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Legal aspects of preventing the use of explosive weapons in populated areas and explosive contamination

Motion for a resolution

tabled by Mr Dmytro NATALUKHA and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

Protracted high-intensity conflicts with the use of aircraft and artillery result in high levels of explosive contamination, due to the use of explosive weapons with wide area effects in populated areas (EWIPA).

Such indiscriminate attacks have a devastating impact on civilians and civilian objects in populated areas. This is true for the general use of explosive weapons, cluster munitions, white phosphorus, high-explosive incendiary bombs, as well as land mines which are prohibited by international law. These all create long-lasting risks for civilians, as non-combatants become the most frequent victims.

The world has witnessed horrific consequences of explosive contamination in Iraq, Syria, Yemen and Ukraine, as well as in past conflicts in Georgia, Transnistria, and the Balkans. The indiscriminate shelling of densely populated areas not only kills large numbers of civilians but unexploded projectiles also pose a permanent threat that takes decades to eliminate.

Across the last decade 91% of those reported killed or injured by explosive weapons in populated areas were civilians. In total – 357 370 civilians were killed or injured in populated areas between 2011 and 2020.

The ongoing aggression of the Russian Federation against Ukraine has only increased the urgency of this challenge. In the past 4 months alone, investigators identified more than 210 types of prohibited munitions used by the Russian Federation more than 2 000 times, including 330 other weapons that appeared to have been used on or near civilian infrastructures.

In such case, the Parliamentary Assembly should take a proactive approach and encourage its member States to create additional legal and regulatory measures, including those in line with the Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of EWIPA, to prevent the use of the explosive weapons in populated areas and explosive contamination.

Signed (see overleaf)



Signed¹:

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1. ALDE: Alliance of Liberals and Democrats for Europe
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EPP/CD: Group of the European People's Party
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