

HUMANITARIAN DISARMAMENT



WHAT IS HUMANITARIAN DISARMAMENT?

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August 2019

**Humanitarian
disarmament
seeks to prevent
and remediate
the human and
environmental harm
inflicted by arms
through the
establishment
and implementation
of norms.**





Credit: J.M. Vargas,
Handicap International, 2017

A HUMANITARIAN FOCUS

Humanitarian disarmament prioritizes protecting the security and well-being of individuals rather than states. In particular, its people-centered approach strives to reduce the human and environmental impacts of arms. Some arms are indiscriminate or inhumane by nature, while others become problematic due to their use, trade, or lingering effects. Humanitarian disarmament prevents suffering through prohibitions and restrictions and remediates harm by requiring assistance to victims and clearance of contamination.

A DISTINCTIVE PROCESS

The process of humanitarian disarmament is characterized by inclusiveness, independence, and adaptability. It involves close collaboration among states, international organizations, civil society, and survivors. While the United Nations is a possible forum, humanitarian disarmament efforts can also take place outside its bounds. Depending on the issue at hand, humanitarian disarmament can build norms through international treaties, political commitments, national legislation, and other standard-setting mechanisms. Such norm creation must be followed by strong interpretation and effective implementation.



WHO IS INVOLVED

The success of humanitarian disarmament depends on partnerships among actors from different sectors, who should collaborate closely, communicate openly, and contribute in their own ways. The players include:

STATES

Like-minded states, including users and producers of arms as well as affected and unaffected countries, initiate diplomatic processes, negotiate texts, and commit to uphold and implement norms.

CIVIL SOCIETY

Civil society coalitions document harm, provide arms-related expertise, engage in advocacy before, during, and after negotiations, and bring the voices of ordinary people and affected communities to the table.

INTERNATIONAL COMMITTEE OF THE RED CROSS (ICRC)

The ICRC not only spotlights humanitarian crises and presents possible solutions based on information from its field operators, but also offers legal advice on the drafting, interpretation, and implementation of texts.

UNITED NATIONS

UN bodies and representatives disseminate research on humanitarian problems, call on governments to respond, and give logistical support.

SURVIVORS

Survivors and affected communities humanize the issues by sharing personal stories and applying their first-hand understanding of effective measures when lobbying for new norms and standards.

THE PUBLIC

Members of the broader public express outrage at arms-inflicted human suffering and environmental harm, engage in grassroots activism, and pressure their governments and others to take action.

KEY ISSUES IN HUMANITARIAN DISARMAMENT

ANTIPERSONNEL LANDMINES

Antipersonnel landmines are placed on or under the ground and designed to detonate in proximity of or on contact with a person. They cannot distinguish between civilians and combatants and cause thousands of civilian casualties each year. They have also hampered economic development and contributed to forced displacement. In the Ottawa Process, which gave rise to humanitarian disarmament, like-minded states, the International Campaign to Ban Landmines, and international organizations negotiated a treaty to end the suffering caused by these weapons. The 1997 Mine Ban Treaty that resulted bans the production, stockpiling, transfer, and use of antipersonnel landmines and requires states parties to destroy stockpiles, clear mined areas, and provide international support to assist victims. Countries are now striving to achieve a landmine-free world by 2025.



Credit: Bonnie Docherty, 2012

ARMS TRADE

Poor regulation of the global arms trade has fueled violence, exacerbated poverty, displaced communities, and contributed to serious violations of international humanitarian and human rights law. Under pressure from the Control Arms Coalition and others, the UN General Assembly initiated negotiations of the Arms Trade Treaty, which was adopted in 2013. The treaty regulates the transfer of conventional arms and obliges states parties to assess the risks of proposed arms exports and to reject transfers if risks cannot be mitigated. The treaty explicitly prohibits transfers of arms that a state party knows will be used to commit genocide, crimes against humanity, war crimes, or other serious international law violations. Proponents are striving to universalize the treaty and ensure that states parties implement its provisions.



Credit: Akram Al-Wahabi,
Control Arms, 2018

CLUSTER MUNITIONS

Cluster munitions—large weapons that disperse dozens or hundreds of explosive submunitions over wide areas—pose a humanitarian threat both during and after attacks. Because the submunitions cannot distinguish between combatants and non-combatants, cluster munitions used in populated areas almost always kill and injure civilians. The many submunitions that fail to detonate on impact become de facto landmines, endangering people for months or years to come. In 2007, the Cluster Muniton Coalition and a core group of countries spearheaded treaty negotiations to end this unacceptable harm. The 2008 Convention on Cluster Munitions bans the production, stockpiling, transfer, and use of cluster munitions and obliges states parties to destroy stockpiles, clear contaminated areas, and assist victims. Proponents are currently focused on universalizing the treaty and stigmatizing use by states not party.



Credit: Bonnie Docherty, 2008

CONFLICT AND THE ENVIRONMENT

Armed conflicts and military activities produce a range of humanitarian and ecological consequences. The use and testing of certain weapons, bombing of industrial facilities, setting of oil fires, and burning of military waste all leave toxic remnants of war that contaminate the environment. A growing number of disarmament, environmental, and human rights organizations are working to raise international awareness of the issue. They have called for stronger laws, more effective monitoring, and better responses by states and the humanitarian community. The topic is on the agenda of the UN Environment Assembly, the Human Rights Council, and the UN International Law Commission, which in July 2019 adopted 28 draft legal principles on the topic. The ICRC is expected to release environmental guidelines for militaries in December 2019.



Credit: US Army, date unknown

DRONES

The use, development, and proliferation of armed drones has risen significantly in the last decade. Armed forces and non-state actors have increasingly relied on these unmanned, remote-controlled aircraft given that the systems can operate for long periods, cost relatively little, and can be deployed with no risk to the pilot. Drones gained notoriety for their use in targeted killing operations outside areas of armed conflict. Such use has produced high numbers of civilian casualties and has been characterized by limited transparency and a lack of accountability for the states deploying them. The United States is currently leading the development of international standards on armed drones, but civil society, including the European Forum on Armed Drones, is pushing for broader, human rights-based discussions within the UN framework.



Credit: US Air Force, 2008

EXPLOSIVE WEAPONS IN POPULATED AREAS

Explosive weapons encompass a range of air-dropped and surface-launched weapons that generate blast and fragmentation effects. Each year, the use of explosive weapons in populated areas causes tens of thousands of casualties, most of whom are civilians. It also damages homes and infrastructure, leading to displacement and adversely affecting health care, education, and other services. Explosive weapons with wide area effects due to a large blast radius, an inaccurate delivery mechanism, or the delivery of multiple munitions are particularly dangerous. The International Network on Explosive Weapons has called on countries to end the use of explosive weapons with wide area effects in populated areas and to provide assistance to survivors. In 2019, Austria will convene states, international organizations, and civil society representatives for a global conference to advance work toward a political commitment on this topic.



Credit: Bonnie Docherty, 2012

INCENDIARY WEAPONS

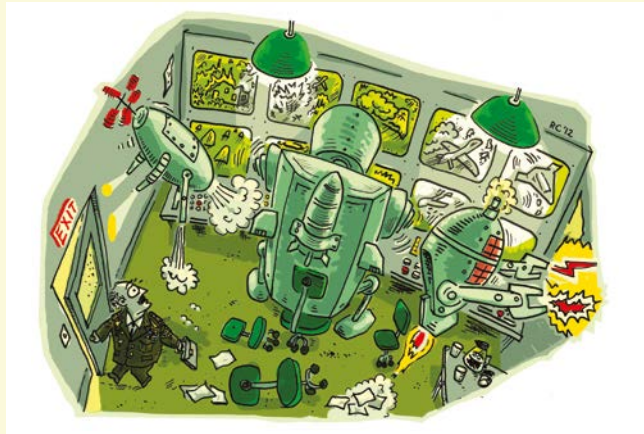
Incendiary weapons produce heat and fire through the chemical reaction of a flammable substance. Among the cruelest weapons used in contemporary armed conflict, they cause excruciating burns and destroy civilian structures. Protocol III to the Convention on Conventional Weapons (CCW) regulates incendiary weapons but has loopholes that reduce its legal and normative power. It excludes multipurpose munitions that have the same incendiary effects as those covered by the protocol and contains weaker regulations for ground-launched models than air-dropped ones. Human Rights Watch and others have urged states to close those loopholes. Although consensus requirements have slowed progress, CCW states parties have increasingly expressed support for revisiting and strengthening Protocol III. They should seize the opportunity presented by the 2021 CCW Review Conference to take the next step.



Credit: US Air Force, 1966

KILLER ROBOTS

Fully autonomous weapons, also known as “killer robots” or lethal autonomous weapons systems, would select and engage targets without meaningful human control. Currently under rapid development, killer robots raise a host of moral, legal, accountability, technological, and security concerns. The Campaign to Stop Killer Robots has urged countries to ban the development, production, and use of the weapons. States parties to the CCW initiated discussions of the issue in 2014. Certain major military powers have slowed progress in this consensus forum, but a majority of CCW countries have expressed support for maintaining human control over the use of force and/or banning killer robots through a new legally binding instrument. Proponents of new law should pursue options outside the CCW if that body fails to act soon.



Credit: Russell Christian for Human Rights Watch, 2012

NUCLEAR WEAPONS

Nuclear weapons produce catastrophic humanitarian and environmental consequences. At the time of detonation, they release devastating force and heat. Radioactive fallout causes long-term health effects, environmental destruction, and forced displacement. In 2010, the ICRC, the International Campaign to Abolish Nuclear Weapons, and like-minded states began reframing nuclear weapons as primarily a humanitarian, rather than national security, issue. Following the international conferences of the Humanitarian Initiative, the UN General Assembly mandated treaty negotiations. The 2017 Treaty on the Prohibition of Nuclear Weapons bans the development, possession, transfer, testing, and use of nuclear weapons. It also requires states parties to assist victims of use and testing and remediate contaminated environments. Proponents of the treaty are now working to speed entry into force.



Credit: US Department of Defense, 1946

TIMELINE

1992 International Campaign to Ban Landmines formed.

1996 Ottawa Process on landmines begins.

1997 Mine Ban Treaty adopted.

2003 Control Arms Coalition created.
Cluster Munition Coalition launched.

2007 International Campaign to Abolish Nuclear Weapons established.
Oslo Process on cluster munitions begins.

2008 Convention on Cluster Munitions adopted.

2009 UN General Assembly votes to negotiate an arms trade treaty.

2011 International Network on Explosive Weapons formed.
Incendiary weapons emerges as issue at CCW Review Conference.

2012 Civil society's first Humanitarian Disarmament Forum convened.

2013 First Humanitarian Initiative conference on nuclear weapons held.

Campaign to Stop Killer Robots launched.

Arms Trade Treaty adopted.

UN Special Rapporteur calls for independent investigations of drone strikes.

2014 CCW state parties begin discussions of lethal autonomous weapons systems.

2015 ICRC experts meeting on explosive weapons in populated areas held.

Toxic Remnants of War Network created.

European Forum on Armed Drones launched.

UN General Assembly votes to negotiate nuclear weapon ban treaty.

2016 UN Environment Assembly passes resolution on environment and armed conflict.

CCW states parties add incendiary weapons to their agenda of work.

2017 CCW discussions of lethal autonomous weapons systems formalized.

Treaty on the Prohibition of Nuclear Weapons adopted.

2019 International Law Commission adopts draft principles on environmental protection in relation to armed conflict.

Austria convenes conference on use of explosive weapons in populated areas.

HUMANITARIAN DISARMAMENT CAMPAIGNS



Campaign to Stop Killer Robots

<http://www.stopkillerrobots.org/>
@bankillerrobots



Cluster Munition Coalition

<http://www.stopclustermunitions.org/>
@banclusterbombs



European Forum on Armed Drones

<https://www.efadrones.org/>
@EFADrones



International Campaign to Abolish Nuclear Weapons

<http://www.icanw.org/>
@nuclearban



Conflict and Environment Observatory

<https://ceobs.org/>
@detoxconflict



Control Arms

<http://www.controlarms.org/>
@controlarms



International Campaign to Ban Landmines

<http://www.icbl.org/>
@minefreeworld



International Network on Explosive Weapons

<http://www.inew.org/>
@explosiveweapon

RESOURCES

HUMANITARIAN DISARMAMENT

- **Humanitarian Disarmament**, <http://www.humanitariandisarmament.org/>
- **Bonnie Docherty, “A ‘Light for All Humanity’: The Treaty on the Prohibition of Nuclear Weapons and the Promise of Humanitarian Disarmament,” *Global Change, Peace & Security* (2018)**, <https://www.tandfonline.com/doi/abs/10.1080/14781158.2018.1472075>
- **Bonnie Docherty, “Ending Civilian Suffering: The Purpose, Provisions, and Promise of Humanitarian Disarmament,” *Austrian Review of International and European Law* (2013)**, http://hrp.law.harvard.edu/wp-content/uploads/2013/08/04_docherty_neu-FINAL.pdf
- ***Report of Humanitarian Disarmament Campaigns Summit* (2012)**, http://www.4disarmament.org/wp-content/uploads/2012/05/HDSummit2012_Report_7Mar2013.pdf
- **Jody Williams, Stephen D. Goose, and Mary Wareham, eds., *Banning Landmines: Disarmament, Citizen Diplomacy, and Human Security* (2008)**
- **UN Institute for Disarmament Research (UNIDIR), *Disarmament as Humanitarian Action: Making Multilateral Negotiations Work* (2004-2008) (research project)**, <http://www.unidir.org/programmes/gender-and-disarmament/disarmament-as-humanitarian-action-making-multilateral-negotiations-work>

MONITORS

- **ATT Monitor**, <https://attmonitor.org/en/>
- **Explosive Violence Monitor**, <https://aoav.org.uk/explosiveviolence/>
- **Landmine and Cluster Munition Monitor**, <http://www.the-monitor.org/en-gb/home.aspx>
- **Mine Action Review**, <http://www.mineactionreview.org/>
- **Nuclear Weapons Ban Monitor**, <http://banmonitor.org/>

OTHER RESOURCES

- **Forum on the Arms Trade**, <https://www.forumarmstrade.org/>
- **Geneva Disarmament Platform**, <http://www.disarmament.ch/>
- **International Committee of the Red Cross**, <https://www.icrc.org/>
- **Ministry for Disarmament blog**, <http://www.4disarmament.org/>
- **Reaching Critical Will**, <http://www.reachingcriticalwill.org/>
- **UNIDIR**, <http://www.unidir.org/>
- **UN Office for Disarmament Affairs**, <https://www.un.org/disarmament/>
- **UN Secretary-General, *Securing Our Common Future: An Agenda for Disarmament***, <https://www.un.org/disarmament/sg-agenda/en/>

As I regained consciousness in the silence and darkness, I found myself pinned by the collapsed building ... and heard a man saying: “Don’t give up!... See the light coming through that opening? Crawl towards it as quickly as you can.” ...

To ... all listening around the world, I repeat those words that I heard called to me in the ruins of Hiroshima: “Don’t give up! Keep pushing! See the light? Crawl towards it.”

Setsuko Thurlow, survivor of the atomic bombing of Hiroshima upon accepting 2017 Nobel Peace Prize on behalf of ICAN.



Credit: Jo Straube, ICAN, 2017