



Strengthening Civilian Protection

Principles for Implementing the Declaration on
Explosive Weapons in Populated Areas

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Summary

The bombing and shelling of cities, towns, and villages has long wreaked havoc on civilians in armed conflicts around the world. Such attacks in recent years have reduced the densely populated Gaza Strip and urban centers of Ukraine to rubble. In 2024-2025 alone, civilians in Cambodia, the Democratic Republic of Congo, Lebanon, Myanmar, Sudan, Syria, and Thailand have also experienced the grave effects of this method of warfare, which is known as the use of explosive weapons in populated areas.¹ The nongovernmental organization Action on Armed Violence recorded more than 57,000 civilian casualties from the use of explosive weapons in populated areas in 2024.² The attacks frequently left survivors without homes, functioning civilian infrastructure, and basic services, such as education and health care; damaged cultural heritage and the environment; and displaced whole communities.³

Human Rights Watch documentation over the past few years underscores the nature and breadth of the effects of the use of explosive weapons.⁴ For example, a single Israeli airstrike on a six-story apartment building in Gaza killed at least 106 civilians, including 54 children, on October 31, 2023.⁵ Between February and May 2024, Rwandan armed forces and the M23 armed group used ground-launched rockets against displacement camps in eastern Democratic Republic of Congo; three rockets launched within an hour killed and

¹ See, for example, United Nations Security Council, “Protection of Civilians in Armed Conflict: Report of UN Secretary-General,” S/2025/271, May 15, 2025, <https://docs.un.org/en/s/2025/271> (accessed October 28, 2025), para. 4; “Thailand/Cambodia: Protect Civilians Amid Border Clashes,” Human Rights Watch news release, July 25, 2025, <https://www.hrw.org/news/2025/07/25/thailand/cambodia-protect-civilians-amid-border-clashes>.

² Action on Armed Violence, *Armed Violence Monitor 2024*, May 2025, <https://aoav.org.uk/wp-content/uploads/2025/05/Explosive-Violence-Monitor-2024-3.pdf> (accessed October 28, 2025), pp. 10-12.

³ See, for example, Explosive Weapons Monitor, *Explosive Weapons Monitor 2024*, May 2025, https://ams3.digitaloceanspaces.com/ewm/ewm/EWM_Annual_Report_2024_a3920ff6d9.pdf (accessed October 28, 2025); International Committee of the Red Cross (ICRC), *Explosive Weapons with Wide Area Effects: A Deadly Choice in Populated Areas*, January 2022, https://www.icrc.org/sites/default/files/document_new/file_list/ewipa_explosive_weapons_with_wide_area_effect_final.pdf (accessed October 24, 2025), pp. 24-60.

⁴ For a more comprehensive list of Human Rights Watch’s publications on the use of explosive weapons in populated areas, see its thematic page on the topic at <https://www.hrw.org/topic/arms/explosive-weapons-in-populated-areas>.

⁵ “Gaza: Israeli Strike Killing 106 Civilians an Apparent War Crime,” Human Rights Watch news release, April 4, 2024, <https://www.hrw.org/news/2024/04/04/gaza-israeli-strike-killing-106-civilians-apparent-war-crime>.

injured at least 52 civilians on May 3, 2025.⁶ Infrastructure has frequently suffered damage in these types of attacks. In Lebanon, an Israeli strike on a water filtration and pumping station in Tyre on November 18, 2024, disrupted access to services for about 72,000 people in the city and surrounding areas, according to public utility technicians. While temporary access to water returned after a month, the facility itself needed be rebuilt.⁷ Since Russia's full-scale invasion of Ukraine in February 2022, Russian airstrikes, missiles, and artillery have caused significant damage to Ukrainian cultural heritage as well as leveled urban areas and caused tens of thousands of civilian casualties. The total destruction of the landmark Donetsk Academic Regional Drama Theater in Mariupol and the home of Ukrainian national poet Hryhorii Skovoroda in the Kharkivska region exemplifies such loss.⁸

All of these attacks have led to mass displacement. After border clashes between Thailand and Cambodia involving heavy artillery, rockets, and other explosive weapons in July 2025, Thai authorities reported that they evacuated 100,000 people from the area and closed at least 852 schools and 7 hospitals for safety reasons.⁹

Given these devastating human costs, states should mobilize political will and dedicate time and resources to minimizing the effects of explosive weapons through implementation of recently endorsed international commitments. The 2022 Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas (the Declaration) had been endorsed by 88 states as of November 2025 (see Appendix).¹⁰ Universalization of the instrument remains important, but governments should also focus on operationalizing its provisions. International commitments are only as good as their

⁶ "DR Congo: Rwandan Forces, M23 Rebels Shell Civilians," Human Rights Watch news release, September 26, 2024, <https://www.hrw.org/news/2024/09/26/dr-congo-rwandan-forces-m23-rebels-shell-civilians>.

⁷ "Lebanon: Destruction of Infrastructure Preventing Returns," Human Rights Watch news release, February 17, 2025, <https://www.hrw.org/news/2025/02/17/lebanon-destruction-of-infrastructure-preventing-returns>.

⁸ Human Rights Watch and Harvard Law School's International Human Rights Clinic (IHRC), *Destroying Cultural Heritage: Explosive Weapons' Effects in Armed Conflict and Measures to Strengthen Protection*, April 2024, <https://www.hrw.org/report/2024/04/18/destroying-cultural-heritage/explosive-weapons-effects-armed-conflict-and>, pp. 22-26, 31-36.

⁹ "Thailand/Cambodia: Protect Civilians Amid Border Clashes," Human Rights Watch news release, July 25, 2025, <https://www.hrw.org/news/2025/07/25/thailand/cambodia-protect-civilians-amid-border-clashes>.

¹⁰ Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas (Declaration), concluded June 17, 2022, opened for endorsement November 18, 2022, <https://ewipa.org/the-political-declaration> (accessed October 25, 2022).

national implementation, which both influences the conduct of the implementing state and sets standards that can inform the conduct of others.

The Declaration, while non-binding, provides a comprehensive framework for preventing and remediating the civilian harm caused by the bombing and shelling of urban areas. Its preamble details the devastating direct and indirect consequences caused by this method of warfare. Its commitments call on endorsing states to reduce civilian casualties and other impacts caused by explosive weapons through changes to policies and practices and to address harm that has already occurred through victim assistance and facilitation of humanitarian aid delivery. The Declaration also stresses the importance of data collection and repeatedly references the value of partnering with other stakeholders.

This report is being released in conjunction with the Second International Conference of the Declaration in San José, Costa Rica, in November 2025. It builds on a 2022 publication by Human Rights Watch and Harvard Law School's International Human Rights Clinic (IHRC) entitled *Safeguarding Civilians: A Humanitarian Interpretation of the Political Declaration on the Use of Explosive Weapons in Populated Areas*.¹¹ The initial report focused on how to interpret the Declaration, while this report turns the attention to operationalizing it.

The report identifies seven principles that should guide all implementation measures and can be adopted by all endorsing states, no matter the structure of their government or size of their military. The principles call for implementation to be:

1. *Humanitarian*: to comprehensively address the humanitarian consequences of the use of explosive weapons in populated areas.
2. *Progressive*: to develop civilian protection standards that go beyond existing international humanitarian law in addition to strengthening compliance with the latter.
3. *Collaborative*: to advance civilian protection goals by working with state and non-state actors through joint action and knowledge pooling.
4. *Informed*: to ensure implementation measures are based on data that has been collected, analyzed, and shared.

¹¹ Human Rights Watch and IHRC, *Safeguarding Civilians: A Humanitarian Interpretation of the Political Declaration on the Use of Explosive Weapons in Populated Areas*, October 2022, https://www.hrw.org/sites/default/files/media_2022/10/HRWIHRC_EWIPA%20interpretation_final_o.pdf.

5. *Transparent*: to be open about the information and processes behind implementation.
6. *Internalized*: to incorporate the international commitments into national institutions, including policies and practices.
7. *Promoted*: to spread the impact of the Declaration by promoting its universalization and adherence to its norms.

Rather than prescribing concrete steps for the Declaration's signatories to follow, the report aims to provide states with key themes and broad recommendations that should permeate all implementation efforts, whatever form they may take. The commentary accompanying each principle elaborates on its meaning and significance, explains its origin in the Declaration itself, and provides examples of how to apply it. By following these principles, endorsing states can more effectively advance the protection of civilians from the humanitarian consequences of explosive weapons while living up to their commitments under the Declaration.

Recommendations

To best advance the Declaration's goal of civilian protection, Human Rights Watch and IHRC urge endorsing states to:

- Adopt national measures to implement the Political Declaration on the Use of Explosive Weapons in Populated Areas in an expeditious manner;
- Be guided by the seven principles laid out in this report when designing implementation measures; and
- Encourage states that have not joined the Declaration to endorse it promptly, and encourage all parties to armed conflict to adhere to its norms.

Principle 1: Humanitarian

Endorsing states should take a comprehensive view of the civilian harm from the use of explosive weapons in populated areas, considering direct and indirect effects before, during, and after hostilities, to advance the Declaration’s humanitarian goal of protecting civilians.

In implementing the Declaration, endorsing states should prioritize two humanitarian considerations: (1) protecting civilians from the full range of harm caused by explosive weapons in populated areas; and (2) doing so at all times: before, during, and after an armed conflict. Following this principle will comprehensively advance the humanitarian goal of the Declaration—to improve civilian protection in the context of explosive weapons—and help maximize the Declaration’s potential.

First, states should ensure implementation measures address the broad spectrum of what the Declaration refers to as the “devastating impact[s]” that the use of explosive weapons in populated areas inflicts on civilians and civilian objects.¹² As the Declaration’s preamble lays out, these impacts include direct effects, notably death, physical injuries, and psychological harm, and indirect, or reverberating, effects, notably damage to infrastructure that impedes the provision of basic services (such as health care, water and sanitation, and education), and in turn infringes on basic human rights. The use of explosive weapons additionally causes mass displacement and damages or destroys the environment and cultural heritage, among other civilian objects.¹³

Second, states should apply a humanitarian approach at all stages of implementation of the Declaration’s commitments.¹⁴ Before military operations begin, states should review their policies and practices to align them with the humanitarian purpose of the Declaration, and they should train their armed forces to implement the instrument’s

¹² Declaration, para. 1.2.

¹³ Ibid., pmb., paras. 1.2-1.6. See also ICRC, *Explosive Weapons with Wide Area Effects: A Deadly Choice in Populated Areas*, https://www.icrc.org/sites/default/files/document_new/file_list/ewipa_explosive_weapons_with_wide_area_effect_final.pdf, pp. 24-60; Human Rights Watch and IHRC, *Destroying Cultural Heritage*, ch. 3.

¹⁴ Human Rights Watch and IHRC, *Safeguarding Civilians*.

commitments with the aim of enhancing civilian protection. (For further discussion of these activities, see Principle 6 (*Internalized*).)

During hostilities, concern for civilian consequences should inform endorsing states' choices regarding targeting practices and weapons used. For example, as discussed below, while international humanitarian law does not explicitly prohibit using explosive weapons in populated areas, when the explosive weapons have wide area effects, which heighten their direct and indirect effects on civilians, use in populated areas should be avoided.

After an attack involving the use of explosive weapons in populated areas has occurred, endorsing states should address the harm caused. They should facilitate the delivery of assistance to victims and ensure humanitarian access to aid workers. States should also promote civilian protection after an attack by “[e]nsur[ing] the marking, clearance, and removal or destruction of explosive remnants of war,” especially those located in or around populated areas.¹⁵

Origins in Declaration

Principle 1 comes from the humanitarian underpinnings of the Declaration, which run from its title through its preamble to its operative provisions. The Declaration's full title describes its mandate as “strengthening the protection of civilians from the humanitarian consequences arising from the use of explosive weapons in populated areas.” The preamble begins by calling upon endorsing states to address the risks that armed conflict poses to civilians, especially stemming from the use of explosive weapons in populated areas.¹⁶ It then enumerates many of the direct and indirect effects of explosive weapons that have “a devastating impact on civilians and civilian objects.”¹⁷

¹⁵ Declaration, para. 3.5.

¹⁶ Ibid., para. 1.1 (“As armed conflicts become more protracted, complex, and urbanised, the risks to civilians have increased. These risks are a source of major concern and they must be addressed. The causes of these risks involve a range of factors, including the use of explosive weapons in populated areas, and pose complex challenges for the protection of civilians.”).

¹⁷ Ibid., para. 1.2.

The Declaration frames Part B, its operative section, with a commitment to strengthening civilian protection;¹⁸ the individual commitments that follow reflect that the comprehensive mandate extends across time. Implementation starts with a review of national policy and practice and “comprehensive training.”¹⁹ States need to then consider humanitarian concerns “in the planning of military operations and the execution of attacks.”²⁰ After attacks, states should “[p]rovide, facilitate, or support assistance to victims” and “facilitate rapid, safe, and unhindered humanitarian access to those in need.”²¹

Application

Endorsing states should apply a humanitarian approach to implementation to ensure that the Declaration is implemented with an eye to protecting civilians, a core component of which is to comprehensively prevent and respond to civilian harm.

As discussed above, the Declaration details the humanitarian consequences of the use of explosive weapons in populated areas in its preamble. Therefore, when states implement commitments that refer to civilian harm or direct and indirect effects, they should understand those terms to encompass all the impacts laid out in the Declaration’s preamble. For example, Paragraph 3.4 calls on armed forces to “take into account the direct and indirect effects on civilians and civilian objects which can reasonably be foreseen in the planning of military operations and the execution of attacks in populated areas.” A humanitarian approach to implementing that commitment means that states should consider reverberating effects, displacement, damage to the environment and cultural heritage, and more when making targeting decisions involving the use of explosive weapons. States should also understand Paragraph 3.4’s phrase to “take into account” as going beyond mere consideration of direct and indirect effects to involve concrete steps to enhance civilian protection, the central goal of the Declaration.²² Those steps could include not only developing rules for when and how to restrict or refrain from the use of explosive weapons in populated areas (see Principle 2 (*Progressive*)) but also engaging in

¹⁸ Ibid., Part B, chapeau.

¹⁹ Ibid., paras. 3.1, 3.2.

²⁰ Ibid., para. 3.4.

²¹ Ibid., paras. 4.5, 4.4.

²² Human Rights Watch and IHRC, *Safeguarding Civilians*, pp. 13-14.

risk or damage assessments that examine humanitarian consequences as well as military impacts (see Principle 4 (*Informed*)).

A humanitarian approach should similarly guide actions before and after hostilities. Paragraph 3.2 commits states to “comprehensively” train their armed forces on the law, policies, and practices to “protect civilians and civilian objects.” Such training should prepare troops to avoid the possible effects that explosive weapons can have on, for instance, civilians’ physical and psychological wellbeing; homes, schools, and other civilian objects; critical civilian infrastructure; cultural heritage sites and the environment; and more.²³ For example, troops could receive training in law related to cultural heritage protection during armed conflict as well as in the art history of a particular conflict zone before they can use explosive weapons in that area.²⁴

To apply the humanitarian principle in post-conflict situations, endorsing states should take a similarly broad approach to victim assistance. The Declaration calls on states to assist both those injured at the time of attack and “survivors, families of people killed or injured [and] communities affected by armed conflicts.”²⁵ To maximize impact and reduce the chance of creating additional victims in the future, states should support “post-conflict recovery and durable solutions,” terms that should be understood to encompass many actions, such as returning displaced civilians to their homes, restoring critical civilian infrastructure, and remediating environmental damage.²⁶

²³ Declaration, paras. 1.3-1.6.

²⁴ Human Rights Watch and IHRC, *Destroying Cultural Heritage*, pp. 58-59.

²⁵ Declaration, para. 4.5.

²⁶ *Ibid.*

Principle 2: Progressive

Endorsing states should recognize that the Declaration not only promotes better compliance with existing international humanitarian law but also calls for progressive standards that better protect civilians from the use of explosive weapons in populated areas.

While the Declaration builds on and promotes better compliance with existing international humanitarian law, states should recognize that it is also progressive in that it constitutes a commitment to go beyond that law and take additional steps to advance civilian protection. The Declaration is a non-binding document that neither aims to nor can create new international law. If it simply reiterated existing international law, however, it would serve little purpose. Instead, the Declaration applies international humanitarian law to the use of explosive weapons in populated areas and provides guidance on how to best protect civilians from the humanitarian consequences those weapons cause. It also covers some areas beyond the scope of international humanitarian law, including remedial measures such as victim assistance and data collection. Principle 2 thus encourages endorsing states to implement the Declaration in a way that creates new standards of civilian protection in a particular context.

Origins in Declaration

The Declaration's progressive purpose is made evident in the chapeau to its operative provisions. It notes in part that the Declaration commits states to “strengthening compliance with and improving the implementation of applicable International Humanitarian Law.” It also, however, specifies that endorsing states are “committed to strengthening the protection of civilians and civilian objects ... [and] addressing the humanitarian consequences arising from armed conflict involving the use of explosive weapons in populated areas.”²⁷ These commitments refer to the prevention and remediation of harm from the use of explosive weapons in populated areas.²⁸

²⁷ Declaration, Part B, chapeau.

²⁸ See Human Rights Watch and IHRC, *Safeguarding Civilians*, p. 4.

Application

Principle 2 calls on endorsing states to apply the Declaration's commitments in a way that creates strong civilian protection standards, particularly with regard to the use of explosive weapons in populated areas.

The application of this principle to the Declaration's core commitment in Paragraph 3.3 exemplifies how the progressive approach can influence implementation. While international humanitarian law does not prohibit the use of explosive weapons in populated areas, Paragraph 3.3 commits endorsing states to implement policies and practices "restricting or refraining as appropriate from the use of explosive weapons in populated areas, when their use may be expected to cause harm to civilians or civilian objects." Approaching this commitment progressively heightens civilian protection standards specifically in the use of explosive weapons. To maximize the protection of civilians under the Declaration, states should find it "appropriate" to refrain from, that is, to avoid altogether, using explosive weapons with wide area effects in populated areas because of the broad range of civilian harm that is expected. Explosive weapons have a wide area effect when they have a large blast or fragmentation radius, are inaccurate, launch multiple munitions at once, or have some combination of these characteristics. In accordance with Paragraph 3.3, states should restrict the use of all other explosive weapons in populated areas by, for example, imposing limits on specific types of weapons or the times of day or altitudes for attacks.²⁹

²⁹ Ibid., pp. 10-12.

Principle 3: Collaborative

Endorsing states should work collaboratively to advance civilian protection through joint actions and knowledge pooling with a variety of stakeholders—including other endorsing states, affected individuals and communities, civil society organizations, international organizations, and additional relevant experts.

Endorsing states should ensure the Declaration is implemented in a collaborative manner in at least two ways. First, they should take joint actions with other states and additional stakeholders to protect civilians from the use of explosive weapons in populated areas. Second, all actors should pool knowledge and expertise to understand and mitigate harm. Collaboration aligns states and other stakeholders around common goals by building shared understandings of the harms caused by the use of explosive weapons in populated areas and identifying priority areas on which implementation efforts should focus. It enables actors to maximize existing resources and avoid duplicating efforts. Collaboration further promotes inclusivity, bringing together a range of backgrounds and expertise, which helps ensure that the most effective remedies are chosen to address specific needs. It can also have tangible operational benefits—like facilitating work with other stakeholders to assist victims, clear unexploded ordnance, or engage in reconstruction efforts—and sharing data that can strengthen crisis planning and response (see Principle 4 (*Informed*)).³⁰

While collaboration is key throughout implementation, different actors have different roles, regardless of whether they are engaged in joint actions or knowledge sharing. According to the International Committee of the Red Cross (ICRC), by working together, endorsing states can “significantly improve the extent and quality” of implementation efforts.³¹ State exchanges of good practices and lessons learned can clarify the details of

³⁰ Bárbara Morais Figueiredo and Katherine Young, *Understanding Civilian Harm from the Indirect or Reverberating Effects of the Use of Explosive Weapons in Populated Areas: Strengthening Data Collection to Implement the Political Declaration, UNIDIR and Explosive Weapons Monitor*, October 2024, <https://unidir.org/wp-content/uploads/2024/10/UNIDIR-Explosive-Weapons-Monitor-Understanding-civilian-harm-from-the-indirect-or-reverberating-effects-of-the-use-of-EWIPA.pdf> (accessed October 24, 2025), p. 34.

³¹ ICRC, “From Law to (Regional) Action: Regional Reports on the Implementation of International Humanitarian Law,” March 2025, <https://www.icrc.org/en/report/regional-reports-ihl-implementation> (accessed October 24, 2025).

strong implementation by identifying which measures are helpful and which are not.³² The exchanges can contribute to consistent implementation of the Declaration's commitments and thus make it easier for states to uphold norms.

Collaborative implementation also means states should engage with affected individuals and communities, recognizing their suffering and learning from their experiences. States should do so in a “way that does not exploit or objectify their experience but gives [them] agency and empowerment.”³³ Providing affected individuals and communities a platform is critical to helping states understand the impacts of the use of explosive weapons in populated areas on civilians. Affected individuals and communities can humanize the issue by sharing their firsthand knowledge of the weapons' direct and indirect effects. They can additionally offer practical solutions and keep the focus of conversations on humanitarian priorities (Principle 1 (*Humanitarian*)).³⁴ In the process of collaboration, it is important to amplify the voices of certain marginalized groups to make sure their needs are properly addressed. The Declaration references women and girls and persons with disabilities in particular.³⁵

Civil society organizations and international organizations bring a range of specialized expertise. The former can help raise awareness of humanitarian problems through robust, field-based research and analysis.³⁶ They also bring expertise in, for example, international law, aid delivery, victim assistance, and more. International organizations, notably the ICRC and United Nations bodies, facilitate exchanges of knowledge and best practices among states, offer legal analysis, and support capacity-building within states.³⁷

³² United Nations Institute for Disarmament Research (UNIDIR), “Identifying Collaborative Actions to Reduce Today's Nuclear Dangers,” September 2021, https://unidir.org/files/2021-o8/Identifying_Collaborative_Actions_to_Reduce_Todays_Nuclear_Dangers.pdf (accessed October 24, 2025), p. 4.

³³ Elizabeth Minor, “Changing the Discourse on Nuclear Weapons: The Humanitarian Initiative,” *International Review of the Red Cross*, vol. 97 (2016): 899, accessed October 24, 2025, https://international-review.icrc.org/sites/default/files/irc97_12.pdf, p. 717.

³⁴ Matthew Breay Bolton and Elizabeth Minor, “The Agency of International Humanitarian Disarmament Law: The Case of Advocacy for Positive Obligations in the Treaty on the Prohibition of Nuclear Weapons,” *Global Activism and Humanitarian Disarmament*, (2020), accessed October 24, 2025, doi: 10.1007/978-3-030-27611-9_3, p. 80.

³⁵ Declaration, paras. 1.10, 4.5.

³⁶ Brian Rappert et al., “The Roles of Civil Society in the Development of Standards around New Weapons and Other Technologies of Warfare,” *International Review of the Red Cross*, vol. 94 (2012): 886, accessed October 24, 2025, <https://international-review.icrc.org/sites/default/files/irrc-886-rappert-moyes-crowe-nash.pdf>, pp. 769, 772, and 774.

³⁷ Wang Lie, “The Role of International Organizations in Facilitating Policy Diffusion,” *Journal of Political Sciences & Public Affairs*, vol. 12 (2024): 4, accessed October 24, 2025, <https://www.longdom.org/open-access/the-role-of-international-organizations-in-facilitating-policy-diffusion.pdf>, p. 1.

Humanitarian and development organizations can help improve emergency responses, strengthen urban ecosystems' preparedness, and support efforts to address long-term consequences for civilian populations.³⁸

Academics and other civilian experts further inform the implementation process. For example, archaeologists, art historians, and historians can identify cultural heritage sites that warrant extra protection.³⁹ Scientists can assess environmental damage. Urban planners and civil engineers can help states analyze how the use of explosive weapons affects urban infrastructure and how to mitigate harm from the weapons.⁴⁰

In the spirit of collaboration, endorsing states should allow all actors listed above, among others, to engage meaningfully in the implementation process and take their views into account when making decisions. To ensure those actors come prepared, states should provide them with relevant background information in a timely manner (see Principles 4 (*Informed*) and 5 (*Transparent*)).⁴¹

Origins in Declaration

The commitment to collaborate appears throughout the Declaration. Many paragraphs encourage endorsing states to partner with other “stakeholders,” who can include states, civil society groups, international organizations, and affected individuals and communities.⁴² The preamble recognizes the value of work by the UN, the ICRC, and civil society organizations to mitigate harm from the use of explosive weapons in populated areas.⁴³ Paragraphs 4.3 and 4.6 commit states to facilitate the work of the UN, the ICRC, and other relevant groups in their data collection and civilian protection work. Relatedly, Paragraphs 4.4 and 4.5 commit states to facilitate actions led by others, specifically by

³⁸ Figueiredo and Young, *Understanding Civilian Harm from the Indirect or Reverberating Effects of the Use of Explosive Weapons in Populated Areas*, <https://unidir.org/wp-content/uploads/2024/10/UNIDIR-Explosive-Weapons-Monitor-Understanding-civilian-harm-from-the-indirect-or-reverberating-effects-of-the-use-of-EWIPA.pdf>, p. 13.

³⁹ Human Rights Watch and IHRC, *Destroying Cultural Heritage*.

⁴⁰ Simon Bagshaw, “Implementing the Political Declaration on the Use of Explosive Weapons in Populated Areas: Key Areas and Implementing Action,” *Article 36*, November 2022, <https://article36.org/wp-content/uploads/2022/11/Article-36-Implementing-the-Political-Declaration-November-2022.pdf> (accessed October 24, 2025), p. 6.

⁴¹ IHRC and Conflict and Environment Observatory, *Facing Fallout: Principles for Environmental Remediation of Nuclear Weapons Contamination*, June 2022, https://ceobs.org/wp-content/uploads/2022/06/Harvard_IHRC_CEOBS_Facing_Fallout_2022.pdf (accessed October 24, 2025), p. 62.

⁴² See, for example, Declaration, paras. 4.1, 4.8.

⁴³ *Ibid.*, para. 1.9.

providing “unhindered humanitarian access to those in need in situations of armed conflict” and “support[ing] assistance to victims [and] communities affected by armed conflict.” Finally, Paragraph 4.7 encourages states to include the UN, the ICRC, and other civil society and international organizations in the regular implementation meetings established by that paragraph and to consider undertaking “further work,” such as “intergovernmental and military-to-military exchanges.”

Other paragraphs commit endorsing states to ensure the pooling of knowledge through information exchanges. Paragraph 4.1 calls for “exchanges of technical and tactical expertise, and humanitarian impact assessments” among “armed forces, and other relevant stakeholders” to “develop good policies and practices to enhance the protection of civilians.” Paragraph 4.7 encourages endorsing states to “exchange and compil[e] ... good policies and practices” at their regular implementation meetings. The principle of collaboration underlies all of these actions and exchanges.

Application

In applying the principle of collaboration to the implementation of the Declaration, endorsing states should meaningfully engage all the groups discussed above even if they are not explicitly named in the Declaration’s text. States should be sure to involve, for example, affected individuals and communities and the organizations that represent them. While the provisions do not refer to them explicitly, these groups are critical players, and they should be understood to be included under the Declaration’s references to “civil society organizations.”⁴⁴ Such a collaborative approach to implementation is consistent with the inclusive approach taken during the negotiations of the Declaration.⁴⁵ That process, spearheaded by Ireland, included a range of states as well as international and nongovernmental organizations and survivors. The Covid-19 pandemic delayed the final adoption of the almost-compete political declaration, but even after the UN reopened to states, Ireland waited to finish the process until all of those groups could participate fully in meetings in order to ensure inclusivity.

⁴⁴ Ibid., paras. 4.3, 4.6, 4.7.

⁴⁵ International Network on Explosive Weapons, *Question and Answers on Explosive Weapons in Populated Areas*, September 2022, https://www.inew.org/wp-content/uploads/2022/09/INew_QA.pdf (accessed October 24, 2025). See also Reaching Critical Will, “Reports from the Political Declaration Process on Explosive Weapons in Populated Areas,” <https://reachingcriticalwill.org/disarmament-fora/ewipa/political-declaration/reports> (accessed October 24, 2025).

To meaningfully engage and thus effectively collaborate with the range of stakeholders, endorsing states should create mechanisms to ensure that they account for all relevant voices when making decisions. For instance, states should establish interactive sessions during implementation meetings to amplify stakeholders' voices, give stakeholders the opportunity to submit written working papers in association with or independent of those meetings, solicit the groups' contributions between meetings, and circulate draft materials for feedback from others.

States should not only give stakeholders a platform but also act jointly with them or facilitate their work. As noted, Paragraphs 4.3, 4.4, 4.5, and 4.6 call for states to support organizations like the UN and the ICRC in collecting data and providing humanitarian assistance. For example, states should provide logistics support to facilitate field visits. States should assist with visas and any required clearances or permits, and they should ensure safe passage. Doing so would enable organizations to more quickly deploy personnel to affected areas to collect data and deliver needed aid. States should also support efforts by the UN, the ICRC, and civil society organizations to mark and clear explosive remnants of war by sharing data about the type, nature, and approximate number of weapons used and the expected location of ordnance.⁴⁶ States should further pledge to fund relevant organizations, including for research about the short- and long-term effects of explosive weapons use in populated areas.⁴⁷ That financial support would allow these organizations to better understand civilian harm and provide more consistent and robust aid to impacted regions.

With regard to knowledge pooling, endorsing states should collaborate to share data with each other and non-state stakeholders, activities that are discussed more under Principle 4 (*Informed*). For example, creating a publicly accessible database of policies and practices that states have adopted to promote civilian harm reduction could help implement Paragraphs 4.2 and 4.7. A joint database would contribute to the operationalization of those commitments by helping states and stakeholders compare and evaluate such policies and practices as targeting procedures, training materials, and

⁴⁶ Simon Bagshaw, "Collecting and Sharing Data on Explosive Weapons Use: A Prerequisite for Understanding Impact, Informing Change and Implementing the Political Declaration," *Explosive Weapons Monitor Fragments*, September 2023, <https://explosiveweaponsmonitor.org/fragments/vol/1/issue/1/article/collecting-and-sharing-data-on-explosive-weapons-use/> (accessed October 26, 2025).

⁴⁷ Ibid.

humanitarian aid measures. Over time, the database could facilitate the development of common standards for better protecting civilians from the use of explosive weapons in populated areas.⁴⁸

⁴⁸ ICRC, “Through Effective Multilateralism, States Can Create Norms that Uphold our Humanity,” April 2019, <https://www.icrc.org/en/document/through-effective-multilateralism-states-can-create-norms-uphold-our-humanity> (accessed October 24, 2025).

Principle 4: Informed

Endorsing states, to ensure their implementation of the Declaration is well informed, should cooperate in the collection of data about humanitarian effects and operational context, analyze their findings to distill best practices and influence future decision-making, and make this information accessible and publicly available to all relevant stakeholders.

Endorsing states' implementation of the Declaration should be informed by solid evidence and assessment of the findings. To that end, states should engage in and facilitate the gathering, processing, and dissemination of data. Such information can provide a clear picture of the threats posed by the use of explosive weapons in populated areas and the need for certain kinds of responses. Spreading data across the Declaration's community of practice can strengthen implementation measures in different countries.

Ensuring implementation is informed entails three distinct phases of data management: collection, analysis, and sharing. Data collection requires that endorsing states gather well-documented quantitative and qualitative data. States should be informed of the humanitarian consequences of the use of explosive weapons in populated areas as well as the impacts of specific types of weapons and targeting methods.

Data analysis is key to identifying trends in civilian harm and best practices for minimizing it, both of which are necessary for distilling lessons. When data is properly analyzed, policymakers are able to reform national policies and practices based on the successes and failures of past operations, and military personnel can quickly turn to specific data in the preparation and execution of military operations involving the use of explosive weapons in populated areas. Endorsing states should note that the collection and analysis phases of data management require the commitment of resources—budget, time, and personnel—to the development and administration of systematic, bias-resistant information-gathering regimes.

Data sharing allows the community of the Declaration's endorsers to reap the full benefits of data collection and analysis processes undertaken by individual implementing states. By ensuring that data on civilian harms is “shared and made publicly available,” states

contribute to the “promotion and better implementation of International Humanitarian Law” and the Declaration itself.⁴⁹ Types of information that should be shared with relevant stakeholders include, but are not limited to: specific instances of civilian harm; assessments of the dangers of the use of explosive weapons in populated areas, identification of the needs for a response, such as improved targeting and weapons choices or provision of victim assistance; the location of possible explosive remnants of war; and general best practices for maximizing civilian protection. No matter what type of data is shared, it should always be disseminated in clear language that is accessible to non-legal and non-military actors. States should also be able to provide more comprehensive data upon request. Sharing data with others who engage in data collection provides a means by which to cross-check accuracy. It allows states without the resources to systematically gather information on civilian harms to learn from the best practices of others, thereby bridging the data collection capacity gap. Additionally, as some states might be reluctant to join the Declaration because they believe that they will not be able to fulfill its goals on their own, knowing that they can receive outside assistance via data dissemination will encourage them to endorse the Declaration.

Origins in Declaration

The Declaration makes explicit reference to data collection, analysis, and dissemination in its preambular and operational provisions. Preambular Paragraph 1.8 recognizes the “importance of efforts to record and track civilian casualties, and the use of all practicable measures to ensure appropriate data collection.” It recommends disaggregating data and sharing it “where feasible.” According to Paragraph 1.8, the benefits of data collection and sharing include the development of policies to decrease civilian harm, measures to promote accountability, and processes to identify lessons learned.

Paragraph 4.2 of the Declaration echoes the points of Paragraph 1.8 but simplifies them and turns them into a commitment. It calls on endorsing states to “[c]ollect, share, and make publicly available disaggregated data” regarding the impact of the use of explosive weapons in populated areas. Data should cover the “direct and indirect effects on civilians and civilian objects.” The commitment is qualified at the end by the phrase “where feasible and appropriate.”

⁴⁹ Declaration, paras. 1.8, 1.7.

The Declaration also calls for states to assess the effects of specific operations, which provides additional data to inform implementation. Paragraph 3.4 commits states to ensure their armed forces “conduct damage assessments, to the degree feasible, and identify lessons learned.” Paragraph 4.1 recommends states conduct “humanitarian impact assessments” in order to “develop good policies and practices to enhance the protection of civilians,” particularly from the use of explosive weapons in populated areas.

Application

To maximize civilian protection, states should implement the Declaration’s provisions on data collection, analysis, and sharing to provide the greatest amount of information, which can in turn inform implementation of other commitments.

While the Declaration qualifies its commitment to data collection and sharing with the terms “feasible” and “appropriate,” the caveats should be understood in light of the ultimate purpose of the Declaration: civilian protection.⁵⁰ Given states’ access to information and duty to address potential harm, states are responsible for ensuring these actions are “feasible.”⁵¹ In those instances where data collection is genuinely not feasible for states, however, states should facilitate the collection of data by other actors, in line with their commitment in Paragraph 4.3. Regardless, robust collaboration among academia, civil society groups, international organizations, humanitarian agencies, and governments is necessary to establish an evidence base that reflects the best technical expertise available and, therefore, can most accurately inform state policy and practice.⁵²

Similarly, states should presume that data collection and sharing is “appropriate” in the interest of transparency, which promotes accountability and enables monitoring and assessments by independent experts. The limited situations in which data collection and sharing may not be appropriate should be strictly humanitarian. States may refrain from sharing information on civilians or civilian objects if states have a strong reason to suspect that the dissemination or publication of that information may risk further civilian harm. For

⁵⁰ Ibid., paras. 1.8, 4.2. See also Human Rights Watch and IHRC, *Safeguarding Civilians*, p. 16.

⁵¹ Declaration, para. 4.2.

⁵² InterAction and The Freeman Spogli Institute for International Studies at Stanford, *Building the Evidence Base: Addressing the Reverberating Effects of Military Operations of Civilian Life*, November 2020, <https://www.interaction.org/blog/building-the-evidence-base/> (accessed October 24, 2025), p. 8.

example, they should take note of concerns about publicizing information that may endanger individuals or make critical civilian infrastructure vulnerable to targeting.⁵³

When collecting data, states should gather a well-rounded picture of the humanitarian impacts of the use of explosive weapons in populated areas and what specifically caused them. To achieve this goal, states could adopt and adapt pre-existing civilian harm tracking (CHT) mechanisms, in which a party to an armed conflict records details about the effects of its operations, with an emphasis on civilian casualties and injuries (disaggregated by sex and age),⁵⁴ damage to civilian objects and infrastructure, and broader environmental consequences.⁵⁵ As discussed earlier, states should also provide operational information on the types of weapons and circumstances of use. This data is more difficult for non-state actors to obtain but provides insight into the cause of harm and can help identify lessons for how to better protect civilians in the future.

While civilian harm tracking often reveals trends, damage assessments, such as those mentioned in Paragraph 3.4, provide documentation and analysis of specific incidents of the use of explosive weapons in populated areas, often shortly after a strike. Given the humanitarian goals of the Declaration (Principle 1 (*Humanitarian*)), damage assessments should be understood to involve investigations of the civilian harm as well as military effects of an operation and could be expanded to cover a longer period after an attack.⁵⁶

⁵³ The Century Foundation, *The UN Made a List of Hospitals in Syria. Now They're Being Bombed.*, June 2019, <https://tcf.org/content/report/un-made-list-hospitals-syria-now-theyre-bombed/> (accessed October 24, 2022).

⁵⁴ Declaration, para. 1.8.

⁵⁵ Center for Civilians in Conflict, *Backgrounder: Tracking Civilian Harm*, August 2013, https://civiliansinconflict.org/wp-content/uploads/2017/09/Center_Tracking_Backgrounder_8.13.pdf (accessed October 24, 2025).

⁵⁶ See Megan Karlshøj-Pedersen, “Tracking Civilian Harm from the Use of Explosive Weapons in Populated Areas,” *Article 36 and Airwars*, May 2025, <https://article36.org/wp-content/uploads/2025/07/Tracking-civilian-harm-from-use-of-EWIPA.pdf> (accessed October 24, 2025), p. 3.

Principle 5: Transparent

Endorsing states should be transparent about the information and processes behind implementation to facilitate awareness raising, policy and practice reform, and monitoring and accountability.

States should uphold the principle of transparency at all stages of implementing the Declaration. Transparency among states, civil society, international organizations, affected individuals and communities, and the public “is essential for creating dialogue,” an Austrian military workshop on the Declaration found.⁵⁷ It helps stakeholders better understand the grave humanitarian effects of explosive weapons in populated areas,⁵⁸ setting the stage for taking those concerns into account in accordance with Principle 1 (*Humanitarian*). Openly sharing information, lessons learned, and other takeaways also promotes the development of better policies and practices to address the direct and indirect effects of explosive weapons and enables more consistent application of the Declaration’s commitments across endorsing states.⁵⁹ Finally, transparency facilitates independent monitoring of implementation efforts, which in turn encourages endorsing states to uphold their commitments.⁶⁰ Monitoring can also help assess the lawfulness of specific military operations and reveal gaps in implementation where states may need help fulfilling commitments.⁶¹

Transparency, which overlaps with Principle 4 (*Informed*), entails making information about implementation efforts easily accessible and verifiable to a range of stakeholders, including endorsing states, non-endorsing states, international and civil society organizations, and affected individuals and communities and their representative groups. The shared information should include disaggregated data about the consequences of the

⁵⁷ Federal Ministry Republic of Austria, “Vienna Military Workshop on the Implementation of the EWIPA Political Declaration,” January 2024, https://cms.ewipa.org/uploads/Vienna_Military_Workshop_on_EWIPA_Workshop_Report_496dd35045.pdf (accessed October 24, 2025), p. 5.

⁵⁸ Figueiredo and Young, *Understanding Civilian Harm from the Indirect or Reverberating Effects of the Use of Explosive Weapons in Populated Areas*, <https://unidir.org/wp-content/uploads/2024/10/UNIDIR-Explosive-Weapons-Monitor-Understanding-civilian-harm-from-the-indirect-or-reverberating-effects-of-the-use-of-EWIPA.pdf>, p. 9.

⁵⁹ *Ibid.*, p. 41.

⁶⁰ Karlshøj-Pedersen, “Tracking Civilian Harm from the Use of Explosive Weapons in Populated Areas,” <https://article36.org/wp-content/uploads/2025/07/Tracking-civilian-harm-from-use-of-EWIPA.pdf>, p. 4.

⁶¹ Human Rights Watch and IHRC, *Safeguarding Civilians*, p. 15.

use of explosive weapons in populated areas, national policies and practices, budgetary information, and lessons learned from implementation of the Declaration. States should communicate this information in a manner that is understandable to a wide audience, available in relevant languages, and specifies the source of the data and the methods used to collect it. They should post it in locations appropriate for the audience, including on local, national, international, and civil society platforms.

Origins in Declaration

Several provisions in the Declaration expressly recognize the value of transparency. The Declaration’s preamble highlights its importance in the context of information sharing. The preamble notes that “[b]roadening and strengthening initiatives designed to share policies and practices on protecting civilians” can improve implementation of international humanitarian law.⁶² As discussed under Principle 4 (*Informed*), the preamble also encourages making data publicly available as an extension of efforts to track civilian casualties.⁶³

The Declaration’s operative provisions establish commitments that similarly incorporate transparency. Paragraph 4.2 commits states to “make publicly available disaggregated data on the direct and indirect effects” of explosive weapons on civilians and civilian objects “where feasible and appropriate.” Paragraph 4.7 encourages transparency at endorsing states’ regular meetings by calling for the exchange of good policies, practices, and viewpoints among states and a wide range of stakeholders.

Application

To achieve the goals of transparency, endorsing states should include stakeholders in implementation meetings, share relevant documentation, and establish a voluntary reporting mechanism.⁶⁴

⁶² Declaration, para. 1.7.

⁶³ Ibid., para. 1.8.

⁶⁴ A voluntary reporting mechanism is a platform for endorsing states to voluntarily exchange information on national implementation measures. For a discussion of different reporting mechanisms, see IHRC, *Reporting Guidelines for Articles 6 and 7 of the Treaty on the Prohibition of Nuclear Weapons: Precedent and Recommendations*, May 2023, <https://humanrightsclinic.law.harvard.edu/wp-content/uploads/2023/05/TPNW-reporting-report-5-15-23-FINAL.pdf> (accessed October 24, 2025).

States should make the process of implementation transparent by, for example, opening key meetings, including the regular meetings of endorsing states set out in Paragraph 4.7, to all relevant stakeholders, who are enumerated under Principle 3 (*Collaborative*). States should raise awareness of meetings in accessible forums, including government websites, and plan them well in advance to minimize conflicts. In the spirit of collaboration (see Principle 3 (*Collaborative*)), stakeholders should be given ample opportunities to actively engage in discussions and decision-making rather than merely participate as observers. Such an approach can facilitate dialogue and promote exchanges of expertise that can help states account for harm and better mitigate it.⁶⁵

States should also widely share relevant documents. The materials should include, but not be limited to, information about: civilian harm, lessons learned, implementation efforts, operational or policy challenges related to those efforts, attempts to address challenges, any documented progress or unresolved issues, budget allocations, and any other data specified under Principle 4 (*Informed*). States can share this information online, at meetings, or with national legislative bodies, international organizations, including the UN, and civil society groups. States should make the documents available in a variety of languages, such as the six official languages of the UN—Arabic, Chinese, English, French, Russian, and Spanish—and any relevant local languages. Such information sharing promotes a variety of important ends, including keeping stakeholders informed about new developments to facilitate their meaningful participation in implementation conversations.

Finally, endorsing states should establish a voluntary reporting mechanism to encourage states to provide updates about their implementation efforts.⁶⁶ Such a mechanism could consolidate information about national developments into a central forum where endorsing states and other stakeholders could access, monitor, and analyze it. Reporting could reveal progress in implementation of the Declaration, gaps in implementation, areas where changes need to be made, and good practices. A voluntary reporting mechanism should not be burdensome, and states could look to the reporting forms used under the Mine Ban Treaty and Convention on Cluster Munitions for models.⁶⁷

⁶⁵ Ibid.

⁶⁶ Pursuant to Declaration, para. 4.7, endorsing states should determine that doing so is an “additional measure that may need to be taken.”

⁶⁷ IHRC, *Reporting Guidelines for Articles 6 and 7 of the Treaty on the Prohibition of Nuclear Weapons*, <https://humanrightsclinic.law.harvard.edu/wp-content/uploads/2023/05/TPNW-reporting-report-5-15-23-FINAL.pdf>, pp. 4-7.

Principle 6: Internalized

Endorsing states should ensure that the international commitments of the Declaration are internalized within national institutions, integrating them into policies and practices that advance civilian protection.

States should internalize the Declaration's international commitments within their national institutions, implementing them in both policy and practice. Measures that operationalize the Declaration at the domestic level are the foundation on which its wider effectiveness as a tool for civilian protection from the use of explosive weapons in populated areas depends.

At the policy level, states should create a structure for civilian protection by integrating the Declaration's commitments into military doctrines, procedures, and other forms of policy. By ensuring these rules are adapted and revised to address the humanitarian effects of the use of explosive weapons in populated areas, militaries can better anticipate and minimize civilian harm.

At the practice level, states should internalize the Declaration's commitments throughout military preparation and operations. Training equips personnel with the knowledge and skills to apply updated policies under real-world conditions and improves their judgment in anticipating and minimizing civilian harm. Internalization of the Declaration's provisions with regard to decision-making during hostilities takes into account the direct and indirect effects of the use of explosive weapons in populated areas and calls for restraint in this choice of targeting method.

Without robust internalization, efforts under Principle 3 (*Collaborative*) and Principle 7 (*Promoted*) risk becoming hollow. States can more credibly share lessons and advocate for broader adherence when they have integrated the commitments within their own systems.

Origin in Declaration

Appreciation for the value of internalization emerges from many parts of the Declaration. The preamble recognizes the importance of strengthening national policies and practices

in implementing the Declaration. Paragraph 1.7 says that while “[m]any armed forces already implement policies and practices designed to avoid, and in any event minimize, civilian harm during hostilities,” there remains “scope for practical improvements to achieve the full and universal implementation of, and compliance with, obligations under International Humanitarian Law, and the application and sharing of good policies and practices.”

The operative section of the Declaration builds on this point. Paragraph 3.1 calls for “review[ing], develop[ing], or improv[ing] national policy and practice.” Paragraph 3.2 explicitly calls on states to “[e]nsure comprehensive training of [their] armed forces on ... the policies and good practices to be applied during the conduct of hostilities in populated areas to protect civilians and civilian objects,” thereby linking internalization directly to the decisions made in the planning and conduct of military practice. Paragraphs 3.3 and 3.4 call for the implementation of specific policies and practices to avoid civilian harm. Finally, Paragraph 4.8 expands the scope of internalization by calling on states to actively “distribute [the Declaration] to *all* relevant stakeholders,” who would include actors within the national government.⁶⁸

Application

To internalize the commitments in Paragraphs 3.1 through 3.4, endorsing states should develop policies and good practices to protect civilians during armed conflict. Policy reviews should ensure that military procedures, the choice of weapons used, and methods of targeting are consistent with the Declaration’s aim of minimizing harm to civilians and critical infrastructure in populated areas (see Principle 1 (*Humanitarian*)). Implementation measures could, for example, include identifying and requiring higher command authorization for the use of explosive weapons with wide area effects in populated areas, or establishing guidelines that limit the types of munitions authorized in densely populated settings.⁶⁹

⁶⁸ Declaration, para. 4.8 (emphasis added).

⁶⁹ Laura Boillot, “Avoiding Civilian Harm by Restricting or Refraining from Use of Explosive Weapons in Populated Areas,” *Article 36*, May 2025, p. 2, <https://article36.org/wp-content/uploads/2025/07/Avoiding-civilian-harm-by-restricting-or-refraining-from-use-of-EWIPA.pdf> (accessed October 24, 2025).

At the same time, consistent with Paragraph 3.2, “comprehensive training” should serve not only to communicate international legal obligations, but to cultivate habits and values that reflect the Declaration’s commitment to advance civilian protection from the use of explosive weapons in populated areas. Workshops on the Declaration, as well as courses on civilian protection, international humanitarian law, and national military policies and practices, can help foster this shared understanding, especially when they address the use and effects of explosive weapons in populated areas.⁷⁰ These programs should reflect the realities of urban conflict by incorporating scenario-based exercises supported by tools such as games or exercises involving virtual reality, role play, and tactical decision-making, allowing military personnel to apply humanitarian principles in practice.⁷¹

Paragraph 4.8 emphasizes the need to reach “all relevant stakeholders,” demonstrating how internalization requires applying the Declaration’s commitments across all state institutions involved in military decision-making. Instruction should be provided to relevant government ministries involved in defense, foreign affairs, and humanitarian assistance. It could also extend to intelligence personnel, who play a critical role in accounting for enemy troop movements, identifying the location of civilian infrastructure, and analyzing other factors that can influence the risk of civilian harm.⁷² Governments should designate a focal point to coordinate consistent application of the Declaration across the state’s institutions. This approach has been a particularly effective implementation tool in other contexts, such as the Safe Schools Declaration, a political commitment aimed at protecting education from attack and military use during armed conflict.⁷³ Designating individual officials to take ownership and leadership over that declaration has helped countries implement it.⁷⁴

⁷⁰ International Network on Explosive Weapons, *Political Declaration on the Use of Explosive Weapons in Populated Areas: Implementation Framework*, March 2024, <https://www.inew.org/wp-content/uploads/2024/02/Implementation-Framework.pdf> (accessed October 24, 2025), p. 6.

⁷¹ Center for Civilians in Conflict, *Limiting the Humanitarian Consequences from the Use of Explosive Weapons in Populated Areas: Next Steps in Implementation of the Political Declaration*, November 2022, <https://civiliansinconflict.org/wp-content/uploads/2022/11/CIVIC-Explosive-Weapons-in-Populated-Areas-Political-Declaration-Implementation-Briefer.pdf> (accessed October 24, 2025), p. 4.

⁷² Ibid.

⁷³ Safe Schools Declaration, 2015, https://protectingeducation.org/wpcontent/uploads/documents/documents_safe_schools_declaration-final.pdf (accessed October 28, 2025); International Network on Explosive Weapons, *Political Declaration on the Use of Explosive Weapons in Populated Areas: Implementation Framework*, p. 6.

⁷⁴ Article 36, *The Safe Schools Declaration: Reflections on Effective Post-Agreement Work*, July 2021, <https://article36.org/wp-content/uploads/2021/07/2021-Safe-Schools-Declaration-reflections-elizabethminor-v2.pdf> (accessed October 24, 2025), p. 7.

Principle 7: Promoted

Endorsing states should strive to extend the impact of the Declaration by externally promoting its standards through implementation measures that encourage its universalization and adherence to its norms.

Endorsing states should promote the Declaration beyond those states that have already joined the instrument, spreading awareness of the harm caused by explosive weapons in populated areas and encouraging broader adherence to the Declaration's standards. Compliance by endorsing states is not sufficient for the Declaration to live up to its potential. Therefore, when implementing the Declaration, endorsing states should also seek to shape the discourse and behavior of a wider group of actors, especially states that have not endorsed the Declaration and non-state armed groups. In so doing, they can further advance civilian protection from the consequences of the use of explosive weapons in populated areas. This principle operates primarily through two mechanisms in practice: (1) universalization, that is, urging additional states to endorse the Declaration; and (2) norm building, that is, encouraging non-endorsing states and other actors to voluntarily adhere to the Declaration's commitments.

Origins in Declaration

The principle of promotion is reflected most clearly in the Declaration's operative section. Paragraph 3.6 provides that states should “[f]acilitate the dissemination and understanding of International Humanitarian Law and promote its respect and implementation by all parties to armed conflict, including by non-State armed groups.” Paragraph 4.8 builds on this call for broader engagement, again encouraging universalization and norm building. The paragraph calls on states to “[a]ctively promote this Declaration” and “pursue its adoption and effective implementation by the greatest possible number of States.”⁷⁵ It also urges states to “seek adherence to [the Declaration's] commitments by all parties to armed conflict, including non-State armed groups.”⁷⁶

⁷⁵ Declaration, paras. 3.6, 4.8.

⁷⁶ Ibid.

Collectively, these provisions highlight the Declaration’s emphasis on widespread promotion to maximize its global reach and impact.

Application

Pursuant to Paragraphs 3.6 and 4.8, endorsing states should take steps to promote the Declaration’s commitments widely and encourage their application beyond the current community of endorsing states. Diplomatic engagement is central to both the universalization and norm-building processes. Opportunities for such engagement include, but are not limited to: meetings of endorsing states; UN forums such as the Security Council, General Assembly, and Convention on Conventional Weapons; public and thematic discussions on issues like civilian protection and safe schools; and outreach through bilateral, regional, and military cooperation channels with non-endorsing states.⁷⁷ In these forums, states can formally promote the Declaration by advocating for its adoption and simultaneously encouraging other states to align their conduct with its commitments.

Also consistent with Paragraphs 3.6 and 4.8, a promotional approach to implementation requires attention to non-state armed groups. As entities that operate outside the formal treaty or declaration-making processes, these actors cannot directly participate in the creation of international legal norms, yet their conduct often has significant implications for civilian harm in contemporary conflict.⁷⁸ One approach to reaching such actors is through mechanisms like Geneva Call’s Deeds of Commitment, which allow non-state armed groups to voluntarily pledge adherence to specific humanitarian norms.⁷⁹ In the context of the Declaration, engagement with these groups can occur through intermediaries such as non-governmental organizations or community leaders, consistent with Principle 3 (*Collaborative*). Deeds of Commitment have been successful in areas where signatory groups operate,⁸⁰ for instance, in the context of the Safe Schools

⁷⁷ International Network on Explosive Weapons, *Political Declaration on the Use of Explosive Weapons in Populated Areas: Implementation Framework*, <https://www.inew.org/wp-content/uploads/2024/02/Implementation-Framework.pdf>, p. 14.

⁷⁸ Pauline Lacroix, Pascal Bongard, and Chris Rush, “Engaging Armed Non-State Actors in Mechanisms for Protection,” *Forced Migration Review*, (2011), accessed October 24, 2025, <https://www.genevacall.org/wp-content/uploads/2023/06/10-12.pdf>, p. 10.

⁷⁹ Ibid.

⁸⁰ Article 36, *The Safe Schools Declaration*, <https://article36.org/wp-content/uploads/2021/07/2021-Safe-Schools-Declaration-reflections-elizabethminor-v2.pdf>, p. 7.

Declaration.⁸¹ There, Geneva Call’s advocacy helped alleviate concerns about the Safe Schools Declaration’s ability to reach non-state actors, demonstrating how promotion can successfully extend beyond states and offering a guiding model for the Declaration’s implementation.⁸²

Finally, promotion should not be limited to the Declaration as a document but should extend to the dissemination of its corresponding policies, practices, and lessons learned. These efforts build on Principle 3 (*Collaborative*), Principle 4 (*Informed*), and Principle 5 (*Transparent*) by fostering cooperation, facilitating the exchange of data, and ensuring public access to information so that a broad range of stakeholders can engage with and apply the Declaration’s commitments. In doing so, states help ensure that the Declaration’s influence reaches the widest possible range of actors, strengthening its norms and ultimately advancing collective efforts to reduce civilian harm from the use of explosive weapons in populated areas.

⁸¹ Lacroix, Bongard, and Rush, “Engaging Armed Non-State Actors in Mechanisms for Protection,” <https://www.genevacall.org/wp-content/uploads/2023/06/10-12.pdf>, p. 10; Article 36, *The Safe Schools Declaration*, <https://article36.org/wp-content/uploads/2021/07/2021-Safe-Schools-Declaration-reflections-elizabethminor-v2.pdf>, p. 2.

⁸² Ibid.

Acknowledgments

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Appendix: Political Declaration on Strengthening the Protection of Civilians from the Humanitarian Consequences Arising from the Use of Explosive Weapons in Populated Areas

Part A: Preamble

Section 1

- 1.1 As armed conflicts become more protracted, complex, and urbanised, the risks to civilians have increased. These risks are a source of major concern and they must be addressed. The causes of these risks involve a range of factors, including the use of explosive weapons in populated areas, and pose complex challenges for the protection of civilians.
- 1.2 The use of explosive weapons in populated areas can have a devastating impact on civilians and civilian objects. The risks increase depending on a range of factors, including the weapon's explosive power, its level of accuracy, and the number of munitions used.
- 1.3 Blast and fragmentation effects, and resulting debris, cause deaths and injuries, including lifelong disabilities. Beyond these direct effects, civilian populations, particularly children, are exposed to severe and long-lasting indirect effects – often referred to as reverberating effects. Many of these effects stem from damage to or destruction of critical civilian infrastructure.
- 1.4 When critical civilian infrastructure, such as energy, food, water and sanitation systems, are damaged or destroyed the provision of basic needs and essential services, such as healthcare and education are disrupted. These services are often interconnected and, as a result, damage to one component or service can negatively affect services elsewhere, causing harm to civilians that can extend far beyond a weapon's impact area.
- 1.5 The damage and destruction of housing, schools, hospitals, places of worship and cultural heritage sites further aggravates civilian suffering. The environment can also be impacted by the use of explosive weapons, through the contamination of air, soil, water, and other resources.

- 1.6 The use of explosive weapons in populated areas can also result in psychological and psychosocial harm to civilians. The direct and indirect effects often result in the displacement of people within and across borders, and have a severe impact on progress towards the Sustainable Development Goals. Unexploded ordnance impedes humanitarian access, the return of displaced persons and reconstruction efforts, and causes casualties long after hostilities have ended.
- 1.7 Many armed forces already implement policies and practices designed to avoid, and in any event minimise, civilian harm during hostilities. These can help armed forces to better understand the anticipated effects of explosive weapons on a military target and its surrounding areas, as well as the associated risk to civilians in populated areas. However, there is scope for practical improvements to achieve the full and universal implementation of, and compliance with, obligations under International Humanitarian Law, and the application and sharing of good policies and practices. Broadening and strengthening initiatives designed to share policies and practices on protecting civilians can support the promotion and better implementation of International Humanitarian Law.
- 1.8 We recognise the importance of efforts to record and track civilian casualties, and the use of all practicable measures to ensure appropriate data collection. This includes, where feasible, data disaggregated by sex and age. When possible, this data should be shared and made publicly available. Improved data on civilian harm would help to inform policies designed to avoid, and in any event minimise, civilian harm; aid efforts to investigate harm to civilians; support efforts to determine or establish accountability, and enhance lessons learned processes in armed forces.
- 1.9 We stress the imperative of addressing the short and long-term humanitarian consequences resulting from armed conflict involving the use of explosive weapons in populated areas. We welcome the on-going work of the United Nations, the International Committee of the Red Cross (ICRC), and civil society on the impacts and humanitarian consequences arising from the use of explosive weapons in populated areas.
- 1.10 We also welcome work to empower, amplify, and integrate the voices of all those affected, including women and girls, and we encourage further research into the gendered impacts of the use of explosive weapons.

Section 2

- 2.1 We reaffirm our obligations under applicable international law, including International Humanitarian Law and International Human Rights Law, and related commitments. These include our obligations to hold accountable those responsible for violations, and our commitment to end impunity.
- 2.2 Existing International Humanitarian Law provides the legal framework to regulate the conduct of armed conflict. It is applicable to the use of explosive weapons in all situations of armed conflict, and to all parties to an armed conflict, including both State and non-State armed groups. We stress the importance of full compliance with International Humanitarian Law as a means to protect civilians and civilian objects and to avoid, and in any event minimise, civilian harm when conducting military operations, in particular within populated areas.
- 2.3 We recall the obligations on all parties to armed conflict to comply with International Humanitarian Law under all circumstances, including when conducting military operations in populated areas. We recall in particular the obligation to distinguish between combatants and civilians as well as between civilian objects and military objectives at all times in the conduct of military operations, and to direct attacks only against military objectives. We recall further the prohibitions against indiscriminate and disproportionate attacks, and the obligation to take all feasible precautions in attack and against the effects of attacks. We also recall the obligations under International Humanitarian Law related to the general protection of civilians against dangers arising from military operations, and allowing and facilitating rapid and unimpeded passage of humanitarian relief for civilians in need.
- 2.4 We condemn tactics designed to exploit the proximity of civilians or civilian objects to military objectives in populated areas, as well as the use of improvised explosive devices directed against civilians or civilian objects, and other violations of International Humanitarian Law, including by non-State armed groups, which further exacerbate the risks to civilians and are of grave concern.
- 2.5 While there is no general prohibition against the use of explosive weapons, any use of explosive weapons must comply with International Humanitarian Law.
- 2.6 We strongly condemn any attacks directed against civilians, other protected persons and civilian objects, including civilian evacuation convoys, as well as indiscriminate shelling and the indiscriminate use of explosive weapons.

- 2.7 We welcome the work of the United Nations Security Council and the General Assembly to strengthen the protection of civilians during armed conflict and to strengthen compliance with International Humanitarian Law. In this regard, we recall UNSC and UNGA Resolutions dealing with the protection of civilians in armed conflicts.

Part B: Operative Section

Committed to strengthening the protection of civilians and civilian objects during and after armed conflict, addressing the humanitarian consequences arising from armed conflict involving the use of explosive weapons in populated areas, and strengthening compliance with and improving the implementation of applicable International Humanitarian Law, we will:

Section 3

- 3.1 Implement, and, where necessary, review, develop or improve national policy and practice with regard to the protection of civilians during armed conflict involving the use of explosive weapons in populated areas.
- 3.2 Ensure comprehensive training of our armed forces on the application of International Humanitarian Law and on the policies and good practices to be applied during the conduct of hostilities in populated areas to protect civilians and civilian objects.
- 3.3 Ensure that our armed forces adopt and implement a range of policies and practices to help avoid civilian harm, including by restricting or refraining as appropriate from the use of explosive weapons in populated areas, when their use may be expected to cause harm to civilians or civilian objects.
- 3.4 Ensure that our armed forces, including in their policies and practices, take into account the direct and indirect effects on civilians and civilian objects which can reasonably be foreseen in the planning of military operations and the execution of attacks in populated areas, and conduct damage assessments, to the degree feasible, and identify lessons learned.
- 3.5 Ensure 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.

- 3.6 Facilitate the dissemination and understanding of International Humanitarian Law and promote its respect and implementation by all parties to armed conflict, including by non-State armed groups.

Section 4

- 4.1 Strengthen international cooperation and assistance among armed forces, and other relevant stakeholders, including in the context of partnered military operations, with respect to exchanges of technical and tactical expertise, and humanitarian impact assessments, in order to develop good policies and practices to enhance the protection of civilians, particularly with regard to the use of explosive weapons in populated areas.
- 4.2 Collect, share, and make publicly available disaggregated data on the direct and indirect effects on civilians and civilian objects of military operations involving the use of explosive weapons in populated areas, where feasible and appropriate.
- 4.3 Facilitate the work of the United Nations, the ICRC and relevant civil society organisations collecting data on the impact on civilians of military operations involving the use of explosive weapons in populated areas, as appropriate.
- 4.4 Facilitate rapid, safe, and unhindered humanitarian access to those in need in situations of armed conflict in accordance with applicable international law, including International Humanitarian Law.
- 4.5 Provide, facilitate, or support assistance to victims - people injured, survivors, families of people killed or injured - as well as communities affected by armed conflict. Adopt a holistic, integrated, gender-sensitive, and non-discriminatory approach to such assistance, taking into account the rights of persons with disabilities, and supporting post-conflict recovery and durable solutions.
- 4.6 Facilitate the work of the United Nations, the ICRC, other relevant international organisations and civil society organisations aimed at protecting and assisting civilian populations and addressing the direct and indirect humanitarian impact arising from the use of explosive weapons in populated areas, as appropriate.
- 4.7 Meet on a regular basis to review in a collaborative spirit the implementation of this Declaration and identify any relevant additional measures that may need to be taken. These meetings could include the exchange and compilation of good policies and practices and an exchange of views on emerging concepts and terminology. The United Nations, the ICRC, other relevant international organisations and civil society organisations may participate in these meetings. We

- encourage further work, including structured intergovernmental and military-to-military exchanges, which may help to inform meetings on this Declaration.
- 4.8 Actively promote this Declaration, distribute it to all relevant stakeholders, pursue its adoption and effective implementation by the greatest possible number of States, and seek adherence to its commitments by all parties to armed conflict, including non-State armed groups.

Strengthening Civilian Protection

Principles for Implementing the Declaration on Explosive Weapons in Populated Areas

The bombing and shelling of cities and towns has devastating impacts on civilians. It has inflicted countless civilian casualties and leveled homes, schools, hospitals, and cultural heritage sites most recently in Ukraine, Gaza, the Democratic Republic of Congo, Sudan, and other conflict zones. The use of explosive weapons in populated areas, as this practice is known, has also caused civilians psychological and psychosocial harm, destroyed infrastructure providing essential services, resulted in mass displacement, and damaged the environment.

The 2022 Political Declaration on the Use of Explosive Weapons in Populated Areas aims to improve the protection of civilians from this method of warfare. While non-binding, it commits endorsing states to take preventive and remedial measures to reduce the direct and indirect effects of the use of explosive weapons.

To make the Declaration effective, however, states need to turn their endorsement into practice. *Strengthening Civilian Protection* identifies seven cross-cutting principles, applicable to all states, that should guide implementation of the Declaration.

Human Rights Watch and Harvard Law School's International Human Rights Clinic call on endorsing states to (1) comprehensively address the humanitarian consequences of the use of explosive weapons in populated areas and (2) develop progressive civilian protection standards that go beyond existing international humanitarian law. Endorsing states should (3) collaborate with stakeholders, (4) ensure their implementation is based on data, and (5) be transparent about information and processes relevant to implementation. Finally, endorsing states should (6) internalize their international commitments into national policies and practices and (7) promote universalization of the Declaration and adherence to its norms.



Palestinians walk through the rubble of residential buildings destroyed by Israeli forces in Sheikh Radwan neighborhood in northern Gaza City, October 13, 2025. © 2025 Sipa via AP Images