets Rained from the Sky: War Crimes and Displacement in Eastern Myanmar'.

26 Amnesty International (2023). 'Myanmar: Military should be investigated for war crimes in response to 'Operation 1027''. 21 December 2023.

27 UN OCHA (2023). 'Myanmar: Intensification of Clashes Flash Update #10 (as of 15 December 2023)'. 15 December 2023.

28 Ibid.

The damage and destruction of hospital infrastructure has had far-reaching impacts on civilian's access to health care in Myanmar. There was a shortage of health workers prior to the coup in Myanmar, with only 0.7 doctors per 1,000 people in 2019. This shortage has worsened since conflict began, as health workers have fled or relocated. For example, on 24 March 2023, the Dawtamagi hospital in Kayah state was severely damaged by explosive munitions dropped by a helicopter by Myanmar armed forces. Health workers and patients had already fled the hospital, as airstrikes and artillery attacks were persistent in that area at the time.²⁹

As a result of the insecurity, hospitals lack adequate human resources, and the damage inflicted by explosive weapons increases the difficulties for the healthcare workforce. This leads to reduced civilian access to healthcare and a distrust of government services that leads to long-term, adverse effects on population health. Children are especially impacted. For example, about 1.9 million children in Myanmar were in need of vaccines, resulting in record low immunization rates. Without the civilian infrastructure needed to continue vaccination and regular disease surveillance and monitoring, the likelihood of disease outbreaks increases.³⁰



A soldier walking through a structure bombed by a Myanmar military aircraft near the amid clashes in northern Shan State, Myanmar on 11 December 2023.
© STR / AFP via Getty Images

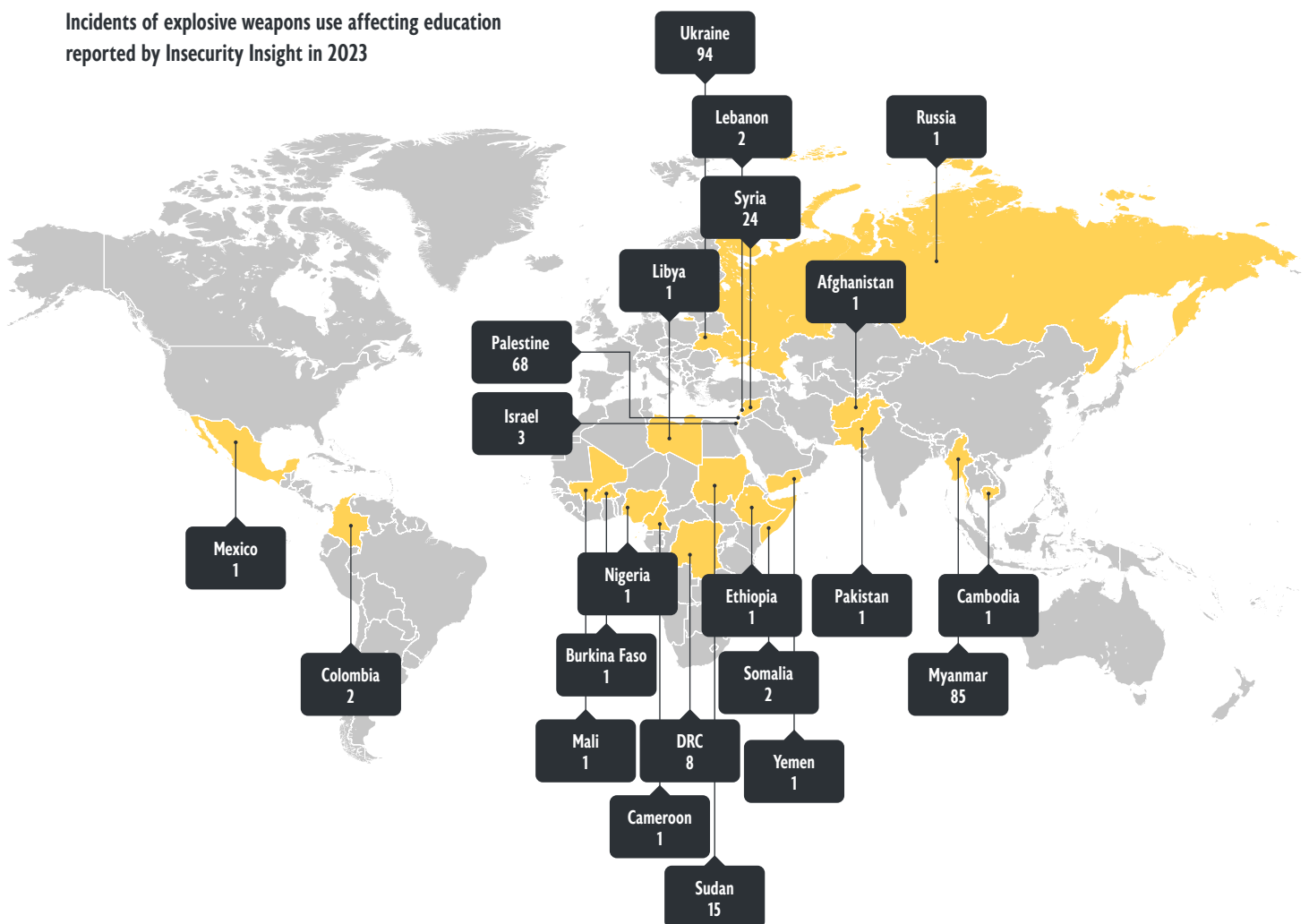
29 Insecurity Insight (2024). 'Increasing Use of Air and Drone Strikes in Attacks on Health Care in Myanmar'. February 2024.

30 Ibid.

5. Education: Incidents of Explosive Weapons Use Affecting Civilian Access to Education

At least 296 incidents in which explosive weapons damaged or destroyed education facilities or killed teachers or students were recorded in 21 countries and territories by Insecurity Insight in 2023. Numbers of attacks increased by 80 percent from 2022, in which 164 attacks occurred.

Incidents of explosive weapons use affecting education reported by Insecurity Insight in 2023



In 2023, at least 35 kindergartens, 17 primary schools, 31 secondary schools and 15 universities were reported as damaged or destroyed by explosive weapons. Air-launched explosive weapons were used in the majority of these incidents. Additionally, the use of explosive weapons made communities unsafe, forcing them to close schools due to nearby shelling or missile firing, leaving children without access to education. Additionally, directly-emplaced explosive weapons, such as roadside bombs and other improvised explosive devices (IEDs) were also placed in or near schools, forcing their closure.

The highest numbers of incidents continued to be recorded by Insecurity Insight in Ukraine and Myanmar. However, in the last three months of the year, there was an increase in reported attacks by Israeli armed forces with explosive weapons on health facilities in Palestine. During this time, 68 incidents were recorded, an average of six incidents affecting education every month. The majority of these incidents involved air-launched weapons, all of which occurred in Gaza.

Attacks on education with explosive weapons in 2023

278

Incidents affecting schools



25

Incidents affecting teachers



The use of explosive weapons by Russian armed forces in Ukraine, Israeli armed forces in Palestine and Lebanon, and the Myanmar armed forces in Myanmar, all accounted for over 70 percent of incidents in which the use of explosive weapons affected education services in 2023. To a lesser extent, non-state actors in Myanmar and Sudan, as well as Syrian and Sudanese armed forces, also used explosive weapons which affected education.³¹

31 These named perpetrators had the highest reported use of explosive weapons affecting education programmes.

5.1. Case Study – Ukraine: Attacks on Education and the Reverberating Effects

Russia launched its full-scale invasion of Ukraine on 24 February 2022, escalating conflict that began in 2014 with the invasion of Crimea, and prompting a military response by Ukrainian armed forces. The use of explosive weapons has featured prominently throughout the conflict, with use by Russian armed forces largely responsible for the devastating impacts the conflict has had on Ukrainian civilians. This includes the use of air- and ground-launched explosive weapons in major cities and other populated areas.³²

Since the full-scale invasion, an estimated quarter of Ukraine has been subject to intense fighting.³³ This has caused a high number of civilian casualties and damaged and destroyed essential infrastructure, including educational facilities. Over one million people have fled Ukraine³⁴ and much of eastern Ukraine's housing and infrastructure has been severely degraded, regularly leaving people without water, gas or power for days and weeks on end.³⁵

AMONG THE CIVILIAN INFRASTRUCTURE DAMAGED AND DESTROYED BY THE USE OF EXPLOSIVE WEAPONS IN UKRAINE WERE SCHOOLS AND OTHER EDUCATION FACILITIES. IN 2023, THERE WERE AT LEAST 94 INCIDENTS OF ATTACKS ON EDUCATIONAL FACILITIES BY EXPLOSIVE WEAPONS, MOST OF WHICH OCCURRED IN DONETSK, KHERSON AND KHARKIV OBLASTS, ACCORDING TO INSECURITY INSIGHT.

Among the civilian infrastructure damaged and destroyed by the use of explosive weapons in Ukraine were schools and other education facilities. In 2023, there were at least 94 incidents of attacks on educational facilities by explosive weapons, most of which occurred in Donetsk, Kherson and Kharkiv Oblasts, according to Insecurity Insight. Russian armed forces were reportedly responsible for 92 incidents. In these attacks, 88 schools were damaged by explosive weapons, including 32 preschools and kindergartens, one primary school, six secondary schools and three universities. Most of the schools, 71 in total, were damaged by ground-launched explosive weapons. Another ten were damaged by air-launched explosive weapons. It was also reported that Russian forces looted and mined a Kharkiv school in February 2023. The school had previously been damaged in May 2022.

One teacher was killed by explosive weapons use in 2023, according to Insecurity Insight. A teacher at a Donetsk secondary school was killed by Russian shelling and her body was found under a destroyed residential building.

The Ukrainian government reported that at least 3,428 educational facilities were damaged and 365 destroyed between February 2022 and October 2023, with explosive weapons, such as aerial attacks, artillery shelling, rocket strikes and at times cluster munitions, causing the most damage.³⁶ This widespread use of explosive weapons in Ukraine, and the continued targeting of schools, have left “children deeply distressed and without safe spaces to learn,” UNICEF reported in mid-2023.

32 INEW (2023). 'Ukraine – A year of civilian suffering from bombing and shelling in towns and cities'. 24 February 2023.

33 Humanity & Inclusion (2024). 'Use of explosive weapons: In Ukraine, parts of the country cut off from the world'. 24 February 2024.

34 Amnesty International (2022). 'Further armed conflict in Ukraine would have devastating consequences for the human rights of millions'. January 2022.

35 ICRC (2022). 'The ICRC calls on sides to spare critical civilian infrastructure in eastern Ukraine'. 19 February 2022.

36 Human Rights Watch (2023). 'Ukraine: War's Toll on Schools, Children's Future Damage from Military Use of Schools, Bombing, Shelling, Looting'. 9 November 2023.



A kindergarten destroyed during shelling by Russian armed forces in Kharkiv, Ukraine on 17 February 2023.
© Sofia Bobok / Anadolu Agency via Getty Images



In August 2023, the UN agency stated that due to frequent attacks, only a third of school-aged children were attending classes fully in-person, and many were forgetting what they had previously learned. Indeed, half of the country's teachers reported that students' abilities in languages, reading and mathematics had deteriorated.³⁷ This included students at fully functioning schools. Students that had experienced their schools being damaged or destroyed were forced to continue their studies in other schools, including by studying in shifts or through remote learning.

This has degraded the quality of available education.³⁸ Notably, the current disruption to education faced by many Ukrainian students follows previous disruptions caused by the coronavirus pandemic.

The damage or destruction from explosive weapons to non-educational essential infrastructure has also impacted students' access to education and their ability to learn. Urban environments contaminated by mines, unexploded ordnance and rubble, and the destruction of roads and power infrastructure, limit access to both in-person and remote learning. In the case of the latter, Russian forces' attacks on power infrastructure have caused electricity and internet outages, hindering remote learning. A mother in the Kharkivska region described the impact this had on her fourteen-year-old son: "There is no internet, so no video lessons. You can't just [convey tasks to teachers] by phone, you need a laptop. He can't set up the virtual classroom on his phone."³⁹

The education of children that have fled Ukraine has also been severely impacted. UNICEF reported that more than half of all resettled children in seven countries were not enrolled in host-states education systems due to language barriers and local capacity.⁴⁰

Despite the massive challenges faced due to the war, the Education Ministry reported that 95 percent of Ukraine's eligible students were enrolled in school as of January 2024. This is "a significant achievement during wartime," Human Rights Watch commented.⁴¹ Yet, enrollment does not in and of itself equate to students being able to fully attend school in-person, progress in their education, or retain what they have learned. The widespread use of explosive weapons in Ukraine has had both immediate and long-term impacts on children.

37 Reuters (2023). 'More than 1,000 schools destroyed in Ukraine since war began-UNICEF'. 29 August 2023.

38 Human Rights Watch (2023). 'Ukraine: War's Toll on Schools, Children's Future Damage from Military Use of Schools, Bombing, Shelling, Looting'. 9 November 2023.

39 Ibid.

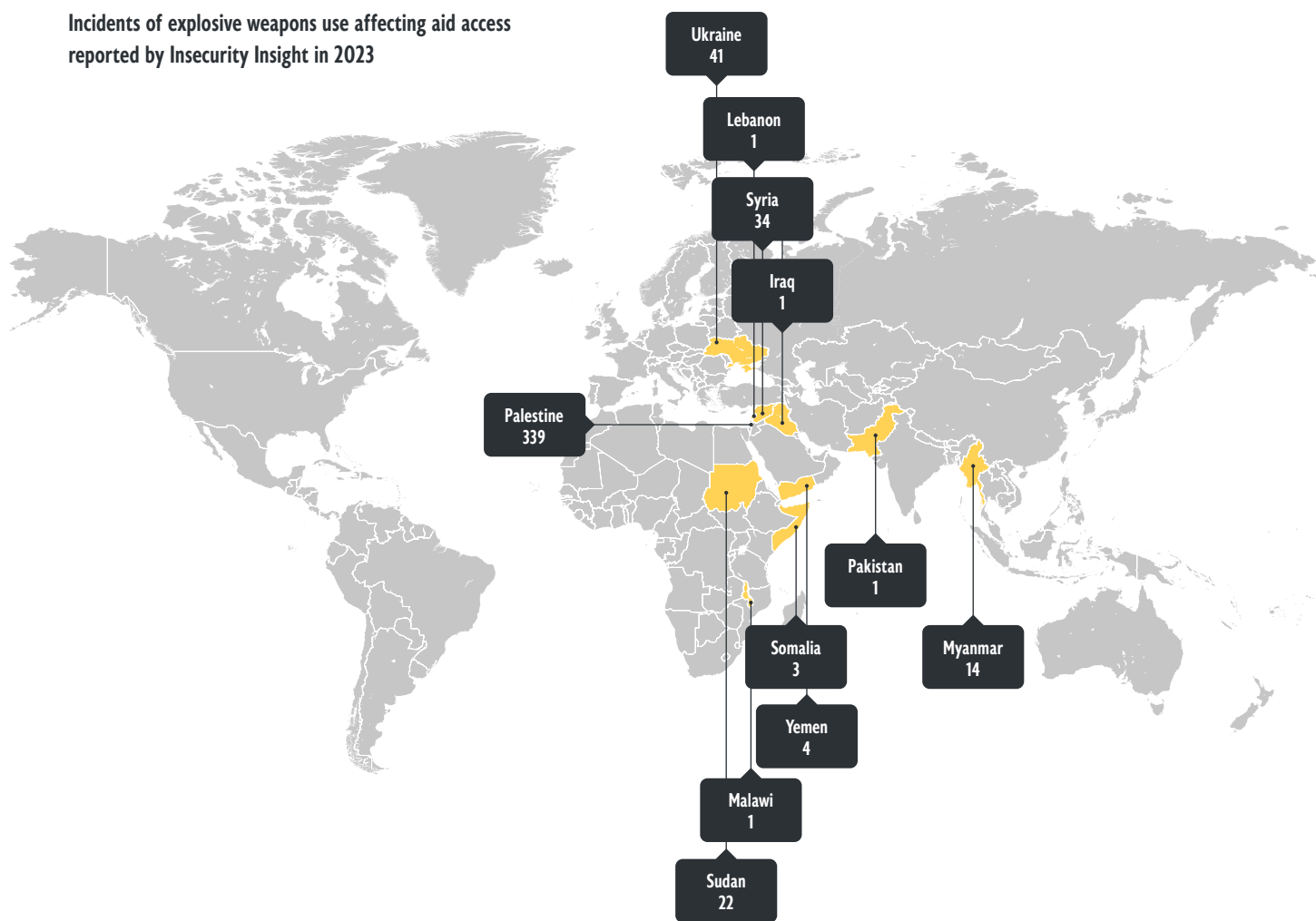
40 Reuters (2023). 'More than 1,000 schools destroyed in Ukraine since war began-UNICEF'. 29 August 2023.

41 Human Rights Watch (2023). 'Ukraine: War's Toll on Schools, Children's Future Damage from Military Use of Schools, Bombing, Shelling, Looting'. 9 November 2023.

6. Humanitarian Aid: Incidents of Explosive Weapons Use Affecting Civilian Access to Aid

Insecurity Insight recorded at least 470 incidents in which explosive weapons affected humanitarian aid operations in 11 countries and territories in 2023. Numbers of reported incidents affecting aid operations were almost five times higher than in 2022, in which 99 incidents occurred.

Incidents of explosive weapons use affecting aid access reported by Insecurity Insight in 2023



In 2023, aid offices, vehicles and accommodations were damaged or destroyed by air- and ground-launched explosive weapons, as well as by unexploded ordnance (UXO) around the world. In addition, aid supplies were also damaged or destroyed by airstrikes in Palestine and Ukraine and by ground-launched explosives in Ukraine.

Impeded access to humanitarian aid also fueled food insecurity in 2023. Insecurity Insight recorded 393 incidents of explosive weapons use which affected food insecurity in Niger, Palestine, Somalia, Sudan and Syria. These incidents included damage and destruction to aid agency buildings, warehouses, aid convoys or distribution points, as well as incidents that impacted communities' ability to carry out livelihood activities, such as attacks on marketplaces, food stalls and whilst gathering food.

Attacks on humanitarian aid with explosive weapons in 2023

34

Incidents affecting aid workers



46

Incidents affecting aid programmes



These incidents have compounding effects on the population and may affect an aid agency's ability to distribute relief to communities. For example, since October 2023, excessive administrative processes and searches by Israeli authorities have limited aid convoys from entering the Gaza strip. This, combined with reported incidents of explosive weapons use which destroyed and damaged water points, solar panels, bakeries and agricultural land, has caused severe food insecurity in Gaza.

IDP camps were reportedly damaged, and programmes related to IDPs were suspended as a result of the use of explosive weapons in Afghanistan, Bangladesh, Bolivia, Burundi, Central African Republic, Democratic Republic of Congo, Ethiopia, Iraq, Lebanon, Malawi, Mali, Myanmar, Nigeria, Palestine, Somalia, Syria, Sudan, Uganda and Yemen.

6.1. Case Study – Sudan: Attacks on Humanitarian Aid and Reverberating Effects

On 15 April 2023, fighting erupted in Sudan between its military, the Sudan Armed Forces (SAF) and a paramilitary group known as the Rapid Support Forces (RSF). The fighting, led by rival military leaders who had jointly overthrown Sudan's transitional government at the end of 2021, spread quickly from Khartoum, the capital, to other parts of the country, including Darfur region and the Kordofan states.⁴²

The resulting conflict has taken place largely in Sudan's towns and cities, as RSF fighters on the ground used artillery and anti-aircraft weaponry, and SAF fighter planes, attack helicopters and drones launched missiles and dropped bombs. Khartoum has been devastated as a result. Entire sections of the city have been destroyed, and civilians who could not flee faced critical shortages of water, electricity, food and medicine as a result. In West Darfur – a region yet recovered from decades of pre-existing violence – aid camps and other civilian infrastructure were destroyed.

This has had severe impacts on the provision of essential services and access to much needed humanitarian aid. It has also fueled a displacement crisis. In 2023, more than 6.1 million people left their homes and fled to other parts of Sudan or to neighboring countries, including Central African Republic, Chad, Egypt and South Sudan. More than 4.85 million people were displaced within Sudan, the majority of whom were originally from Khartoum, while more than 1.3 million people crossed into neighboring countries.⁴³ By the end of 2023, Sudan faced the largest internal displacement crisis in the world as well as the most significant child displacement crisis, with 3 million children displaced.⁴⁴

As the number of people in Sudan in need of humanitarian assistance increased to nearly 25 million at the end of 2023,⁴⁵ the ability of agencies to deliver this much-needed aid decreased. After at least 19 humanitarian workers were killed in 2023, Sudan became “one of the most dangerous countries in the world to be a humanitarian,” according to the UN High Commissioner of Human Rights.⁴⁶

Between April and December 2023, there were at least 22 incidents of explosive weapons use that affected humanitarian aid and protection programs in Sudan, according to Insecurity Insight. This included 15 incidents in which explosive weapons damaged or destroyed protection infrastructure, such as officially-designated IDP and refugee camps. The majority of these incidents occurred in Al Hasahisa Camp in Central Darfur after it was besieged by the RSF in September 2023 and became an area of conflict between armed forces. The camp was hit several times by ground-launched explosive weapons, damaging the camp and killing and injuring those who lived there.

42 Amnesty International (2023). 'Death came to our home: war crimes and civilian suffering in Sudan'.

43 Displacement figures are updated through 14 September 2023. International Organization for Migration (IOM) (2023). 'Regional Sudan Response Situation Update'. 12 September 2023.

44 Ibid.

45 UN OCHA (2023). 'Sudan Humanitarian Needs and Response Plan 2024'. 21 December 2023.

46 UN Office of the High Commissioner for Human Rights (2023). 'Sudan: Türk says conflict must stop before it is too late to pull the country back from disaster'. 12 September 2023.

Another seven incidents affected humanitarian aid programmes during this time, according to Insecurity Insight. At least two incidents affected healthcare services provided by a humanitarian NGO. In one instance, a rocket landed in the garden of a paediatric centre. In another, a health NGO security guard was killed after his home was struck by shelling.

As a result of increased insecurity and risk of harm, aid agencies in Sudan scaled down programmes and evacuated staff into safer parts of the country.⁴⁷ Risks of explosive weapons use are a known impediment to aid access, as they cause aid agencies to act to protect their staff and therefore limit the provision of food aid, health care and other vital services to vulnerable populations.

AS A RESULT OF INCREASED INSECURITY AND RISK OF HARM, AID AGENCIES IN SUDAN SCALED DOWN PROGRAMMES AND EVACUATED STAFF INTO SAFER PARTS OF THE COUNTRY. RISKS OF EXPLOSIVE WEAPONS USE ARE A KNOWN IMPEDIMENT TO AID ACCESS, AS THEY CAUSE AID AGENCIES TO ACT TO PROTECT THEIR STAFF AND THEREFORE LIMIT THE PROVISION OF FOOD AID, HEALTH CARE AND OTHER VITAL SERVICES TO VULNERABLE POPULATIONS.

In the absence of security assurances from parties to conflict that use explosive weapons, many aid agencies suspended programmes in Sudan. Moreover, as donors also suspended projects, the insecurity caused by explosive weapons resulted in local aid workers losing their jobs and income as the environment was deemed too unsafe to continue operations.⁴⁸ The situation for civilians in Sudan remains dire, and the delivery of aid remains too dangerous.

The delivery of aid has been particularly challenging in areas where fighting continues in Central Darfur. In early September 2023, the UN Office for the Coordination of Humanitarian Affairs (OCHA) had unconfirmed reports from community leaders that hundreds of people were killed and injured in IDP camps across the region.⁴⁹ In one incident, a journalist was killed when the Hasaheisa IDP Camp was shelled. In South Darfur, three refugees were killed by shelling of their camp in April shortly after conflict erupted, leaving the camp with a shortage of water, food and medicine.

The reverberating impacts of conflict in Sudan will likely drive 20.3 million people into high levels of food insecurity, according to the Integrated Food Security Phase Classification (IPC), with the highest percentages of food insecurity concentrated in areas most affected by the conflict.⁵⁰ In Sudan, increased food insecurity is also driven in part by water scarcity, as lack of water can drive up food prices and the consumption of unsafe drinking water can aggravate conditions such as malnutrition. Fighting in Sudan's towns and cities contributes directly to increased food insecurity. Between 15 April and 14 September 2023, Insecurity Insight recorded at least 26 incidents in which explosive weapons reportedly affected food security in Sudan. Most frequently, these incidents involved airstrikes, shelling and artillery strikes on markets.

47 Kleinfeld, P., and Francis, O. (2023). 'Aid agencies in Sudan face massive reboot as war takes hold'. New Humanitarian. 26 April 2023.

48 Goldberg, J., and Ibrahim, H.A. (2023). 'Sudanese aid workers face hundreds of job losses'. New Humanitarian. 1 August 2023.

49 UN OCHA (2023). 'Sudan Situation Report'. 14 September 2023.

50 Integrated Food Security Phase Classification (2023). 'Sudan: Acute Food Insecurity Situation June 2023 and Projections for July - September 2023 and October 2023 - February 2024'.



People inspect the rubble at a house that was hit by an artillery shell in the Azhari district in the south of Khartoum, Sudan, on 6 June 2023.
© AFP via Getty Images

II. USE OF EXPLOSIVE WEAPONS BY STATE ARMED FORCES AND NON-STATE ARMED ACTORS

1. Methodology Note

The Explosive Weapons Monitor reports on harm to civilians from incidents in which the use of explosive weapons caused civilian deaths and injuries, as reported by Action on Armed Violence (AOAV) and the Armed Conflict Location & Event Data Project (ACLED), as well as incidents that affected civilian access to healthcare, education, and humanitarian aid, as reported by Insecurity Insight. For full methodologies, see Annex 1. This chapter marks the first efforts by the Explosive Weapons Monitor to combine and synthesise multiple data sources to show a more nuanced picture of the frequency and severity of the use of explosive weapons by state and non-state actors around the globe.

Identification of responsible state armed forces and non-state armed actors, and all additional information provided in this chapter, is from these three organisations unless otherwise indicated. The Explosive Weapons Monitor cannot determine with certainty which actors are responsible for use of explosive weapons in specific incidents, as much of the recorded data are unverified. Each organisation has similar but varied methodologies for attribution of incidents to particular state and non-state actors.⁵¹ In all cases, non-state armed actors, referenced below, include all non-state actors that reportedly perpetrated explosive violence and is not limited to non-state armed groups. This includes criminal organisations and individually-perpetrated use of explosive weapons.

Numbers of incidents are meant to be indicative of contexts and patterns of use as the complexity of the information environment does not allow for the determination of a precise number of incidents that can be attributed to use by each actor. To identify these contexts and patterns, the Explosive Weapons Monitor developed ranges of numbers of incidents, as below:

| | |
|--|-----------|
| Numbers of incidents in which explosive weapons use reportedly caused harm to civilians | 1 - 9 |
| | 10 - 99 |
| | 100 - 199 |
| | 200 - 499 |
| | 500 - 999 |
| | 1,000 + |

51 For full methodologies on attribution of responsibility to state and non-state actors by each organization, see AOAV (2021). 'Methodology'. Available at: <https://aoav.org.uk/explosiveviolence/methodology/>; ACLED (2024). 'ACLED Codebook'. Available at: <https://acleddata.com/knowledge-base/codebook/>; and Insecurity Insight (2022). 'Definitions and Methodologies'. Available at: <https://insecurityinsight.org/methodology-and-definitions>.

2. Use of Explosive Weapons by State Armed Forces that Reportedly Caused Harm to Civilians in 2023

The table below identifies the use of explosive weapons by the armed forces of 29 states that reportedly caused harm to civilians in 30 countries and territories in 2023. Armed forces of at least four states – Israel, Myanmar, Syria and Russia – reportedly used explosive weapons that caused harm to civilians in 200 or more incidents.

There were three contexts of use in which state armed forces reportedly caused harm to civilians from the use of explosive weapons in more than 1,000 incidents. This includes explosive weapons use by Israeli armed forces in Palestine, by Russian armed forces in Ukraine, and by Myanmar armed forces in Myanmar.

The use of explosive weapons by armed forces of seven states that have endorsed the Political Declaration reportedly caused harm to civilians in 2023. Jordan, Kenya, Morocco, Somalia, Togo, Türkiye and the United States reportedly caused harm to civilians in five countries and territories – Burkina Faso, Iraq, Kenya, Morocco, Somalia and Syria.

Figure 5 – Use of explosive weapons that caused harm to civilians by state armed forces in 2023

| State armed forces | Countries in which explosive weapons were reportedly used | Numbers of incidents | Weapons categories | Source(s) |
|----------------------------------|---|----------------------|--|---------------------------------|
| Afghanistan | Afghanistan | 1 - 9 | Ground-launched (grenades) | Insecurity Insight |
| Armenia | Azerbaijan | 1 - 9 | Ground-launched, directly-emplaced (mines) | AOAV, ACLED |
| Azerbaijan | Azerbaijan | 1 - 9 | Air-launched, ground-launched | AOAV, ACLED, Insecurity Insight |
| Burkina Faso | Burkina Faso | 10 - 99 | Air-launched | AOAV, ACLED |
| | Mali | 1 - 9 | Air-launched | AOAV, ACLED |
| | Niger | 1 - 9 | Air-launched | ACLED |
| Cameroon | Cameroon | 1 - 9 | Air-launched | ACLED |
| Democratic Republic of the Congo | Democratic Republic of the Congo | 1 - 9 | Ground-launched | ACLED, Insecurity Insight |
| Ethiopia | Ethiopia | 10 - 99 | Air-launched, ground-launched | AOAV, ACLED, Insecurity Insight |
| India | India | 1 - 9 | Air-launched, ground-launched, directly-emplaced (mines) | AOAV, ACLED |
| | Pakistan | 1 - 9 | Ground-launched | AOAV |

| State armed forces | Countries in which explosive weapons were reportedly used | Numbers of incidents | Weapons categories | Source(s) |
|--------------------|---|----------------------|--|---------------------------------|
| Israel | Israel | 1 - 9 | Ground-launched | AOAV |
| | Lebanon | 10 - 99 | Air-launched, ground-launched | AOAV, ACLED |
| | Palestine | 1,000 + | Air-launched, ground-launched | AOAV, ACLED |
| | Syria | 1 - 9 | Air-launched, ground-launched | AOAV, ACLED |
| Jordan | Syria | 1 - 9 | Air-launched | AOAV, ACLED |
| Kenya | Kenya | 1 - 9 | Air-launched | AOAV, ACLED |
| | Somalia | 1 - 9 | Air-launched | AOAV, ACLED |
| Libya | Libya | 1 - 9 | Air-launched | AOAV |
| Mali | Mali | 10 - 99 | Air-launched, directly-emplaced (IEDs) | ACLED, Insecurity Insight |
| Morocco | Morocco | 1 - 9 | Air-launched, directly-emplaced (mines) | ACLED |
| Myanmar | China | 1 - 9 | Ground-launched | AOAV, ACLED |
| | India | 1 - 9 | Air-launched, ground-launched | AOAV, ACLED |
| | Bangladesh | 1 - 9 | Directly-emplaced (mines) | ACLED |
| | Myanmar | 1,000 + | Air-launched, ground-launched, directly-emplaced (mines) | AOAV, ACLED, Insecurity Insight |
| Niger | Mali | 1 - 9 | Air-launched | ACLED |
| | Niger | 1 - 9 | Air-launched | ACLED |
| Nigeria | Nigeria | 1 - 9 | Air-launched | ACLED, AOAV |
| Pakistan | Afghanistan | 1 - 9 | Ground-launched | ACLED |
| | India | 1 - 9 | Ground-launched | AOAV |
| | Pakistan | 1 - 9 | Ground-launched | ACLED |

| State armed forces | Countries in which explosive weapons were reportedly used | Numbers of incidents | Weapons categories | Source(s) |
|--------------------|---|----------------------|--|---------------------------------|
| Russia | Russia | 1 - 9 | Ground-launched, directly-emplaced (mines) | AOAV, ACLED |
| | Syria | 10 - 99 | Air-launched, ground-launched | AOAV, ACLED, Insecurity Insight |
| | Ukraine | 1,000 + | Air-launched, ground-launched, directly-emplaced (mines, IEDs) | AOAV, ACLED, Insecurity Insight |
| Saudi Arabia | Saudi Arabia | 1 - 9 | Ground-launched | ACLED |
| | Yemen | 100 - 199 | Air-launched, ground-launched | AOAV, ACLED |
| Somalia | Somalia | 1 - 9 | Air-launched, ground-launched | AOAV, ACLED |
| South Sudan | South Sudan | 1 - 9 | Directly-emplaced | ACLED |
| Sudan | Sudan | 10 - 99 | Air-launched, ground-launched, directly-emplaced (mines) | AOAV, ACLED, Insecurity Insight |
| Syria | Syria | 200 - 499 | Air-launched, ground-launched, directly-emplaced (mines) | AOAV, ACLED, Insecurity Insight |
| Togo | Burkina Faso | 1 - 9 | Air-launched | ACLED |
| Türkiye | Iraq | 10 - 99 | Air-launched | AOAV, ACLED, Insecurity Insight |
| | Syria | 10 - 99 | Air-launched, ground-launched, directly-emplaced (mines) | AOAV, ACLED, Insecurity Insight |
| Ukraine | Russia | 100 - 199 | Air-launched, ground-launched, directly-emplaced (mines) | AOAV, ACLED, Insecurity Insight |
| | Ukraine | 10 - 99 | Air-launched, ground-launched, directly-emplaced (mines, IEDs) | AOAV, ACLED, Insecurity insight |
| United States | Iraq | 1 - 9 | Air-launched | AOAV |
| | Somalia | 1 - 9 | Air-launched | AOAV, ACLED |
| | Syria | 1 - 9 | Air-launched | AOAV |
| Venezuela | Colombia | 1 - 9 | Air-launched | ACLED |

3. Countries and Territories in Which the Use of Explosive Weapons by Non-State Armed Actors Reportedly Caused Harm to Civilians in 2023

The table below identifies the 63 countries and territories in which non-state armed actors reportedly used explosive weapons that caused harm to civilians in 2023. Three countries – Myanmar, Sudan and Syria – were affected by explosive weapons use by non-state armed actors that reportedly caused harm to civilians in more than 200 incidents. Though the numbers of countries and territories reportedly affected by explosive weapons use by non-state armed actors is greater than those affected by use by state actors, the numbers of incidents are fewer and intensity of use lower.

Figure 6 – Use of explosive weapons that caused harm to civilians by non-state armed actors in 2023

| Countries in which explosive weapons were reportedly used by non-state armed actors | Numbers of incidents | Weapons categories | Source(s) |
|---|----------------------|--|---------------------------------|
| Myanmar | 200 - 499 | Air-launched, ground-launched, directly-emplaced | AOAV, ACLED, Insecurity Insight |
| Sudan | 200 - 499 | Air-launched, ground-launched, directly-emplaced | AOAV, ACLED, Insecurity Insight |
| Syria | 200 - 499 | Air-launched, ground-launched, directly-emplaced | AOAV, ACLED, Insecurity Insight |
| Iraq | 100 - 199 | Ground-launched, directly-emplaced | AOAV, ACLED, Insecurity Insight |
| Israel | 100 - 199 | Air-launched, ground-launched, directly-emplaced | AOAV, ACLED, Insecurity Insight |
| Pakistan | 100 - 199 | Ground-launched, directly-emplaced | AOAV, ACLED, Insecurity Insight |
| Somalia | 100 - 199 | Air-launched, ground-launched, directly-emplaced | AOAV, ACLED, Insecurity Insight |
| Yemen | 100 - 199 | Air-launched, ground-launched, directly-emplaced | AOAV, ACLED, Insecurity Insight |
| Afghanistan | 10 - 99 | Ground-launched, directly-emplaced | AOAV, ACLED |
| Bangladesh | 10 - 99 | Directly-emplaced | AOAV, ACLED, Insecurity Insight |
| Burkina Faso | 10 - 99 | Ground-launched, directly-emplaced | AOAV, ACLED, Insecurity Insight |
| Cameroon | 10 - 99 | Ground-launched (grenades), directly-emplaced | AOAV, ACLED, Insecurity Insight |

| Countries in which explosive weapons were reportedly used by non-state armed actors | Numbers of incidents | Weapons categories | Source(s) |
|---|----------------------|---|---------------------------------|
| Colombia | 10 - 99 | Ground-launched (grenades), directly-emplaced | AOAV, ACLED, Insecurity Insight |
| Democratic Republic of the Congo | 10 - 99 | Ground-launched, directly-emplaced | AOAV, ACLED, Insecurity Insight |
| India | 10 - 99 | Ground-launched, directly-emplaced | AOAV, ACLED |
| Kenya | 10 - 99 | Ground-launched, directly-emplaced | AOAV, ACLED, Insecurity Insight |
| Mali | 10 - 99 | Air-launched, ground-launched, directly-emplaced | AOAV, ACLED |
| Mexico | 10 - 99 | Air-launched, ground-launched (grenades), directly-emplaced | AOAV, ACLED, Insecurity Insight |
| Nigeria | 10 - 99 | Ground-launched, directly-emplaced | AOAV, ACLED, Insecurity Insight |
| Philippines | 10 - 99 | Ground-launched (grenades), directly-emplaced | AOAV, ACLED |
| Russia | 10 - 99 | Air-launched, directly-emplaced | AOAV, ACLED |
| Thailand | 10 - 99 | Ground-launched (grenades), directly-emplaced | AOAV, ACLED |
| Ukraine | 10 - 99 | Ground-launched (grenades), directly-emplaced | AOAV, ACLED, Insecurity Insight |
| Algeria | 1 - 9 | Directly-emplaced | ACLED |
| Angola | 1 - 9 | Directly-emplaced | ACLED |
| Bosnia and Herzegovina | 1 - 9 | Directly-emplaced | AOAV |
| Brazil | 1 - 9 | Ground-launched (grenades), directly-emplaced | ACLED |
| Burundi | 1 - 9 | Ground-launched (grenades), directly-emplaced | ACLED |
| Cambodia | 1 - 9 | Ground-launched (grenade) | AOAV, Insecurity Insight |
| Canada | 1 - 9 | Directly-emplaced | AOAV |
| Central African Republic | 1 - 9 | Directly-emplaced | ACLED |
| Cyprus | 1 - 9 | Directly-emplaced | ACLED |
| Ecuador | 1 - 9 | Ground-launched (grenades), directly-emplaced | AOAV, ACLED |
| Egypt | 1 - 9 | Air-launched, directly-emplaced | AOAV, ACLED |
| Ethiopia | 1 - 9 | Ground-launched (grenades), directly-emplaced | AOAV, ACLED |
| Germany | 1 - 9 | Ground-launched (grenades) | AOAV |
| Indonesia | 1 - 9 | Directly-emplaced | ACLED |

| Countries in which explosive weapons were reportedly used by non-state armed actors | Numbers of incidents | Weapons categories | Source(s) |
|---|----------------------|--|---------------------------------|
| Iran | 1 - 9 | Directly-emplaced | ACLED |
| Ireland | 1 - 9 | Directly-emplaced | AOAV |
| Serbia | 1 - 9 | Ground-launched (grenades) | AOAV |
| Lebanon | 1 - 9 | Ground-launched, directly-emplaced | AOAV, ACLED, Insecurity Insight |
| Madagascar | 1 - 9 | Directly-emplaced | ACLED |
| Malawi | 1 - 9 | Directly-emplaced | Insecurity Insight |
| Malaysia | 1 - 9 | Directly-emplaced | AOAV |
| Montenegro | 1 - 9 | Directly-emplaced | AOAV, ACLED |
| Morocco | 1 - 9 | Ground-launched, directly-emplaced | AOAV, ACLED |
| Mozambique | 1 - 9 | Ground-launched (grenades), directly-emplaced | ACLED |
| Nepal | 1 - 9 | Directly-emplaced | ACLED |
| Netherlands | 1 - 9 | Directly-emplaced | AOAV |
| Niger | 1 - 9 | Directly-emplaced | ACLED |
| Palestine | 1 - 9 | Air-launched, ground-launched, directly-emplaced | AOAV, ACLED, Insecurity Insight |
| Peru | 1 - 9 | Ground-launched (grenades), directly-emplaced | AOAV |
| South Sudan | 1 - 9 | Ground-launched (grenades), directly-emplaced | AOAV, ACLED, Insecurity Insight |
| Spain | 1 - 9 | Directly-emplaced | AOAV |
| Sri Lanka | 1 - 9 | Directly-emplaced | AOAV |
| Sweden | 1 - 9 | Directly-emplaced | AOAV |
| Togo | 1 - 9 | Directly-emplaced | ACLED |
| Tunisia | 1 - 9 | Directly-emplaced | AOAV, ACLED |
| Türkiye | 1 - 9 | Directly-emplaced | ACLED |
| Uganda | 1 - 9 | Directly-emplaced | ACLED |
| United Kingdom | 1 - 9 | Directly-emplaced | AOAV |
| United States | 1 - 9 | Directly-emplaced | AOAV, Insecurity Insight |
| Venezuela | 1 - 9 | Ground-launched (grenades) | ACLED, Insecurity Insight |

III. UNIVERSALISATION AND IMPLEMENTATION OF THE POLITICAL DECLARATION

Harm to civilians from the use of explosive weapons in populated areas continues to cause widespread devastation and suffering to civilians. As such, it remains a critical humanitarian priority to bring the Declaration into effect to prevent and reduce harm to civilians by placing limits on the use of explosive weapons in populated areas and by facilitating assistance to conflict-affected communities.

The *Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas*⁵² is an international political commitment developed to address the devastating humanitarian consequences resulting from the use of explosive weapons in populated areas and to strengthen the protection of civilians in armed conflict. It is the first formal international recognition that the use of explosive weapons in populated areas has severe humanitarian consequences that must be addressed by states.

The Political Declaration is a practical tool, that to reach its potential and be effective in its goal to reduce harm and strengthen the protection of civilians, relies upon effective national-level implementation of the commitments by endorser states. Policy review, development and adoption across all areas of the Declaration – including, most critically, military policies aimed at changing current practice – is crucial. Universalisation of the Declaration is also necessary to promote the norms and standards of the Declaration in order to promote adherence by the highest possible number of states.

This chapter takes stock of steps taken towards advancing the universalisation and implementation of the Political Declaration since its adoption in November 2022.

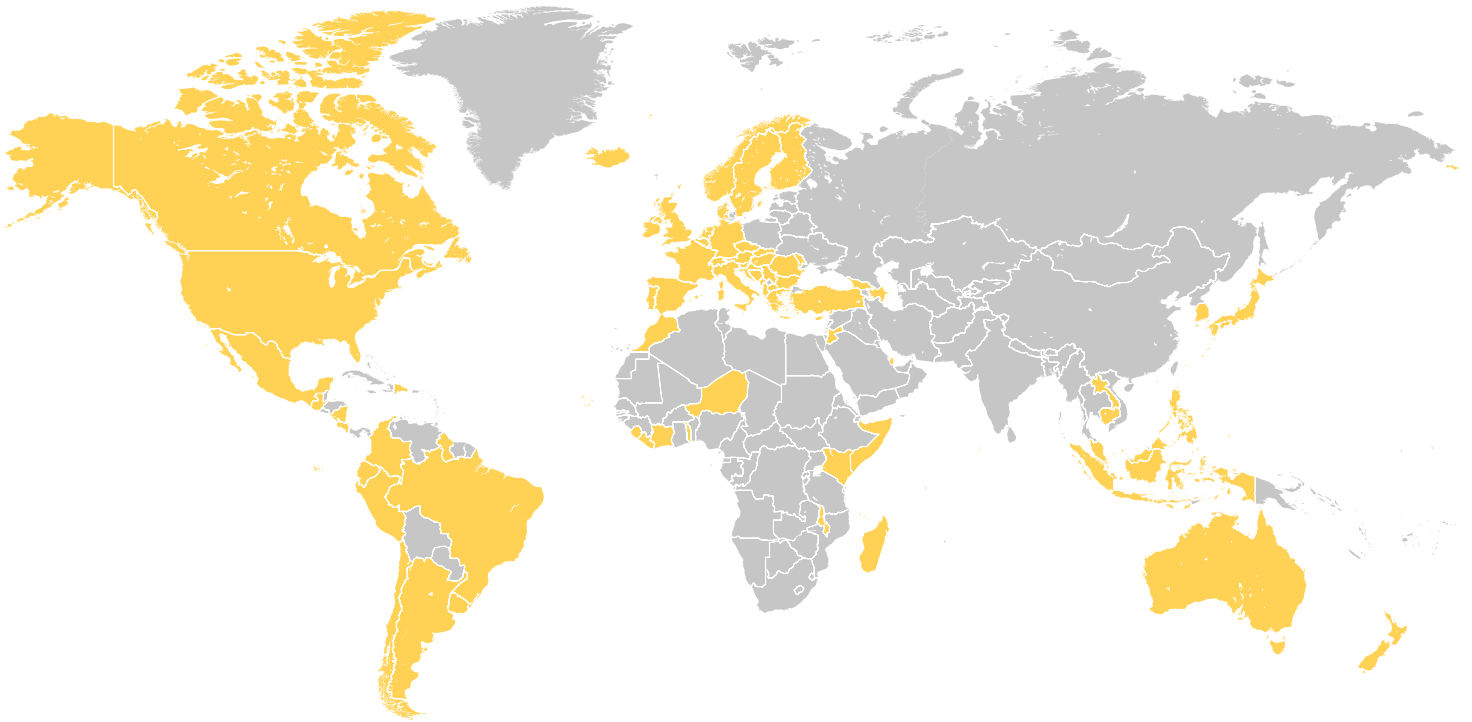
1. Universalisation of the Political Declaration

The Political Declaration was endorsed by 83 states at the Dublin Conference in November 2022. Between then and 12 April 2024, three new states have joined – Montenegro, North Macedonia and Jordan – bringing the total number of endorser states to 86.

The agreement and adoption of the Political Declaration in Dublin was a milestone achievement, in part due to the high number and broad range of states that joined at this initial stage. In the subsequent 16 months, however, the pace of universalisation has been slow, as only three new states have endorsed in this period.

⁵² For the full text of the declaration, see Ireland Department of Foreign Affairs (2022), *Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas*.

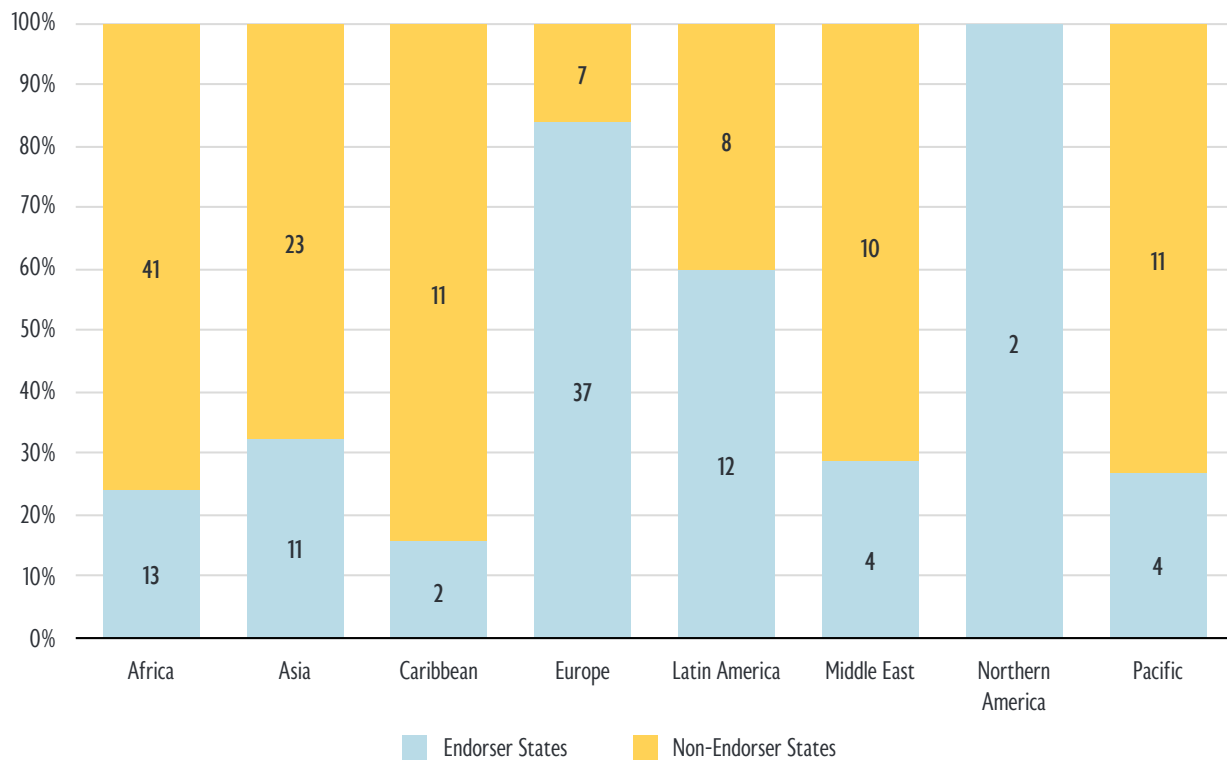
States that have endorsed the Political Declaration



- | | | | |
|------------------------------|---------------------------------|---------------------|--------------------------------------|
| 1. Albania | 23. Dominican Republic | 45. Laos | 67. Republic of Korea |
| 2. Andorra | 24. Ecuador | 46. Liberia | 68. Republic of Moldova |
| 3. Argentina | 25. El Salvador | 47. Liechtenstein | 69. Romania |
| 4. Australia | 26. Finland | 48. Luxembourg | 70. Saint Kitts and Nevis |
| 5. Austria | 27. France | 49. Madagascar | 71. Saint Vincent and the Grenadines |
| 6. Belgium | 28. Georgia | 50. Malawi | 72. San Marino |
| 7. Bosnia and Herzegovina | 29. Germany | 51. Malaysia | 73. Senegal |
| 8. Brazil | 30. Greece | 52. Malta | 74. Serbia |
| 9. Bulgaria | 31. Guatemala | 53. Mexico | 75. Sierra Leone |
| 10. Cabo Verde | 32. Guyana | 54. Maldives | 76. Slovakia |
| 11. Cambodia | 33. Hashemite Kingdom of Jordan | 55. Monaco | 77. Slovenia |
| 12. Canada | 34. Holy See | 56. Morocco | 78. Somalia |
| 13. Central African Republic | 35. Hungary | 57. Montenegro | 79. Spain |
| 14. Chile | 36. Iceland | 58. New Zealand | 80. Sweden |
| 15. Colombia | 37. Indonesia | 59. North Macedonia | 81. Switzerland |
| 16. Comoros | 38. Ireland | 60. Norway | 82. Togo |
| 17. Costa Rica | 39. Italy | 61. Palau | 83. Türkiye |
| 18. Côte D'Ivoire | 40. Japan | 62. Palestine | 84. United Kingdom |
| 19. Croatia | 41. Kenya | 63. Peru | 85. United States of America |
| 20. Cyprus | 42. Netherlands | 64. Philippines | 86. Uruguay |
| 21. Czech Republic | 43. Kiribati | 65. Portugal | |
| 22. Denmark | 44. Kuwait | 66. Qatar | |

Endorser states have joined the Political Declaration from all world regions. Some regions and sub-regions, such as Europe, Latin America and Northern America, have moderate to high levels of endorsement, whilst others, including Africa, Asia, the Caribbean, Middle East and the Pacific, have fairly low levels of endorsing states and therefore remain a priority for outreach engagement (see Figure 7).⁵³

Figure 7 - Endorsement of the Political Declaration by Region and Sub-Region



States in regions and sub-regions with lower levels of endorsement have reported a range of challenges around endorsement of the Declaration. These challenges have been shared informally and during Declaration-related and other meetings throughout the year. These include a lack of awareness of the Declaration in national capitals and with key representatives in Geneva – especially in states that were not engaged in the consultations in Geneva – such as many Caribbean and Pacific island states who do not have missions to the UN in Geneva. This also includes smaller missions with experts covering multiple processes of work that make it challenging to engage, including some African and Middle Eastern states. Additionally, some states have reported that the Declaration is not being prioritized due to other competing issues and international instruments, especially in contexts where the issue is perceived as being less directly-relevant to states as their armed forces are not engaged in military operations or they are not affected by the use of explosive weapons. Some states have also suggested that there are concerns over the Declaration being developed in response to the invasion of Ukraine, and as such is perceived as 'anti-Russian'.

⁵³ Participation in the Political Declaration is determined on the basis of UN member and observer states that have or have not endorsed the Declaration, names and status as reported by the UN Statistics Division. See <https://unstats.un.org/unsd/methodology/m49/>.

Beyond regional considerations, states with different experiences in relation to the use and impact of explosive weapons have joined the Political Declaration. This includes producers and exporters of explosive weapons, as well as importers. It also includes 26 of the 32 members of the North Atlantic Treaty Organization (NATO). Though the armed forces of some of these endorsing states are known to have used explosive weapons, there are also states that use explosive weapons extensively that remain outside the Declaration. Additionally, a number of countries that have been affected by the use of explosive weapons – both historically and presently – have joined the Declaration.

International activities supporting the universalisation of the Political Declaration

To promote the Political Declaration, INEW, the UN, the ICRC and states have convened a series of meetings, workshops and other events to facilitate dialogue and discussion to promote the Declaration and its commitments. Many of these activities have been jointly organised as collaborative events between leading states and organisations, including Ireland leading universalisation, Norway as the host of the Oslo conference, and organisations such as INEW and its members, UN agencies and the ICRC.

This includes a regional workshop in Togo on 30-31 January 2024, which provided an opportunity to encourage endorsement of the Declaration by more states from this sub-region and Africa more broadly. The workshop was hosted by the UN Office for Disarmament Affairs (UNODA) and Ireland and served as a platform for fostering collaboration and knowledge sharing among participants to help build normative and practical knowledge around the Declaration. INEW and Humanity and Inclusion also organised regional briefings in partnership with UNODA in Geneva for African states on 19 April 2023 and 5 December 2023, with the support of Ireland, Norway and Sierra Leone. An additional briefing was convened for African states in New York on 18 October 2023, by INEW and the ICRC, which Norway and Ireland also attended.

States have also organised regional universalisation activities. Austria convened a briefing in Geneva for western Balkan states on 18 January 2024 and conducted subsequent bilateral engagement. The Philippines and Norway convened a briefing for Association of Southeast Asian Nations (ASEAN) states in Geneva on 29 February 2024. New Zealand also promoted the Declaration at the Humanitarian Civil-Military Coordination meeting for Asia and the Pacific in December 2022.

Efforts made by all stakeholders working within the framework of the Political Declaration to increase participation are vital to its future success in protecting civilians from the use of explosive weapons. Endorsement of the Political Declaration is an act of recognition by endorsing states of the harms experienced by civilians as a result of the use of explosive weapons in populated areas. It is an expression of solidarity with those who are impacted and a promise to work to prevent and address future harms.

2. Implementation of the Political Declaration

The Political Declaration has the potential to strengthen the protection of civilians in armed conflict and to mitigate and address the harm to civilians caused by the use of explosive weapons in populated areas. This requires endorser states to review, develop and implement national policies to operationalise the Declaration's commitments and to bring about changes in practice. Implementation is an ongoing process and endorser states will move through it at different speeds and with different approaches, depending on their national context and capacity.

The Explosive Weapons Monitor seeks to support implementation aimed at reducing harm to civilians and to strengthen collaboration and information sharing between all stakeholders working towards effective implementation of the Declaration's commitments. To support this work, the Explosive Weapons Monitor will undertake regular monitoring of state action towards implementation. The development and dissemination of a state survey by the International Network on Explosive Weapons (INEW) in February 2024, and the subsequent reporting on survey responses by the Explosive Weapons Monitor, marks the beginning of these efforts.

This section provides a preliminary review of state responses to the survey on implementation submitted by 2 April 2024. The Explosive Weapons Monitor and INEW will provide additional findings as they put in place the necessary structures for monitoring actions by all stakeholders towards implementation of the Political Declaration over the long-term and for tracking progress therein.

2.1. Survey on the Implementation of the Political Declaration

The first international review conference on the implementation of the Political Declaration will be hosted by Norway in Oslo on 22-24 April 2024. Ahead of the conference, INEW conducted a survey to review national efforts made by states to implement the Declaration since it was adopted in November 2022. The focus of the survey was on initial steps to disseminate the Declaration and to review policy and practice.

The survey draws on actions recommended in INEW's recently published *Implementation Framework*, which seeks to provide governments and their armed forces with a non-exhaustive series of guiding questions and recommendations to assist states in determining the most appropriate way to implement the Declaration.⁵⁴ The survey draws on guiding questions from the first two parts of the *Implementation Framework* and includes efforts to:

- Disseminate and promote the Political Declaration on a national level, in particular among relevant government ministries and departments and armed forces personnel who will be at the forefront of its practical implementation, and can include a range of activities such as sharing the Declaration text, appointing a point person responsible for leading implementation, and conducting briefings, workshops or trainings on the Declaration and its provisions.
- Review, develop or improve national policy and practice, which may include revisions to military doctrine, such as in relation to targeting and urban operations, as well as military manuals, standing and operation-specific rules of engagement. Some commitments, such as in relation to victim assistance, may also require changes to government policy relating to the provision of, for example, humanitarian and development assistance.

⁵⁴ INEW (2024), 'Implementation Framework', March 2024. Available at: <https://www.inew.org/wp-content/uploads/2024/02/Implementation-Framework.pdf>.

The survey was sent to endorsing states through a variety of dissemination methods. Efforts were made to identify national focal points or other relevant contacts in both Geneva and New York missions. States were given the option of responding to the survey, which was available in English, French and Spanish, in a number of ways, including by email, a virtual or in-person meeting, or through the submission of an online form. For a full list of survey questions, see Annex 2.

2.2. Survey Respondents

INEW received responses to the survey from 17 states – Australia, Austria, Canada, Finland, Germany, Ireland, Japan, Luxembourg, Norway, Sierra Leone, Switzerland, the Maldives, the Netherlands, New Zealand, Palestine, the United Kingdom and the United States.

Palestine did not submit a written response to the survey as capital resources were not available to provide this within the given timeframe. State representatives of Palestine opted instead to speak to INEW representatives about implementation of the Declaration's commitments more generally and in the context of experiencing intensive bombardment, as reported in the chapters above. As such, Palestine's responses to the survey are not tailored to the questions and are therefore not represented below.⁵⁵

2.3. Survey Responses

The information provided below is a summary of state responses to survey questions received by INEW and the Explosive Weapons Monitor. Responses reflect states' interpretation of the Declaration and action required, as well as some additional reflections on challenges and orientation. The information below draws on self-reporting by states. It does not present a full analysis but does provide some preliminary reflections on overall implementation progress and orientation thus far.

- **Has the Political Declaration been disseminated to government ministries or departments of defence, foreign affairs and development, armed forces personnel and other relevant stakeholders nationally?**

Fourteen states reported that they had disseminated the Declaration nationally – Australia, Austria, Canada, Finland, Germany, Ireland, Japan, Luxembourg, Norway, the Netherlands, New Zealand, Switzerland, the United Kingdom and the United States. Sierra Leone and the Maldives responded that they had not disseminated the Declaration.

To which ministries, departments and armed forces personnel the Declaration had been shared varied. Generally, it included Ministries responsible for foreign affairs and defence, as well as armed forces. Australia, Austria, Canada, Finland, Germany, Ireland, Luxembourg, Norway, the Netherlands, New Zealand, Switzerland, the United Kingdom and the United States further elaborated on their dissemination activities in the survey.

⁵⁵ INEW engaged in dialogue with multiple states that welcomed the survey but were not able to respond on time due primarily to resourcing constraints. Other states, such as the Philippines, Mexico and Malawi engaged positively with INEW's invitation, forwarding the survey to capitals and other relevant stakeholders.

Australia

Australia responded that dissemination had been undertaken by its departments of “Defence and Foreign Affairs & Trade by standard communication channels used in Government.”

Austria

Austria stated that it had “disseminated [the Declaration] to the departments of defence, foreign affairs and development and armed forces and other stakeholders, as well as the Austrian Red Cross that has been actively engaging in events for awareness raising and implementation.” It specified that the Declaration “was distributed to departments and divisions in the MoD [Ministry of Defence] dealing with issues relevant to the implementation of the Declaration.” Austria further elaborated that “the report by the Austrian Foreign Minister to the Austrian Parliament on the priorities for the MFA [Ministry of Foreign Affairs] to be engaged in [on] the framework of the European Union for 2024 highlights the universalization and implementation of the EWIPA [explosive weapons in populated areas] Political Declaration as one priority...”

Canada

Canada reported that the Declaration “has been disseminated to Global Affairs Canada and the Department of National Defence/Canadian Armed Forces, as well as to the inter-ministerial Canadian Committee on Humanitarian Law.”

Finland

Finland reported that the “Declaration has been disseminated to the Ministry for Foreign Affairs, the Ministry of Defence as well as throughout the organisation of the Finnish Defence Forces (the Defence Command, the Army Command, the Navy Command and the Air Force Command).”

Germany

Germany responded that the “Declaration has been disseminated to and through the relevant focal points within the Federal Foreign Office and Ministry of Defence. The focal points further distributed the Declaration as well as any relevant information after the adoption ceremony to relevant stakeholders in their area of responsibility (e.g. armed forces personnel) to ensure national implementation and continued international commitment. The inclusion of relevant stakeholders from political and technical level has been ensured already during the process of negotiation.”

Ireland

Ireland reported that it “undertook close and regular coordination between Irish Ministries for Foreign Affairs, Defence, and Defence Forces throughout the consultation process for the Political Declaration, to ensure alignment and agreement across all relevant stakeholders. The final text was distributed to these stakeholders upon conclusion of consultations, and is publicly available on GOV.IE.”

Luxembourg

Luxembourg responded that its “Ministry of Foreign Affairs has coordinated extensively with the Ministry of Defense and the Ministry of Development Cooperation both prior to and following the adoption of the Political Declaration. Luxembourg also regularly engages with Non-Governmental Organizations on the topic of EWIPA [explosive weapons in populated areas] in order to explore in more depth both the opportunities and the challenges related to the Political Declaration.”

Norway

Norway reported on its dissemination process stating that “the MFA [Ministry of Foreign Affairs], its Section for Humanitarian Affairs and the Delegation in Geneva, in close cooperation with the MoD’s [Ministry of Defence] section for international operations and international law, were responsible for taking part in the negotiations leading up to the endorsement. After the endorsement in November 2022, it has been disseminated to other relevant sections in the MFA, and foreign missions, especially in the preparations for the follow-up conference in Oslo in April 2024.”

Netherlands

The Netherlands reported that the Declaration had been distributed to its Ministry of Foreign Affairs and Ministry of Defence at a “corporate level” including to ministers themselves. “In the Dutch context,” it explained, “political statements are not distributed one-on-one among all military personnel. Political guidance, such as this declaration, is implemented in our doctrine, education and training, as well as in our TTPs [tactics, techniques and procedures], that are updated in order to act in accordance with political guidance.” The state further elaborated about its ongoing Civilian Harm Mitigation baseline study aimed at identifying opportunities to advance its civilian harm mitigation and response efforts. “EWIPA [explosive weapons in populated areas] is an important and integral part of this broader effort that MoD is undertaking.”

New Zealand

New Zealand reported that in “the lead up to, and following the adoption of the Political Declaration, we have engaged with the Ministry of Defence, New Zealand Defence Force (NZDF), and our diplomatic network to raise awareness.”

Switzerland

Switzerland reported that its “Departments of Defence, Civil Protection and Sport (DDPS) and Federal Department of Foreign Affairs (FDFA) have worked jointly since the very beginning of the consultations on the elaboration of the EWIPA Declaration. The two departments were both involved in the decision to endorse the Declaration and, as a result, they are both well informed about the content of the declaration.” Furthermore, the “Swiss Parliament (in particular its Foreign Affairs Committees and its Security Policy Committees) has been informed about the EWIPA [explosive weapons in populated areas] declaration both prior and after its adoption and endorsement by Switzerland,” as was the Federal Council (i.e. the Swiss government). In addition, the Declaration “was presented and discussed within the Interdepartmental Committee for International Humanitarian Law,⁵⁶ which is tasked with the administration-internal exchange of experience and information on International Humanitarian Law (IHL) and its implementation in Switzerland. This committee includes, amongst others, representatives of the Federal DDPS, the FDFA, the Federal Department of Justice and Police, the Federal Department of Interior and the Federal Department of Economic Affairs, Education and Research.”

United Kingdom

The United Kingdom reported that the “Declaration, information about it, and information about UK activity that aligns with the commitments of the Political Declaration has been disseminated to relevant UK government departments, including the Foreign, Commonwealth and Development Office, and the Ministry of Defence.”

56 Switzerland Federal Department of Foreign Affairs. ‘The Interdepartmental Committee for International Humanitarian Law’.

United States

The United States reported that the Declaration “was disseminated internally within the U.S. Government, including the Department of State and the Department of Defense (DoD), before the United States formally indicated its endorsement of the Political Declaration.”

- **Does your country have a point person(s) responsible for the implementation of the Political Declaration?**

Sixteen respondents reported that they had designated a focal point responsible for implementation of the Declaration, Declaration-related activities and/or coordination herein.

In Austria, Finland, Germany, Switzerland and the United States, this responsibility is shared between the ministries responsible for foreign affairs, defence and/or the armed forces. In Australia, Canada, Ireland, Japan, Luxembourg, New Zealand and Norway, the national focal point sits within the ministry responsible for foreign affairs. In the United Kingdom, the Netherlands and the Maldives, the point person is at the ministry responsible for defence. Sierra Leone reported that the responsibility is shared between the armed forces and its Commission on Arms and Ammunition.

Figure 8 – Relevant ministries responsible for implementation of the Political Declaration, as reported by states

| State | Ministry of Foreign Affairs ⁵⁷ | Ministry of Defence and/or Armed Forces | Other |
|----------------|---|---|-------|
| Australia | ✓ | | |
| Austria | ✓ | ✓ | |
| Canada | ✓ | | |
| Finland | ✓ | ✓ | |
| Germany | ✓ | ✓ | |
| Ireland | ✓ | | |
| Japan | ✓ | | |
| Luxembourg | ✓ | | |
| Maldives | | ✓ | |
| Netherlands | | ✓ | |
| New Zealand | ✓ | | |
| Norway | ✓ | | |
| Sierra Leone | | ✓ | ✓ |
| Switzerland | ✓ | ✓ | |
| United Kingdom | | ✓ | |
| United States | ✓ | ✓ | |

⁵⁷ 'Ministry of Foreign Affairs' is used as an umbrella term for state ministries responsible for foreign affairs. These have different names and focus areas from one state to another. For example, the State Department (United States), Foreign, Commonwealth and Development Office (United Kingdom), and Ministry of Foreign Affairs and Trade (New Zealand).

- **Has the government and/or armed forces conducted briefings, workshops or trainings on the content of the Political Declaration and plans for its domestic implementation?**

Eleven states responded that they had conducted briefings, workshops or trainings on the content of the Declaration and plans for its domestic implementation. These were Australia, Austria, Canada, Finland, Germany, Japan, New Zealand, Norway, Switzerland, the United Kingdom and the United States. Luxembourg, the Maldives, the Netherlands, and Sierra Leone indicated that they have not conducted briefings, workshops or trainings relevant to the Declaration.

Responding states set out a range of activities undertaken. Some spoke directly to the Declaration's commitments, such as the creation of an implementation plan, training on national implementation, issue specific workshops, and integrating the declaration into international humanitarian law training for armed forces. Others do not appear to be specific to the Declaration's commitments and implementation, such as general international humanitarian law and military training.

Australia

Australia explained that its "Defence Force involvement in armed conflict is governed by international humanitarian law which is given effect by a range of policies, doctrine, directives and instructions." It further shared two examples. The first being that "the Military Legal Training Centre provides a training for Defence personnel and Commanders. The training incorporates information to provide guidance from within Defence and wider Government." The second example stated that "the training and continuum ensures ADF [Australian Defence Forces] commanders consider minimising the impact of operations on civilian populations, where possible and ensuring that targets within populated areas are legitimate and necessary to engage."

Austria

Following the adoption of the Declaration, its Ministry of Defence "developed an 'implementation plan' for the Political Declaration, which highlights different areas of work. The Secretary General of the MoD [Ministry of Defence] approved the implementation plan in August 2023. A working group was established to oversee the implementation measures and identify further areas of work if necessary. Numerous briefings were held to familiarise different departments and divisions with the relevant provisions of the Declaration as well as with the ongoing implementation process such as with the Capability Development Department, the Military Operations Department and the Army School." Austria also elaborated on specific activities, including the role of its 2024 international "Military Workshop on the implementation of the EWIPA Political Declaration" in raising awareness among members of the Austrian Ministry of Defence and Armed Forces, many of which "participated actively."

Canada

"Global Affairs Canada carried out a training on the domestic implementation of the Political Declaration at the inter-ministerial Canadian National Committee on Humanitarian Law. It has also engaged in several meetings with Humanity & Inclusion, Mines Action Canada, the Canadian Red Cross and the International Committee of the Red Cross regarding implementation."

Finland

“The declaration has been included in detail in the IHL [international humanitarian law] trainings that have been conducted in cooperation with the Finnish Red Cross. Generally, the protection of civilians is taken into account in other IHL trainings of the Finnish Defence Forces as well.”

Germany

Germany reported that “International humanitarian law is an integral part of training in the armed forces.” It specified that “the legal requirements of international humanitarian law for the protection of the civilian population, civilians and civilian objects have been and will always be included in all relevant military doctrines and documents and constitute the strict standard for military action... and the protection of the civilian population is...always one of the key considerations in military decision-making. The topic of explosive weapons in populated areas is taken into account in the training of soldiers in various career paths in the respective military organisational areas, such as the army.” Indeed, “Germany considers workshops and trainings essential to improve better practices” and has organised workshops that “engage all relevant national and International stakeholders on the question of how to address the specific humanitarian consequences on explosive weapons use in populated areas.”⁵⁸ In addition, Germany reported that the “declaration featured prominently in the federal government’s annual disarmament report. The national focal point is continuously exploring possibilities to further increase awareness and knowledge about the declaration among the competent authorities and institutions.”

Ireland

“Ireland regularly participates in outreach events and workshops to promote international awareness and engagement with the Political Declaration, and to facilitate knowledge exchange on implementation – including the recent Austrian hosted EWIPA [explosive weapons in populated areas] Military Workshop. The DoD [Department of Defence] and Defence Forces will continue to support outreach events through the provision of subject matter experts to further enable the universalisation phase of EWIPA and enhance our knowledge towards development and design of a policy on implementation.”

Japan

“Japan provides education at Officer Candidate School, Command and Staff College, technical schools and Japan Self-Defense Force units regarding various activities in compliance with the International Humanitarian Law during PKOs [peacekeeping operations] and emergency response.”

Norway

“The MFA [Ministry of Foreign Affairs] will conduct briefings for Norwegian embassies, for embassies of other states present in Oslo, for the MoD [Ministry of Defence] and in cooperation with civil society organisations.”

⁵⁸ For example, Germany alongside the ICRC and GICHD, organised a series of workshops titled ‘The EWIPA [explosive weapons in populated areas] Talks’ in 2017 and 2018, to inform a first substantial debate on the topic within the Convention on Certain Conventional Weapons (CCW).

New Zealand

New Zealand reported that its Defence Forces have “in place targeting, planning and protocols that ensure protection of civilian populations in respect of all munitions. The reduction in civilian harm is part of established routine training from recruit onwards (including IHL [international humanitarian law], as restated/required under the EWIPA [explosive weapons in populated areas] political declaration).” It further stated that a “comprehensive briefing package is delivered at recruit training and officer training on Geneva Convention obligations. This includes coverage of the Law of Armed Conflict through the Manual of Armed Forces Law – Law of Armed Conflict – DM 69 (2 ed) Volume 4,⁵⁹ which covers IHL and several elements of the Declaration, e.g.: ‘It is prohibited to use weapons or munitions that:

- Are of a nature to cause superfluous injury or unnecessary suffering;
- Indiscriminate in their effect; or
- Intended or likely to cause widespread, long-term and severe damage to the natural environment.”

Switzerland

Switzerland responded that in “early 2023 the Joint Doctrine Board (committee for the approval of all doctrinal documents and regulations, consisting of around 25 representatives of all commands of all branches of the armed forces) was comprehensively informed about EWIPA [explosive weapons in populated areas] and the Political Declaration.” Later that year, during the “annual training days of the Chief of the Training Command,” a special ‘IHL [international humanitarian law] Training of Trainers was conducted, focusing on urban warfare. Some 100 high-ranking officers from all branches of the armed forces were present. The “participants were specifically made aware of EWIPA.” Switzerland also shared that “Urban warfare and EWIPA was the main topic during the IHL module of the annual specialist course for all legal advisors in the armed forces (two-day course in autumn, approx. 35 participants). Case studies were discussed, based on which practical solutions in line with IHL were put forward.” In addition, “EWIPA has been an integral part of the ‘Operations Law’ module of the Swiss Military Academy (one week training) since 2018 and each class of prospective professional officers (approx. 15-30 participants per year) is trained in compliance with the Law of Armed Conflict and the special challenges of warfare in urban areas.” In addition, Switzerland highlighted a conference organised by the Swiss Armed Forces and the Swiss Society for Military Law and Law of War on Switzerland in the UN Security Council, with a panel dedicated to the protection of the civilian population and critical infrastructure, in September 2023.

United Kingdom

The United Kingdom responded that “information about the Political Declaration has been communicated via different media (such as staff communications, meetings, briefing materials) to relevant teams within the Foreign, Commonwealth and Development Office, and the Ministry of Defence. The aims of these communications include the aims and objectives of the Political Declaration, and to inform about UK activity.”

59 New Zealand Defence Force. Manual of Armed Forces Law – Law of Armed Conflict – DM 69 (2 ed) Volume 4.

United States

The United States reported that it “regards the content of the Political Declaration as reflected in its existing practice to effectively implement its obligations under international humanitarian law and to strengthen the protection of civilians in military operations. In addition, the U.S. recognizes the moral and strategic imperative of protecting civilians during military operations and the U.S. military is continually striving to improve its policies and practices relating to the protection of civilians in armed conflict.”

Its response raised a number of examples. “For example, with regard to the commitment in paragraph 3.2, the United States has been engaged in and continues to engage in training for its armed forces on the international humanitarian law and good practices and policies with regard to the protection of civilians.” It specified that under its Department of Defense (DoD) “Directive 2311.01, DoD Law of War Program, training on international humanitarian law rules applicable to the United States is a critical component of effective programs to prevent violations.” It also highlighted that “under U.S. DoD Instruction 3000.17, CHMR [civilian harm mitigation and response], a key element of DoD policy is for DoD components to ‘[d]evelop professional tracks, skill identifiers, and certification requirements for key CHMR personnel and functions.’ DoD components are to ‘[t]rain and educate DoD personnel, commensurate with their responsibilities, on: (a) Law of war rules and principles relevant to CHMR, in accordance with DoDD 2311.01. (b) Policy, doctrine, and other guidance related to the protection of civilians and civilian objects and other aspects of CHMR. (c) Practices that effectively reduce the likelihood of civilian harm and policies and practices for appropriately and effectively responding to civilian harm.’”

Luxembourg, the Maldives, the Netherlands and Sierra Leone

Luxembourg, the Maldives, the Netherlands and Sierra Leone indicated that they have not conducted briefings, workshops or trainings on the content of the Declaration and/or yet to develop plans for its national implementation.

The Netherlands, however, stated that conducting trainings, briefings or workshops “is certainly an option the MoD [Ministry of Defence] is seriously considering. This will be determined in 2024 as part of the implementation phase of the recommendations of the broader baseline study on Civilian Harm Mitigation (CHM). EWIPA [explosive weapons in populated areas] is an important and integral part of this broader effort.”

- **Has your government and/or armed forces reviewed existing laws, policies, codes, approaches, practices or similar relevant to the protection of civilians, to identify areas where further policy development is necessary to meet the commitments under the Declaration and avoid civilian harm from the use of explosive weapons in populated areas?**

Twelve responding states indicated that they had, or were in the process of, reviewing existing laws, policies, and practices relevant to the protection of civilians to identify areas where further policy development would be necessary to meet the commitments under the Declaration. These were Austria, Canada, Finland, Germany, Ireland, Japan, the Netherlands, New Zealand, Norway, Switzerland, the United Kingdom and the United States. Sierra Leone and the Maldives reported that they at present are not undergoing reviews. Australia did not respond to the question but did identify policies and practices it believed could be drawn on to help implement the Declaration’s commitments.

Across the twelve states that responded in the affirmative, the level of detail provided about individual review processes, including how far along or how comprehensive these were, varied. Responses ranged from statements that existing law, policy and practice were consistent and/or sufficient with regards to the Declaration's commitments, to other efforts towards broader protection of civilians and Declaration-specific implementation plans. One state (Austria) made reference to developing a specific policy on the protection of civilians from the use of explosive weapons in populated areas. Three states responded that they had determined a review was not needed.

Austria

Austria responded that its Ministry of Defence (MoD) "has already started its implementation process." It explained that "although concrete measures are still under consideration, two specific areas have already been identified for future work. The first one concerns the adoption of a dedicated Policy on the 'Protection of Civilians from the use of Explosive Weapons in Populated Areas', which should provide overarching policy guidance for the implementation process, the second one refers to the structured integration of measures regarding use of EWIPA [explosive weapons in populated areas] in the Article-36-review-process."⁶⁰ Austria noted that in implementing the Declaration, its Ministry of Defence and Armed Forces would rely on its long-standing protection of civilians work, courses therein, and its plans to establish a Centre of Excellence on the Protection of Civilians. "Given the strong overlap between POC [protection of civilians] and the issue of EWIPA, the MoD is currently assessing how to create synergies between those areas."

Canada

Canada stated that the "Canadian Armed Forces (CAF) operate and will continue to operate in accordance with international humanitarian law (IHL). The CAF reaffirms its commitment to complying with its pre-existing obligations under IHL for the protection of civilians in populated areas during armed conflict. In order to implement Canada's commitments under the EWIPA [explosive weapons in populated areas] Political Declaration, the CAF will continue its good IHL practices, review and consider updates to doctrine and training, and will include appropriate direction operational orders."

Finland

Finland responded that "no further revision has been conducted since the adoption of [the] EWIPA [explosive weapons in populated areas] declaration. Existing laws and policies were reviewed on a general level during the adoption process in order to confirm that there were no contradictions between them and the commitments of the declaration."

⁶⁰ Article 36 of Additional Protocol I of the 1949 Geneva Conventions requires states to conduct a legal review of all new weapons, means or methods of warfare to determine whether their use would be prohibited by international law.

Germany

Germany stated that its “government has reviewed laws, policies, codes, approaches, practices and continues to do so.” It also referenced its response to question 3, which emphasised the “integral” role of international humanitarian law in Germany’s armed forces’ training, including the protection of civilians. Germany did not elaborate further to identify relevant policies, practices, laws or doctrine, but rather referred to its transparency reporting in the CCW [UN Convention on Conventional Weapons]. In addition, it outlined German support for “research and publication, workshops and international exchanges”, highlighting its support to UNIDIR [UN Institute for Disarmament Research] and its “two Menus of Indicators to support collection of data to understand and document the reverberating effects of the use of EWIPA [explosive weapons in populated areas] on different areas of civilian life.” Germany also emphasised that “this work is important to prepare efforts to prevent, mitigate, and respond to their negative humanitarian consequences. Germany will continue its support to improve the understanding of reverberating effects, to broaden our shared knowledge, via data collection, case studies, research and exchange, to conceptualise reverberating effects and operationalise these concepts in order to be in a position to feed them into the practice of armed forces.”

Ireland

Ireland responded that its Department of Defence (DoD) and Defence Forces (DF) “will review the Declaration towards development and design of a policy on implementation. The DoD and DF look forward to supporting the forthcoming EWIPA [explosive weapons in populated areas] conference in Norway further enhancing knowledge with likeminded partners towards development of policy on implementation.” In response to a question about identifying relevant policies, practices, laws or doctrine herein, Ireland responded that “the DF would underpin work towards implementation with extant DF doctrine and training drawing from Peace Support Operations, Protection of Civilian training and Ireland’s IHL [international humanitarian law] commitments which are already in being.”

Japan

Japan stated that it “has taken appropriate measures to protect civilians in armed conflict, including the development of laws and regulations as well as conducting training to ensure the prompt evacuation of residents well in advance of an armed attack, and there has been no change to the Government of Japan’s stance that it will comply with existing international humanitarian law during an armed conflict. Therefore, the Government of Japan does not believe that there is a need to review existing laws and regulations to meet the commitments under the Declaration.” When asked to identify specific policies, practices, laws or doctrine, Japan responded that “the Civil Protection Law was enacted and enforced in 2004 and stipulates civilian protection, although this is not limited to explosive weapons in populated areas and was not enacted in response to the Political Declaration.”

Luxembourg

Luxembourg stated that it “does not have specific legislation dedicated solely to the use of explosive weapons in populated areas.” However, Luxembourg is “bound by the rules and principles of international humanitarian law through its participation in treaties, and it has taken steps to regulate aspects related to explosives through its legislation.” Luxembourg highlighted that it “acts in full compliance” with a number of international instruments, including the Hague and Geneva Conventions, the Protocols on Explosive Remnants of War (Protocol V, CCW), on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices (Protocol II, CCW). Furthermore, it adheres to other “legal frameworks in the field of explosives”, such as “Law of 2 February 2022 regarding arms and munitions.” In addition, it reported that “in light of the Political Declaration, Luxembourg has further developed its disarmament and non-proliferation policies.” Luxembourg added that its “military air capabilities are limited to transportation and other roles in the field of enablement and are therefore

not designed for deployment in combat operations. Further, Luxembourg's armed forces do not possess heavy artillery or other heavy explosive weaponry." It suggested that "these aspects move its military largely outside of much of the scope of the Political Declaration." However, it emphasised that "any future developments in Luxembourg's military equipment or doctrine will take its adherence to the PD [Political Declaration] into account."

Norway

Norway responded that its Ministry of Defence "is taking part in meetings and cooperating with some other states to find out how to better protect civilians in warfare, but this is not specifically linked to the EWIPA [explosive weapons in populated areas] declaration." It was added that detailed knowledge about how this was organized was not currently available.

Netherlands

The Netherlands responded that its Ministry of Defence (MoD) is currently conducting "a broad and extensive baseline study on Civilian Harm Mitigation (CHM), to identify opportunities to advance our civilian harm mitigation and response efforts on the whole. In 2024 this will lead to conclusions and recommendations on adjusting doctrine, education, training and TTP's [tactics, techniques and procedures]. EWIPA [explosive weapons in populated areas] is an important and integral part of this broader effort that MoD is undertaking in the field of CHM." Further to this, it stated that the MoD is considering and evaluating "compliance to international laws and other obligations, policies, doctrine, education & training, leadership, TTP's and weaponeering" when it comes to implementation.

New Zealand

New Zealand reported that "as part of our domestic process to endorse the Declaration, it was determined that existing defence policy and practices were consistent with the objectives of the Declaration." It further explained that its Ministry of Foreign Affairs and Trade (MFAT) "works closely with the Ministry of Defence and NZDF [Defence Forces] to track New Zealand's implementation of the Declaration's commitments." It stated that its Ministry of Defence and Defence Forces were working to identify specific opportunities "to promote uptake and implementation of the Declaration through... existing international engagements and military-military exchanges." New Zealand expressed that whilst its "Manual of Armed Forces Law – Law of Armed Conflict – DM 69 (2 ed) Volume 4⁶¹ does not specifically cite the Political Declaration, it aligns with the Declaration's commitments." Furthermore, it highlighted the "Annual Report: Defence Force Order 35" which it described as "a transparency initiative which summarises NZDF response to civilian harm."⁶² It also referenced its international aid programming,⁶³ and Export Controls assessment criteria⁶⁴ as relevant. Speaking to the latter, New Zealand wrote that as "part of the refresh of our criteria for assessing a proposed export under changes to our export controls regime,⁶⁵ we have explicitly listed the Declaration⁶⁶ as one example of a non-binding commitment that a proposed export should be consistent with. This means the declaration will be taken into account in the assessment of any export application."

61 New Zealand Defence Force. 'Manual of Armed Forces Law – Law of Armed Conflict – DM 69 (2 ed) Volume 4'.

62 See the New Zealand Defence Force report for July 2021 - June 2022 at 'Annual Report: Defence Force Order 35'.

63 See Strategic Goal One in New Zealand Ministry of Foreign Affairs and Trade (MFAT) (2021). 'Other Asia Development Assistance Four Year Plan', which includes "[s]tabilisation initiatives, including removal of landmines and unexploded ordnance, enable the safe return of displaced people, and knowledge and skills transfer." December 2021.

64 New Zealand MFAT. 'Export Controls assessment criteria'.

65 Ibid.

66 Ibid.

Switzerland

Switzerland responded that its “Law of Armed Conflict Office within the Armed Forces Staff is responsible in Switzerland for carrying out weapons reviews in accordance with Art. 36 of the First Additional Protocol [1977 of the Geneva Conventions 1949]. Since 2018, the authority responsible for the legal review of weapons has pointed out the special challenges of EWIPA [explosive weapons in populated areas] in every evaluation of an explosive weapon within the Swiss Armed Forces and formulated binding requirements for the corresponding training on the weapon and its future use. In addition, the same authority (Law of Armed Conflict Office) examines all doctrinal documents and regulations of the Swiss Armed Forces for their conformity with international law. Since 2018, references to EWIPA and corresponding requirements have already been included in various new documents and regulations.”

Upon the question of identifying relevant and specific policies, practices, laws or doctrine that could help implement the Declaration’s commitments, Switzerland listed “Compulsory weapons review process that allows the formulation of binding requirements; review of all doctrinal documents and regulations by an authority familiar with the subject matter; not only dissemination of IHL [international humanitarian law] within the Armed Forces but integration of specific IHL issues (such as EWIPA) into practical exercises; etc. National Committees for the implementation of international humanitarian law (IHL), whose creation was recommended by the 26. International Conference of the Red Cross and Red Crescent, may be used to advise and assist governments in implementing and spreading knowledge of IHL, including the EWIPA declaration. In Switzerland, the Interdepartmental Committee for International Humanitarian Law (ICHL) is tasked with the administration-internal exchange of experience and information on International Humanitarian Law and its implementation in Switzerland. It also discusses issues relating to the declaration.”

United Kingdom

The United Kingdom shared that “reviews of UK policy and practice have and will continue to take into account the commitments of the Political Declaration.” It identified the ‘Joint Service Publication 985: Human Security in Defence’ as relevant for the application of the commitments in the Declaration.

United States

The United States reported that “[p]rior to U.S. endorsement of the Political Declaration in 2022, the U.S. Government reviewed the Political Declaration and assessed that the commitments under the Political Declaration were already reflected in existing U.S. military policy and practice. In addition, the United States is also actively working to strengthen this policy and practice and to support other States in doing so.”

The US wrote that “a wide range of U.S. policies are relevant to implementing the commitments in the Political Declaration. For example, DoD Directive 2311.01 establishes policy and assigns responsibilities for the DoD Law of War Program. It also establishes a Law of War Working Group, which prepares the DoD Law of War Manual that provides information on the law of war to DoD personnel responsible for implementing the law of war and executing military operations. DoD Instruction 3000.17, issued on December 21, 2023 is a significant step towards improving the U.S. military’s approach to mitigating and responding to civilian harm. This more than 50 page document establishes DoD policy, assigns responsibilities among DoD officials, and provides procedures for CHMR... With regard to specific practices that could be used to help implement the commitments in the Political Declaration, the United States would also like to highlight the draft technical compilation of Practical Measures to Strengthen the Protection of Civilians During Military Operations in Armed Conflict that was jointly submitted in 2019 by Belgium, France, Germany, the United Kingdom, and the United States. We believe this compilation can form a basis for future exchanges, workshops, and seminars among militaries.”

Australia

Did not respond to the question of whether its government and/or armed forces had reviewed existing laws, policies, codes, or similar relevant to the protection of civilians and to identify policy areas in need of development to meet the Declaration's commitments. However, it shared that "Australian Defence Force involvement in armed conflict is governed by international humanitarian law [IHL] which is given effect by a range of policies, directives and instructions. A key document is the Rules of Engagement (ROE). The ROE are reflective of the Australian Government's policy in relation to the specific armed conflict and are consistent with applicable international law. In relation to the implementation of EWIPA [explosive weapons in populated areas] in operational planning and execution, direction to ADF [Australian Defence Force] commanders is applied through the Law of Armed Conflict Doctrine (updated in 2023), which expressly refers to the Political Declaration. This document details the principles of IHL and Australia's IHL obligations." Australia also reported that, "The ADF's Targeting Doctrine lists the principles of military necessity, proportionality, distinction and unnecessary suffering as essential considerations in the targeting process, consistently with Australia's applicable international law obligations."

Sierra Leone

Sierra Leone shared that "there is no review of existing laws and policies in place." It wrote that "however, the new harmonized Act of 2023 gives the Sierra Leone Commission on Arms and Ammunition (SLeCAA) the power to control all arms and ammunition within the borders of Sierra Leone."

- **Has your government faced or identified any challenges in your planning for or implementing of the commitments set out in the Political Declaration?**

Three states – Canada, the Netherlands and New Zealand – raised challenges faced in implementing the Declaration's commitments. The United States also offered some reflections.

Canada

Canada wrote that "in section 4.5. endorsing states have committed to 'Provide, facilitate, or support assistance to victims - people injured, survivors, families of people killed or injured - as well as communities affected by armed conflict.' Canada states that it strongly supports victim assistance through neutral, independent and impartial humanitarian organizations. However, Canada would appreciate guidance from other endorsing states and civil society regarding the full purview of this section, including the forms of victim assistance envisaged by section 4.5. To date, Canada said that it has benefited from the implementation guidance documents authored by CIVIC and Article 36."

Netherlands

The Netherlands wrote that "anticipating the conclusions and recommendations of the MoD [Ministry of Defence] baseline study on CHM [civilian harm mitigation], at least the following possible challenges have already been identified." These were "how to (better) take 'reverberating effects' into account during the conduct of military operations, and especially during dynamic operations?" and "how to (better) respond to inflicted Civilian Harm resulting from the use of Explosive Weapons?"

New Zealand

New Zealand explained that "having adequate resourcing (staff, time and finance) to dedicate to promoting the Declaration can be a challenge."

United States

Whilst not identifying specific challenges, the United States emphasized that “good practices can help strengthen compliance with and improve the implementation of applicable international humanitarian law outside the context of the use of explosive weapons in populated areas. While we appreciate the ways this Declaration focuses on explosive weapons in populated areas, we should be mindful that harm to civilians in armed conflict arises in many different contexts and for many different reasons.” As such, it “believe(s) that policies and practices developed by States with regard to the protection of civilians in armed conflict should be implemented with regard to non-explosive weapons and when weapons are used outside of populated areas. Therefore, the intention of the United States is to apply its good practices for the protection of civilians on the broadest possible basis, and we encourage all other States to adopt a similar approach in implementing their international humanitarian law obligations and the Political Declaration.”

- **Has your country undertaken any other initiatives pertaining to strengthening the protection of civilians from the use of explosive weapons in populated areas that you would like to note?**

The survey provided responding states with the opportunity to highlight additional activities undertaken in response to the Declaration, or existing policies, practices or others that may contribute towards the implementation of its commitments. Numerous states set out general efforts to better understand existing civilian protection measures and/or improve policies and practices herein. Many also emphasised statements made in international forums on civilian protection or the use of explosive weapons in populated areas.

The initiatives most directly relevant to the commitments set out in the Political Declaration are outlined below. These activities have not been set out in detail in the survey responses, nor is more information readily or publicly available. Thus, the summary below is a partial account of activities planned or undertaken in relation to implementing the Declaration’s commitments.

Policy on the ‘Protection of Civilians from the use of Explosive Weapons in Populated Areas (Austria)

In its response, Austria shared that one of the “two specific areas for future work” identified in its implementation of the Declaration was “the adoption of a dedicated Policy on the ‘Protection of Civilians from the use of Explosive Weapons in Populated Areas’, which should provide overarching policy guidance for the implementation process.” Its second area for future work “refers to the structured integration of measures regarding use of EWIPA in the Article-36-review-process.”

Civilian harm mitigation initiatives (the Netherlands, the United States)

The United States and the Netherlands both outlined activities undertaken in the field of civilian harm mitigation more broadly. The United States’ response includes mention of its Civilian Protection Center of Excellence, which will “analyze data related to civilian harm, formulate best practices related to civilian harm mitigation, and to train personnel responsible for CHMR issues across the force.” It also sets out its Department of Defense’s Civilian Harm Mitigation and Response Action Plan (CHMR-AP) - “a series of major actions to improve the U.S. military’s approach to CHMR” - and Department of Defense Instruction (DoDI) on CHMR. Herein, the US highlights key initiatives in the DoDI that “address several details of paragraph 4.5” in the Declaration, including “(1) embedding Civilian Harm Mitigation Response Officers (CHMROs) into appropriate combatant and operational commands; (2) creating Civilian Harm Assessment Cells which will include Civilian Harm Assessment and Investigation Officers who will improve and standardize the U.S. military’s efforts to assess and investigate incidents that potentially involve civilian harm; and (3) incorporating guidance for addressing civilian harm across

the full spectrum of operations - from doctrine, plans, professional military education to training, and exercises.” It also mentions its CHMR Policy Directorate which provides senior leaders with policy support on CHMR and “oversight over its CHMR enterprise.”

The Netherlands reported that its Ministry of Defence is currently conducting an “extensive baseline study on Civilian Harm Mitigation (CHM),” of which the use of explosive weapons is a central component. Upon its conclusion this year, the study will inform specific engagement on civilian protection, including on the use of explosive weapons in populated areas. The Netherlands stated that the study’s aim is “to identify opportunities to advance our civilian harm mitigation and response efforts on the whole”, providing recommendations on adjusting doctrine, education, training and tactics, techniques and procedures.

Addressing the humanitarian consequences of explosive remnants of war (Germany, New Zealand, Norway, Switzerland, the United States)

Germany, New Zealand, Norway, Switzerland and the United States all mentioned ongoing activities, including mine clearance and risk education, that contributes towards commitment 3.5 of the Declaration, namely to “[e]nsure the marking, clearance, and removal or destruction of explosive remnants of war as soon as feasible after the end of active hostilities in accordance with our obligations under applicable international law, and support the provision of risk education.”

Supporting relevant work of the UN, ICRC, civil society and others (Austria, Germany, Switzerland)

Austria, Germany and Switzerland highlighted their financial support for UN agencies and/or civil society organisations that collect data and conduct research on the humanitarian consequences of the use of explosive weapons in populated areas, as well as efforts to promote universalisation and implementation of the Declaration. Germany and Switzerland both mentioned their support to UNIDIR, with Germany highlighting its support for UNIDIR’s work to develop “two Menus of Indicators to support collection of data to understand and document the reverberating effects of the use of EWIPA [explosive weapons in populated areas] on different areas of civilian life.” Germany wrote that it “will continue its support to improve the understanding of reverberating effects, to broaden our shared knowledge, via data collection, case studies, research and exchange, to conceptualise reverberating effects and operationalise these concepts in order to be in a position to feed them into the practice of armed forces.” Switzerland also mentioned its funding for civil society organisations, including the Explosive Violence Monitor of Action on Armed Violence (AOAV).

Austria stated that “[t]he particular engagement of the Austrian MFA regarding the EWIPA [explosive weapons in populated areas] Political Declaration fits into the overall foreign policy priority of strengthening the protection of civilians in armed conflict, including aspects of humanitarian assistance and development cooperation. The MFA aims to ensure to foster implementation of the EWIPA Political Declaration.” Activities mentioned herein included “Support for political work and policies to strengthen implementation of provisions regarding: (1) humanitarian access, (2) data collection regarding direct and reverberating effects, (3) victim assistance according to the rights of survivors, affected families and communities and (4) MRE [mine risk education] and clearance obligations and commitments; including through joint efforts with related instruments such as the APMBC [Anti Personnel Mine Ban Convention], the CCM [Convention on Cluster Munitions] and the CCW Protocol V and the CRPD [Convention on the Rights of Persons with Disabilities].” It also includes “financial contributions by the MFA to NGO network INEW to support the important work of civil society in the universalization and implementation of the Declaration and to foster a multi-stakeholder approach.”

Promoting the universalisation and collaboratively reviewing implementation of the Political Declaration (Austria, Ireland, Germany, Norway, New Zealand, the United States)

A number of the respondent states highlighted their statements on the use of explosive weapons in multilateral forums, as well as partaking in Declaration-related and universalisation activities. The most significant efforts so far include regional and global conferences on universalisation and implementation, and specific activities to support this.

Norway reported that hosting the first conference to review implementation of the Political Declaration provided opportunities to conduct outreach with other states.

Austria organised a military workshop aimed to “foster implementation by the military following a multistakeholder approach; including integration of the voices of survivors and their representative organisations.”

Ireland cited its ‘universalisation champion’ role. “In this capacity,” Ireland wrote, “we have undertaken extensive outreach to promote universalisation, both in multilateral centres and through standalone initiatives, including through our financial support for the recent UNODA EWIPA Workshop for African states – which was hosted in Togo, 30-31 January 2024.”

New Zealand, emphasised its work raising awareness, including at the Regional Consultative Group (RCG) on Humanitarian Civil-Military Coordination for Asia and the Pacific in December 2022⁶⁷ and its work to identify universalisation and implementation work that can be conducted through “existing international engagements and military-military exchanges.”

The United States responded that it “actively supports efforts to promote implementation of the Political Declaration and to use it as a mechanism to promote the exchange of best practices between militaries from around the world to learn from each other and continue to improve their policies and practices.”

Germany and Norway referenced their “support for UNODA to create a lasting core structure to sustainably ensure the more effective implementation and universalisation” of the Declaration.

67 UN OCHA (2023). ‘Regional Consultative Group (RCG) on Humanitarian Civil-Military Coordination for Asia and the Pacific: Eighth Session Agenda (Hua Hin, Thailand, 01 - 03 December 2022)’.

2.4. Reflections

The Declaration sets an agenda for strengthening the protection of civilians from the use of explosive weapons in populated areas through the operationalisation of its commitments. Its ability to prevent and reduce civilian harm relies heavily on endorsing states' willingness and orientation to implementing the Declaration's commitments through national-level changes in policies that can subsequently help to drive changes to state practice.

Seventeen states responded to the survey, reflecting responses from just under 20 percent of endorsing states. These responses provide useful insight into efforts undertaken so far by this sub-section of endorsing states on reviewing policy and practice and on initial steps to disseminate the Declaration. As such, the findings are limited to only these aspects of the Declaration, and initial observations on the responses received to-date reflect this perspective. Further surveys, and other mechanisms by which states can report on national-level progress, should seek and encourage updates on all commitments and aspects of the Declaration, including efforts to collect and share data on the direct and indirect effects of explosive weapon use, as well the provision of assistance to conflict-affected communities.

Responding states highlighted the regular, international meetings convened to review implementation of the Declaration as key opportunities to provide updates on progress in their national statements. These meetings, along with continued efforts by civil society to monitor state implementation through surveys and other engagement, will contribute to a better understanding of implementation efforts by a larger range of endorsing states over time and across all aspects of the Declaration.

Most states reported that they have disseminated the Declaration within government ministries and to armed forces, and that they have designated a national focal point within a government ministry. These steps of disseminating the Declaration and appointing a focal point seemed to resonate as necessary initial actions in awareness-raising and approaching national-level enactment of the Declaration, providing a foundation for further implementation actions. Further exploration to better understand how key ministries and armed forces are coordinating with each other to streamline a common understanding of the Declaration within states would be beneficial, recognising that some states have separately reported that there can be a disconnect between different ministries and/or armed forces, as well as different orientations to how the Declaration's commitments are understood and implemented.

In many countries, armed forces are at the forefront of the operational implementation of the Declaration, yet the development and endorsement of the Declaration has in most instances been led by ministries of foreign affairs, or in some instances defense ministries. Furthermore, identifying what parts of government and the armed forces are engaged, at what level, and what specific functions are undertaken, would also be informative. Regular coordination within key parts of government and armed forces should therefore help to ensure awareness of the Declaration beyond initial dissemination to ensure that there is active and substantive engagement to enact its commitments. This will help to foster a common orientation and approach for its practical application and for state policy positions.

Most of the states that responded to the survey affirmed that they had or were conducting trainings, briefings or workshops on the Declaration. There were two different forms of briefings: first, promotional activities to other states, which are being undertaken, in particular, by those states leading the process and/or hosting meetings of the Declaration for awareness-raising purposes, and/or those that convene discussions on implementation themes with other states; and second, activities to promote or support domestic implementation of the Declaration's commitments. The majority of responses to the survey included domestic implementation activities, which reflected the main focus of the survey.

Several states mentioned that trainings were often conducted in the context of international humanitarian law (IHL), with some suggesting trainings specific to urban warfare, the protection of civilians in armed conflict, targeting and use of munitions. As such, most states noted that trainings were often conducted in relation to the application of and compliance with law, but that this also gave rise to the issuance of further guidance. This took the form for some states as specific policies, doctrine, directives and instructions. The forms of communication around the Declaration included the above-mentioned activities (trainings, workshops and briefings), as well as additional materials, implementation plans and other internal communications. Responses also indicated communication on principles and other aims, such as ensuring compliance with the law, understanding the aims and purpose of the Declaration, reducing the likelihood of civilian harm (including, in some instances, long-term harm), and strengthening the protection of or minimising the impacts on civilians.

Further information would be beneficial on how trainings are being conducted to promote substantive engagement with the commitments specific to the Declaration, including when they are conducted in the context of broader trainings on IHL, as well as who they are provided for. The role of leadership, such as commanders, has been identified as being especially critical. Furthermore, the ICRC has suggested training for those involved in the planning, decision-making, and execution of attacks, including the targeting process to ensure that the effects of explosive weapons are fully known and understood.⁶⁸ The ICRC, Article 36 and Airwars have also noted the importance of including an understanding of the technical effects of different weapons and how those effects will be influenced by the built environment, as pivotal to making choices over the selection of weapons and to mitigating civilian harm.⁶⁹

Many states indicated that they had reviewed, or were in the process of reviewing, national policy and practice, with some noting that a review had been undertaken in order to adopt the Declaration and confirm it is consistent with existing policies. Other states were explicit that reviews were being conducted to assess the need to develop or adjust policies to implement the Declaration, with one state suggesting that this would be a continuous process. Other states suggested that specific policies to implement the Declaration were not planned.

68 ICRC (2022). 'Explosive Weapons with Wide Area Effects: A Deadly Choice in Populated Areas'. January 2023

69 Ibid., and Article 36 & Airwars (forthcoming). 'Report on a military workshop on the use of explosive weapons in populated areas: 30 November 2023-1 December 2024'.

The review, adjustment or development of policies took multiple forms: dedicated national policies on explosive weapons in populated areas and the Declaration, and related guidance and implementation plans; adjustments to doctrine; manuals on the laws of war and reviews of other weapons' laws on a range of areas from explosive remnants of war to arms and ammunition management; export control regimes; Article 36 weapon reviews; and operational orders, TTPs (tactics, techniques and procedures), and weaponeering guidance. This broad range of policy and operational guidance varies between states, and as some noted, relates to their own assessments on the types of explosive weapons in their possession and their engagement in military operations. Some states noted an interest in exchanging good policy and practice with other states and their armed forces, and the importance of research, especially, on better understanding the reverberating effects of explosive weapons.

Some states noted the undertaking of specific measures that were focused on preventing and responding to civilian harm, including a baseline study and the development of policies and action plans on civilian harm mitigation, protection and responses. Some of these measures related to the protection of civilians in armed conflict but were not specific to preventing or addressing harm from use of explosive weapons in populated areas. Others noted that reviews in relation to the Declaration may give rise to the development of additional policies and concrete measures.

Further focus and discussion should be held on how specific commitments in the Declaration can be applied in, and across, national policies and procedures. This would help ensure that there is substantive engagement with, and operationalisation of, the Declaration's commitments. States should not assume that existing policies and practices are currently sufficient, as some states indicated in their survey responses. Further consideration should focus on understanding the effects of explosive weapons, in particular their area effects. It should also focus on understanding the urban environment, so that both the direct and indirect effects of explosive weapons use may be considered, including damage and destruction of critical infrastructure and the longer-term impacts, such as impeded access to essential services.

The Declaration stipulates that taking into account these direct and indirect effects should be factored into policy and decision-making in operations. Identifying specific changes that can be made in this regard to doctrine, training, and other operational and policy guidance on the planning and conduct of military operations, would be useful to provide a clear direction for endorsing states when approaching policy reviews and development. It is critical to also build a culture for implementation and to avoid an assumption that the commitments in the Declaration are already undertaken as part of efforts to implement IHL.

Finally, some states identified additional issues for further consideration. This includes challenges around resourcing within states to drive forward national implementation of the Declaration, building further understandings and interpretations of some of the Declaration's commitments, and support for and engagement with civil society and international organisations as key partners in the implementation process. Specific topics that merit further discussion include how to better take into account the indirect and reverberating effects of explosive weapons, the conduct of military operations in dynamic operations, and effective processes to respond to civilian harm.

RECOMMENDATIONS

This report takes stock of harm to civilians from the use of explosive weapons across the globe in 2023, identifies state and non-state actors reportedly responsible for this use, and reports on actions taken by states towards addressing this harm to civilians through the universalization and implementation of the Political Declaration. In doing so, it demonstrates the need for continued action to address and mitigate harm to civilians from the use of explosive weapons, including through the Declaration's universalisation and implementation.

To address and mitigate harm to civilians from the use of explosive weapons in populated areas, promote universalisation and implementation of the Political Declaration, the Explosive Weapons Monitor recommends that states:

- **Endorse the Declaration and encourage endorsement by other states in order to ensure its adoption and implementation by the greatest number of states.** Various opportunities exist for states to promote and call for endorsement and implementation of the Declaration by other states, including in the context of statements made at key diplomatic meetings throughout the year, regional and bilateral meetings with non-endorser states, and military cooperation, partnerships and security assistance programmes involving the armed forces of non-endorser states.
- **Identify and ensure a home or focal point for Declaration work.** Identify individuals, especially those in key leadership positions, willing to take ownership and ensure cooperation and agreement between ministries of foreign affairs and defence at the political level, and within armed forces (such as commanders), on the purpose and value of the Declaration. This ensures the substantive engagements on the action that is required and gives direction to driving work forward nationally. These are important factors for making meaningful progress on implementation.
- **Ensure that briefings, workshops and trainings raise awareness of the humanitarian consequences resulting from the use of explosive weapons in populated areas and the need to revise existing or develop new policies and practices to avoid civilian harm that are specific to the Declaration's commitments.** This includes imposing limits on the use of explosive weapons in populated areas as well as additional measures to strengthen the protection of civilians from the direct and indirect or reverberating effects.
- **Review, revise or develop new national policy and practice.** States and their armed forces should not assume that their existing policies and practices are sufficient to implementing the Declaration and should review, revise, or develop new policy and practice which establishes clear limits on the use of explosive weapons in populated areas in order to avoid civilian harm. Such policies should include a process for determining when it is appropriate to either restrict or refrain from such use. The review and revision of policy and practice should be seen as a continuous and ongoing process with a view to further strengthening the protection of civilians over time. Ideally, such a process would be fully transparent and include regular consultation with the UN, ICRC and civil society organisations.

- **Promote, support and utilise the diversity of stakeholders engaged in work around the Declaration.** Working in a partnership of states, armed forces, civil society and other international organisations engages a diversity of approaches that is beneficial to improving understandings and developing responses that will reduce harm to civilians – whether in the military or the humanitarian space. This approach can also help to foster a culture of collaboration and mutual support, including sharing of good policies and practices, reviewing and continuously working to strengthen the protection of civilians.

The Explosive Weapons Monitor aims to continue efforts to document harm to civilians from the use of explosive weapons through data collection, research and analysis. In doing so, it looks forward to working with all stakeholders to strengthen the protection of civilians and support universalisation and implementation of the Declaration's commitments.



International activist and Survivor Nujeen Mustafa during the ceremony for the Monument to the Unknown Civilian ahead of the Dublin Conference on 18 November 2022.

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ANNEXES

ANNEX 1 – Methodology

1.1. Harm to Civilians from the Use of Explosive Weapons

The Explosive Weapons Monitor is a civil society initiative that conducts research and analysis on harms from and practices of explosive weapons use in populated areas for the International Network on Explosive Weapons (INEW). It works with partner organisations to collect and publish data on incidents of explosive weapons use around the world as reported in open sources, including data from Action on Armed Violence (incidents of explosive weapons use and casualties, including deaths and injuries), and Insecurity Insight (incidents of explosive weapons use affecting aid access, education, and healthcare).

This report marks the Explosive Weapons Monitor's first efforts at also incorporating data from the Armed Conflict Location & Event Data Project on incidents of explosive weapons use and casualties, including deaths and injuries.

Action on Armed Violence

Action on Armed Violence (AOAV) has been recording data on incidents of explosive weapons use that cause casualties since October 2010. Data on casualties caused by the use of explosive weapons is gathered by AOAV from English-language media reports and a specific selection of organisations that report on incidents of explosive weapons use in key conflict areas. Additional sources are included in an effort to identify incident-specific data of explosive weapons use in conflicts that are underreported in English-language media. These include incident reports from the Iraq Security and Humanitarian Monitor (ISHM) for Iraq, and the Syrian Observatory of Human Rights (SOHR) for Syria. Additionally, AOAV supplements its data with incident reports on airstrikes from Airwars.

AOAV codes for launch-method, which includes explosive weapons that are air- and ground-launched, as well as types of landmines and IEDs that, collectively, are categorised by the Explosive Weapons Monitor as directly-emplaced weapons. AOAV also identifies the specific types of explosive weapons used in recorded incidents, including airstrikes, air-dropped bombs, anti-personnel mines, anti-vehicle mines, artillery shells, car bombs, grenades, landmines, missiles, mortars, non-specific IEDs, roadside bombs, rockets, rocket-propelled grenades, tank shells, and combinations of explosive weapons. AOAV also code for the status of casualties (civilian or armed actor) as well as their circumstances (killed or injured), the status of the perpetrators (state or non-state), and the age and gender of civilians harmed, where reported. AOAV codes for events reported to have occurred in populated versus unpopulated areas, as well as location types, for example 'urban residential areas,' 'schools,' 'humanitarian infrastructure,' etc.

AOAV does not attempt to comprehensively capture all incidents of explosive weapons use around the world but to serve as an indicator of the scale and pattern of deaths and injuries. As such, no claims are made that this data captures every incident or casualty of explosive weapons use. This methodology is subject to a number of limitations and biases, many relating to the nature of the source material on which it is dependent and the lack of a mechanism to follow up reports with in-depth investigation. It is recognised that there are different levels of reporting across regions and countries and under-reporting is likely in some contexts. In addition, only English-language media reports are used, which does not provide a comprehensive picture of explosive weapons use around the world.

For more information about AOAV's methodologies, please see <https://aoav.org.uk/>.

Insecurity Insight

Insecurity Insight has been documenting a wide range of violence affecting the aid sector since 2008. Datasets on violence against healthcare and education go back to 2016 and 2017, respectively. For the Explosive Weapons Monitor, Insecurity Insight contributes information on global incidents of explosive weapons use affecting aid access, education or healthcare services. Information is compiled from Arabic, Burmese, English, French and Spanish media reports. The following elements are recorded: the date and location of the reported incident, weapon type, reported user and target, detonation method and whether the incident affected aid, education or health by specifying whether health facilities, schools or project sites were damaged or destroyed and/or whether medical, teaching or aid staff were injured or killed.

Data also includes some incidents where the explosive weapon device did not detonate and when there were no civilian casualties, but when the presence of explosive weapons affected access to health, education or food aid, usually because areas are cordoned off and access to services are interrupted. This includes incidents where historical items such as unexploded ordnance were found, and which affected the provision of these services.

Reported incidents are neither complete nor a representative list of all incidents and are subject to the limitations inherent in the data sources. In some countries, the media frequently reports a wide range of incidents, while in others, hardly any incidents are reported by media outlets. In some countries, there are active networks of organisations who report information, while in others, no such networks exist. In some areas, important and trusted interest groups have an active social media presence, while in other contexts social media is deliberately used to promote false information. The content of other data collection processes that are made available via databases is also influenced by the nature of public discourse and the networks the data collector maintains. In some cases, incidents can overlap and impact more than one sector (for example, both 'aid access' and 'education'). This occurs when the health or education service is delivered by a humanitarian or development aid agency. Most incidents have not been independently verified and have not undergone verification by Insecurity Insight.

For more information about Insecurity Insight's methodologies, please see <https://insecurityinsight.org/>.

Armed Conflict Location & Event Data Project

ACLED collects reported information on the type, agents, location, date, and other characteristics of political violence events, demonstration events, and other select non-violent, politically-relevant developments in every country and territory in the world. ACLED focuses on tracking a range of violent and non-violent actions by or affecting political agents, including governments, rebels, militias, identity groups, political parties, external forces, rioters, protesters, and civilians.

All data was downloaded from ACLED and incorporated into the analysis presented in this report from 16 March 2024. For this report, the Explosive Weapons Monitor accessed all ACLED data relevant to Explosions/Remote violence events recorded for calendar years 2022 and 2023. This included only subevents in which the incidents were coded to the following: air/drone strike, suicide bomb, shelling/artillery/missile attack, remote explosive/landmine/IED, and grenades. All subevents, in the case of analysis involving the use of weapons types, were categorised in line with the Explosive Weapons Monitor definitions of air-launched, ground-launched and directly-emplaced explosive weapons (these definitions are provided below). Incidents involving unexploded ordnance identified (UXO) were removed when analysing the use of explosive weapons by state and non-state actors.

The Explosive Weapons Monitor identified incidents in which fatalities and injuries involving civilians were recorded were primarily determined through filters and analysis of the field 'actor2,' filtering of events in which civilians were the main or only target of an event in the field 'civilian_targeting', and analysis of 'notes'. Incidents indicating the use of explosive weapons by states were primarily determined through filters and analysis of the field 'actor1,' and analysis of 'notes'.

For more information about ACLED's methodologies, please see <https://acleddata.com/knowledge-base/codebook/>.

1.2. Use of Explosive Weapons by State and Non-State Actors

The Explosive Weapons Monitor reports on harm to civilians from incidents in which the use of explosive weapons caused civilian deaths and injuries, as reported by Action on Armed Violence (AOAV) and the Armed Conflict Location & Event Data Project (ACLED), as well as incidents that affected civilian access to healthcare, education, and humanitarian aid, as reported by Insecurity Insight. This section marks the first efforts by the Explosive Weapons Monitor to combine and synthesise multiple data sources to show a more nuanced picture of the frequency and severity of the use of explosive weapons around the globe.

Identification of responsible state armed forces and non-state armed actors and all additional information provided in this section is as recorded by these three organisations with the following exceptions:

- Country and territory names may have been adapted by the Explosive Weapons Monitor according to names designated by the UN Statistics Division.
- The Explosive Weapons Monitor excluded events recorded by ACLED that involved unexploded ordnance (UXO) attributed to both state armed forces and non-state armed actors.
- When use of explosive weapons was attributed to coalition forces by AOAV or ACLED, the Explosive Weapons Monitor did not use these incidents to identify reported use of explosive weapons by individual state armed forces.
- ACLED records the use of explosive weapons by Houthi forces in Yemen as those of the armed forces of Yemen. For this report, the Explosive Weapons Monitor has instead designated the use of explosive weapons by Houthi forces to be that of non-state armed actors, in line with AOAV methodology and its ongoing reporting on civilian harm.

The Explosive Weapons Monitor cannot determine with total certainty which actors are responsible for use of explosive weapons in specific incidents, as much of the recorded data are unverified. Each organisation has similar but varied methodologies for attribution of incidents to state and non-state actors.⁷⁰ In all cases, non-state armed actors, referenced below, include all non-state actors that reportedly perpetrated explosive violence and is not limited to non-state armed groups.

70 For full methodologies on attribution of responsibility to state and non-state actors by each organization, see AOAV (2021). 'Methodology'. Available at: <https://aoav.org.uk/explosiveviolence/methodology/>; ACLED (2024). 'ACLED Codebook'. Available at: <https://acleddata.com/knowledge-base/codebook/>; and Insecurity Insight (2022). 'Definitions and Methodologies'. Available at: <https://insecurityinsight.org/methodology-and-definitions>.

As above, the Explosive Weapons Monitor defines populated areas as “any concentration of civilians, be it permanent or temporary, such as in inhabited parts of cities, or inhabited towns or villages, or as in camps or columns of refugees or evacuees, or groups of nomads,” synonymous with the term “concentration of civilians” which appears in existing international humanitarian law (IHL). The references to refugees, evacuees and nomads and the use of the term “inhabited” suggests that the presence of civilians and civilian objects – which need not be in great numbers – is a defining characteristic of populated areas.⁷¹ While the data presented here does not distinguish between use of explosive weapons in populated and unpopulated areas, the indicators of harm – civilian casualties and civilian infrastructure and services – suggests that the majority of incidents recorded by each data source above likely occurred in populated areas.

Identifying ranges of incidents

Numbers of incidents are meant to be indicative of contexts and patterns of use as the complexity of the information environment does not allow for the determination of a precise number of incidents that can be attributed to use by each actor. To identify these contexts and patterns, the Explosive Weapons Monitor developed ranges of numbers of incidents, as below:

| | |
|--|-----------|
| Ranges of numbers of incidents in which explosive weapons use reportedly caused harm to civilian casualties | 1 - 9 |
| | 10 - 99 |
| | 100 - 199 |
| | 200 - 499 |
| | 500 - 999 |
| | 1,000 + |

To determine which range is relevant for each actor and/ or country in which explosive weapons use was reported, the Explosive Weapons Monitor first determined numbers of incidents in which civilian deaths or injured were recorded by AOVAV and ACLED. When incidents recorded by both AOVAV and ACLED were less than ten, the Explosive Weapons Monitor cross-checked the data sources to remove duplicate incidents and determined the number of total incidents of reported use. When incidents recorded by either AOVAV or ACLED (or both) were greater than ten, the Explosive Weapons Monitor used the highest number of incidents recorded by either data source.

The Explosive Weapons Monitor then determined numbers of incidents in which civilian access to healthcare, education and humanitarian aid were recorded by Insecurity Insight. To ensure incidents recorded by Insecurity Insight were not duplicates of incidents recorded by ACLED or AOVAV, the Explosive Weapons Monitor disregarded incidents in which health, medical or aid workers were killed or injured and determined only the numbers of incidents in which health, education and aid infrastructure were damaged or destroyed. These numbers were then added to relevant numbers of incidents in which casualties occurred in order to develop the figure used to determine the correct ranges, as above.

71 See Article 1(2), Protocol on Prohibitions and Restrictions on the Use of Incendiary Weapons (1980). See also ICRC (2016). ‘Explosive Weapons in Populated Areas – Factsheet’; Human Rights Watch and Harvard Law School International Human Rights Clinic (2022). ‘Safeguarding Civilians: A Humanitarian Interpretation of the Political Declaration on the Use of Explosive Weapons in Populated Areas’, pp.8-9.

Identifying categories of explosive weapons

AOAV, ACLED and Insecurity Insight record the use of explosive weapons across a range of weapons categories that correspond with weapons categories used in the Explosive Weapons Monitor's analysis. These definitions include:

Ground-launched explosive weapons – Ground-launched explosive weapons are launched from any surface-level platform, including weapons thrown by a person, or fired from warships or vehicles. These include artillery shells (projectiles fired from a gun, cannon, howitzer, or recoilless rifle), tank shells, ground-launched missiles, mortars, rockets (typically missiles which do not contain guidance systems), non-specific shelling, rocket-propelled grenades, and hand grenades.

Air-launched explosive weapons – Air-launched explosive weapons include any weapon fired from a rotary of fixed-wing aircraft, including unmanned aerial vehicles or drones. These include air-dropped bombs (bombs reported as being delivered by air), airstrikes (attacks from a helicopter, drone, or plane), and missiles or rockets launched from an aircraft.

Directly-emplaced explosive weapons – Directly-emplaced explosive weapons encompass weapons that are physically placed in the location at which they detonate. These include anti-personnel mines, anti-vehicle mines, landmines, non-specific IEDs (including so-called 'suicide vests'), car bombs and roadside bombs.

ANNEX 2 – State Survey

State survey on the implementation of the Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas

A survey by the International Network on Explosive Weapons (INEW) to identify and track endorsing states' efforts to implement the Political Declaration.

Respondent information

Name:

State affiliation:

Position/Role:

Contact information:

Question 1:

Has the Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas been disseminated to government ministries or departments of defence, foreign affairs and development, armed forces personnel and other relevant stakeholders nationally? Yes / No

If yes, please give as much information as possible (such as when, to whom, in what ways, etc.).

Question 2:

Does your country have a point person(s) responsible for the implementation of the Political Declaration? Yes / No

If yes, please provide their name, title, mandate and location (government department or armed forces) and, if possible, contact details.

Question 3:

Has the government and/or armed forces conducted briefings, workshops or trainings on the content of the Political Declaration and plans for its domestic implementation? Yes / No

If yes, please give as much information as possible (such as type, content and time of activity, participants, etc.)

Question 4:

Has your government and/or armed forces reviewed existing laws, policies, codes, approaches, practices or similar relevant to the protection of civilians, to identify areas where further policy development is necessary to meet the commitments under the Declaration and avoid civilian harm from the use of explosive weapons in populated areas?

Please share any information on the status of this review process (such as if this has begun, is in progress, or if a timeline for it has been established).

Please identify specific policies, practices, laws or doctrine you have determined could be used to help implement the commitments in the Political Declaration citing, when possible, relevant articles and providing links to publicly available documents.

Question 5:

Has your government faced or identified any challenges in your planning for or implementing of the commitments set out in the Political Declaration? Yes / No

If yes, please provide a brief description of the challenge(s) and any identified needs and assistance.

Question 6:

Has your country undertaken any other initiatives pertaining to strengthening the protection of civilians from the use of explosive weapons in populated areas that you would like to note?



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