

# EXPLOSIVE WEAPONS IN POPULATED AREAS



Armed conflicts are increasingly taking place in urban and other populated areas, often with weapons designed to deliver large explosive force from afar and over large areas. When used in populated areas, explosive weapons with a wide impact area are very likely to have indiscriminate effects. They are a major cause of harm to civilians and disruption to services essential for their survival.

## WHAT ARE THE WEAPONS OF CONCERN AND WHO USES THEM?

Explosive weapons are munitions activated by the detonation of a high-explosive substance, creating primarily a blast and fragmentation effects, and their delivery systems.

The explosive weapons raising concerns when used in populated areas are those that have wide area effects. There is generally no cause for concern when such weapons are used on open battlefields. However, when they are used against military objectives located in populated areas, there is a significant likelihood that their effects will go well beyond the target and impact civilians and civilian objects indiscriminately.

Explosive weapons can have wide area effects because of the large destructive radius of the individual munition used, the inaccuracy of the delivery system, and/or the simultaneous delivery of multiple munitions over a wide area. These include large bombs and missiles, indirect fire weapon systems, such as most mortars, rockets and artillery, multi-barrel rocket launchers and certain types of improvised explosive devices.

Most armed forces and many non-state armed groups have these kinds of weapons. While their typical effects when used in populated areas are increasingly well known and foreseeable, parties to armed conflicts rarely adapt their means and methods of warfare sufficiently for use in urban environments.

## **WHAT IS A POPULATED AREA?**

A “populated area” is any concentration of civilians or of civilians and civilian objects, be it in a city, town or village, or in a non-built-up area, and be it permanent or temporary.

## **WHAT ARE THE HUMANITARIAN CONSEQUENCES OF THE USE OF HEAVY EXPLOSIVE WEAPONS IN POPULATED AREAS?**

Recent armed conflicts have shown that the use of explosive weapons with wide area effects in populated areas is a major cause of civilian harm. Civilians within the weapon’s impact area are likely to be killed or injured, and civilian property and infrastructure damaged or destroyed. Women and children are particularly vulnerable. The consequences on the health of civilians are not limited to death, physical injury and disability; they also include long-term impacts on psychological and mental health. The ability of health-care facilities and services to cope with a massive influx of wounded people and complex injuries, and to provide adequate care, is also significantly affected.

Equally devastating are the indirect (or reverberating) effects of the use of heavy explosive weapons in populated areas, in particular as a result of incidental damage to critical civilian infrastructure. These indirect effects affect a much larger number of people than those located in the weapon’s impact area, and can extend over time and space. For example, damage to a hospital is likely to cause disruption to medical services, which will then likely lead to the death of patients. Other critical civilian infrastructure such as water, sanitation and electrical facilities and supply networks, which are particularly vulnerable to the effects of heavy explosive weapons, may also be damaged. This in turn can severely disrupt the essential services on which civilians depend for their survival, creating serious risks for public health, such as an outbreak of disease and further deaths. Such effects are accentuated where there is protracted use of heavy explosive weapons in populated areas. Ultimately, those who survive may have no choice but to leave, increasing the number of displaced people.

The use of heavy explosive weapons may also release hazardous substances that are harmful to the natural environment and to public health. In addition, construction costs and the impact on development can be enormous.

*In the middle of the afternoon, I was sitting in the front yard of our house, talking with members of my family, when we heard a shell hit the garden located next to the building. Within seconds, the house was hit by another artillery shell. This was the one that killed ten members of my family, including five children and three women, and injured three others, including a woman who died of her wounds three weeks later.*

*– First-hand account from a victim collected by the ICRC*





## WHAT DOES INTERNATIONAL HUMANITARIAN LAW SAY ABOUT THE USE OF HEAVY EXPLOSIVE WEAPONS IN POPULATED AREAS?

Although the use of explosive weapons in populated areas is not expressly prohibited by International Humanitarian Law (IHL), the high risk that such weapons will have effects that go well beyond the targeted military objective makes it very difficult to use such weapons while also abiding by the prohibition on indiscriminate and disproportionate attacks and the duty to take all feasible precautions to avoid or at least minimize incidental civilian harm.

Indiscriminate attacks are those that strike military objectives and civilians or civilian objects without distinction, in particular because they employ a weapon that cannot be directed at a specific military objective or the effects of which cannot be limited, as required by IHL.

Disproportionate attacks are those that may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated. When assessing the proportionality of an attack, the indirect or reverberating effects of the attack must be considered as soon as they are reasonably foreseeable.

## IS THERE A NEED FOR NEW RULES TO REGULATE THE USE OF EXPLOSIVE WEAPONS IN POPULATED AREAS?

The extensive civilian harm arising from the use of heavy explosive weapons in populated areas raises serious questions about how those using such weapons are interpreting and applying IHL rules governing the conduct of hostilities. While strengthening compliance with IHL is of paramount importance, effectively protecting civilians from the devastating humanitarian consequences of the use of heavy explosive weapons in populated areas may require belligerents to do more than that. The unique vulnerabilities of civilians in populated areas mean that states and parties to armed conflicts must reassess and adapt their choice of means and methods of warfare when fighting in such environments. This is why the ICRC has called for a policy of avoidance that is based on preventive and mitigation measures, which can both strengthen the protection of civilians and facilitate respect for IHL.

### THE POSITION OF THE ICRC AND THE INTERNATIONAL RED CROSS AND RED CRESCENT MOVEMENT

The ICRC and the International Red Cross and Red Crescent Movement are calling on states and all parties to armed conflicts to avoid using explosive weapons with a wide impact area in populated areas owing to the significant likelihood of indiscriminate effects. Such an avoidance policy means that explosive weapons with a wide impact area should not be used in populated areas unless sufficient mitigation measures can be taken to reduce the weapons' wide area effects and the consequent risk of civilian harm. In 2022, the ICRC released a report on explosive weapons with wide area effects in populated areas (see "Additional resources" below), which provides detailed practical recommendations to political authorities and armed forces on how to put into effect such an avoidance policy.

“  
At first, we stayed in our home. We didn't want to leave.  
But as the fighting intensified, we couldn't stand it anymore.  
We were scared our home would be hit by the shelling, so we left.  
Leaving our house was a last-minute decision. We weren't ready  
and didn't bring anything with us. My brothers and I were supposed  
to be taking our exams. But now our lives are in limbo.  
We don't know when things will be normal again.”

– First-hand account from a victim collected by the ICRC

#### THE POLITICAL DECLARATION ON EXPLOSIVE WEAPONS IN POPULATED AREAS

The Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences arising from the use of Explosive Weapons in Populated Areas was formally adopted by 83 states on 18 November 2022. It is the first instrument of its kind committing states, among others, to review their military policy and practice in order to restrict, or refrain from, the use of explosive weapons in populated areas, where such use may cause civilian harm. When properly implemented, it can contribute significantly to alleviating civilian suffering and strengthening respect for IHL.

#### Additional resources:

- Video: ICRC, “Explosive weapons in populated areas: The consequences for civilians”, June 2015, available [here](#).
- ICRC, “Explosive weapons with wide area effects: A deadly choice in populated areas”, Geneva, January 2022, available [here](#).

All resources are available on the ICRC website: <https://www.icrc.org/en/explosive-weapons-populated-areas>

#### MISSION

The International Committee of the Red Cross (ICRC) is an impartial, neutral and independent organization whose exclusively humanitarian mission is to protect the lives and dignity of victims of armed conflict and other situations of violence and to provide them with assistance. The ICRC also endeavours to prevent suffering by promoting and strengthening humanitarian law and universal humanitarian principles. Established in 1863, the ICRC is at the origin of the Geneva Conventions and the International Red Cross and Red Crescent Movement. It directs and coordinates the international activities conducted by the Movement in armed conflicts and other situations of violence.