

**Thirteenth Annual Conference of the High Contracting Parties to Amended Protocol II to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects**

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Report(s) of any subsidiary organ(s)

**Report on Improvised Explosive Devices<sup>1</sup>**

**Submitted by the Coordinator<sup>2</sup>**

**A. Introduction**

1. The Group of Experts of the High Contracting Parties to Amended Protocol II (the Group) met on 4<sup>th</sup> and 5<sup>th</sup> of April 2011 in Geneva and continued substantive discussions on Improvised Explosive Devices (IEDs) in accordance with the mandate contained in the 2010 report submitted by the Coordinator on Improvised Explosive Devices (CCW/AP.II/CONF.12/3).
2. In the third year of this Group's existence, delegations welcomed the opportunity to continue to engage substantially on IEDs in the framework of the Convention on Certain Conventional Weapons (CCW) and reiterated the importance of the work on IEDs as these devices continue to pose a serious humanitarian impact.

**B. Trends and Challenges**

3. Delegations and experts exchanged views regarding the threat posed by IEDs, provided quantitative information indicating an increase in IEDs activated by victims and reiterated the particular humanitarian concerns caused by devices of such type. Delegations also discussed the high casualty and death rate on the civilian side compared to military forces, since civilians cannot always rely on similarly advanced medical support.
4. Various presentations by experts and discussions among delegations complemented and updated the previous work of the Group illustrating types, designs, components and employment of IEDs. Delegations referred to various trends that can be identified in

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<sup>1</sup> Late submission.

<sup>2</sup> Mr. Reto Wollenmann of Switzerland was named by the Twelfth Annual Conference of the High Contracting Parties to Amended Protocol II to the Convention on Certain Conventional Weapons as Coordinator on Improvised Explosive Devices (IED).

national and international contexts, thus reiterating and complementing the substantial discussion of previous years:

- A continued lack of clarity regarding the phenomenon, since many IED events go unreported;
- The growing sophistication of IED technology, *inter alia*, allowing for a replication of the effects of conventional weapons when such weapons are not available;
- The continued availability of explosives and material, and continued importance of Explosive Remnants of War (ERW) as source;
- The considerable evolution of IEDs in line with advances in telecommunication technology and in accordance with the availability of inexpensive electronic and other precursor material;
- The increasing quantities of explosives aiming at increasing devastating effects of IEDs;
- Decreasing metal contents with the aim of defeating detection methods;
- Increasing parity of use with conventional weapons in some conflicts and losses comparable with conventional weapons;
- The migration of successful devices and expanding networks for training leading to increased sophistication;
- An increasing indication of State involvement in IED design.

5. Delegations seemed to agree that IEDs were only partially, yet significantly preventable depending on efforts and resources. The Group discussed various approaches aimed at preventing and intervening in the IED's cycle of operations from resourcing to execution of an attack.

6. States discussed, as an overall measure, the importance of increased awareness of the IED threat among military, intelligence, police and other security stakeholders as well as International Humanitarian Law practitioners and the general public. The Group also discussed the importance of research on the broader phenomenon of explosive violence, including the build-up of databases to better understand how IEDs are used. Reference was also made to increase efforts at identifying IEDs in order to be able to deal with the devices appropriately.

7. In a session chaired together with Ms. Petra Drexler, Protocol V Coordinator on Clearance, an expert presentation highlighted the importance of the implementation of the provisions of Amended Protocol II and Protocol V to address humanitarian problems posed by IEDs composed of conventional ammunition or conventional weapons parts. The presentation focused, *inter alia*, on the importance of clearance of all legacies of war (Explosive Remnants of War), improved storage control and reinforced international cooperation and assistance.

8. The Group discussed approaches building on laws and regulations aimed to avoid illicit stocking, transport, possession and use of explosives; Reference was made to experiences made with licensing systems for civilian use of explosives and information management systems to monitor the flow of explosives. States also noted the benefit of improved law enforcement and counter-terrorist activities, for instance through security video surveillance of certain public areas.

9. In a segment dedicated to technical approaches to deal with explosives, two experts from High Contracting Parties highlighted various efforts to mark explosives for the

purpose of identification as well as for the purpose of detection. Experts particularly discussed challenges and opportunities with regard to intensified international cooperation in this regard, including in the framework of the MARPLEX Convention<sup>3</sup>, and referred to additional efforts in the field of research and development as promising ways forward.

10. A representative of the United Nations Office for Disarmament Affairs (UNODA) presented ongoing work related to the development of technical guidelines for the stockpile management of ammunition within the United Nations. It was underlined that the development of the International Ammunition Technical Guidelines (IATG) and their implementation by States could be an important contribution towards the prevention of IEDs. Reference was made to the possible benefit of an interaction between representatives of the IATG process and Group.

11. The Group discussed the added value of establishing guidelines aimed to prevent diversion or illicit use of materials which can be used for IEDs and stressed that such work would need to take into account existing guidelines, best practices and other recommendations. Reference was made to the potential benefit of an informal and focused discussion among interested military and technical experts in the Group.

12. Representatives of IED-affected States presented the various challenges posed by IEDs and highlighted the need for international cooperation and assistance in order to help overcome these challenges.

13. Civil society, in particular as mine clearance and mine risk education providers, was emphasized as an important partner in the fight against IEDs. One state suggested to continue various ongoing efforts to increase the awareness of the non-acceptability of the use of IEDs, especially victim-activated devices, by armed non-state actors (ANSAs) in respect of International Humanitarian Law.

## C. Recommendations

14. The Thirteenth Annual Conference of the High Contracting Parties to Amended Protocol II to the Convention on Certain Conventional Weapons may wish to take the following decisions:

(a) Continue information exchange on IEDs, IED incidents, their humanitarian effects, their prevention, as well as on the relevance of the CCW framework, its norms and their implementation with respect to the IED threat.

(b) Continue to survey existing guidelines, best practices, and other recommendations and consider, through the work of interested military and technical experts and in consultation with all High Contracting Parties, the compilation of guidelines adding to existing work and aiming at addressing the diversion or illicit use of materials which can be used for IEDs.

(c) Continue to follow the International Ammunition Technical Guidelines (IATG) process and exchange views with the IATG technical review panel with a view to, where appropriate, contributing to the review and implementation of the guidelines with the aim of enhancing IED prevention.

(d) Continue discussions on victim assistance so that those providing assistance bear in mind the 2008 Plan of Action on Victim Assistance of Protocol V and the principles

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<sup>3</sup> Convention on the Marking of Plastic Explosives for the Purpose of Detection (Montreal, 1991).

of age- and gender-sensitive medical care, rehabilitation, psychological support, and adequate assistance for social and economic inclusion in a non-discriminatory manner.

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