

## Comments by Finland on the Draft Political Declaration / EWIPA

### Written consultation, April 2020

As a general comment, we now see “with wide area effects” sometimes attached to the concept of explosive weapons and sometimes not. We think it would be better to use the same concept consistently throughout the text, instead of varying terminology. “Indiscriminate and disproportionate use of explosive weapons” would be a good option and in some paragraphs it would also bring additional clarity. We will also point out these paragraphs below along with the rest of our comments.

#### Part A

##### Section 1

1.1. Explosive weapons as such do not cause increased civilian casualties, rather the way they are used. We suggest “indiscriminate and disproportionate use of explosive weapons” instead of “explosive weapons” to clarify this.

1.2. Same here, “Indiscriminate and disproportionate use of explosive weapons” would be better placed in the beginning. Within the same paragraph, we repeat our previous comment about adding “natural environment” to the list of objects whose destruction aggravates civilian suffering.

1.4 To clarify and strengthen the link to IHL, we suggest to revise the order of the sentences as follows: “The use of improvised explosive devices directed against civilian and civilian objects and other violations of International Humanitarian Law, as well as tactics designed to exploit the proximity of civilians and civilian objects to military objectives in populated areas, including by non-State armed groups, all exacerbate these challenges and are of grave concern.”

1.5 Reformulate the first sentence so that “indiscriminate and disproportionate use of explosive weapons” can be referred to. Alternatively, the first sentence can also be deleted so that the paragraph focuses on implementing and sharing good practices.

##### Section 2

2.2. Delete “with wide area effects”. IHL should be applied to the use of all types of weapon systems, not only on explosive weapons with wide area effects. Within the same paragraph, we would like to add “We also recall the obligation to respect and ensure respect for IHL in all circumstances” in the very end of the paragraph.

#### Part B

##### Section 3

In the text before the actual paragraphs, delete “with wide area effects”. We think this should apply to the use of all types of explosive weapons. In this way, the formulation would also be consistent with the title of the declaration.

3.3. We would like to go back to the previous formulation of this paragraph, in order to retain the link to the obligations of IHL. Again, this should apply to all types of explosive weapons, not only on weapons with wide area effects. Thus, the paragraph would read: *“In fulfilling existing obligations under IHL, we will ensure that our armed forces adopt policies and practices to avoid civilian harm by restricting the use of explosive weapons in populated areas when indiscriminate effects may be expected”*

## Section 4

Same remark about terminology: different concepts for the use of explosive weapons are used within the section, this should be clarified for consistency.

4.1 We understand that these exchanges of information would be voluntary. This should be added to the text.

4.4 We would like to refer to all vulnerable groups within this paragraph. This could be done by formulating it as follows (addition in red): “Make every effort to assist victims, families and affected communities, in a non-discriminatory manner and taking account of the rights **and protection of specific groups in vulnerable situations**, including persons with disabilities, as well as supporting post-conflict stabilisation;