

**Seventeenth 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**

16 September 2015

Original: English

Geneva, 11 November 2015

Item 10 of the provisional agenda

**Improvised Explosive Devices (IEDs)**

**Report on improvised explosive devices (IEDs)**

**Submitted by the Coordinators<sup>1</sup>**

**A. Introduction**

1. The mandate of the Group of Experts of the High Contracting Parties to Amended Protocol II working on improvised explosive devices for its 2015 meeting was set in paragraph 29 of the document CCW/AP.II/CONF.16/6.

2. On 30 January 2015, the Coordinators informed the High Contracting Parties on the preparation for the Group's meeting to focus on five sub-topics<sup>2</sup> and the programme of work. On 6 February, a second letter was sent with regard to the project of a questionnaire on national counter-improvised explosive devices frameworks. Finally, a third letter was sent on 5 March, which contained a food for thought paper on the way ahead regarding the work on improvised explosive devices, providing options for future work in order to help prepare the groundwork for the upcoming CCW Fifth Review Conference in 2016.

**B. Conduct of the meeting (Geneva, 9-10 April 2015)**

**General discussion**

3. Concern was expressed over the increasing threat and the continuing humanitarian and security problems posed by improvised explosive devices. States also expressed the need for broad coordinated international action to address the problem. One delegation expressed concern over the diversion or illicit use of commercial grade explosives, chemical precursors and non-explosive specific elements used for the manufacture of improvised explosive devices. It suggested to tag explosives, monitor transfers, create

<sup>1</sup> Mr. Erwan Roche, Navy Captain, of France and Mr. Igor Moldovan of the Republic of Moldova.

<sup>2</sup> The five sub-topics were: (1) to further explore the humanitarian impact of improvised explosive devices and its impact on States' security; (2) to consider a one-time voluntary questionnaire on national counter-improvised explosive devices frameworks; (3) information exchange on national measures and best practices; (4) to consider the possibility of a database, portal or platform as a tool for information-sharing; and (5) to reflect on the way ahead on the improvised explosive devices issue in preparation for the CCW Review Conference.



security checks on the personnel handling explosives, detonators and chemical precursors. The Group was also informed on national mechanisms established to increase national capacities. Another delegation recommended that counter-IED measures and policies should be revised and updated on a regular basis. Several delegations highlighted that the CCW was an appropriate forum to discuss the problems posed by improvised explosive devices. Some suggested that the forum should consider ways for moving forward from this expert-level exchange of experiences to a phase that facilitated decisions to be made by High Contracting Parties.

4. UNMAS reported that IED use continued to undermine the capacity of the United Nations to deliver on its mandate for the protection of civilians, and also impacted humanitarian missions in the field<sup>3</sup>. It also stated that, when compared to mines and explosive remnants of war, improvised explosive devices were the biggest explosive hazard affecting civilians in Afghanistan. The use of such weapons was also growing in northern Iraq and in some countries in Africa. UNMAS provided an update of its current efforts to draft IED guidelines for personnel involved in peacekeeping and special political missions.

#### **Humanitarian impact of improvised explosive devices and their impact on the security of States.**

5. Improvised explosive devices incidents not only kill and injure civilians. They also had a detrimental impact on the security of States. The Coordinators perceived that it was important for the Group to understand the overall impact that improvised explosive devices had on communities, development and governance. The Group heard two presentations on both the humanitarian impact and the security of States by:

- Mr. Iain Overton, Action on Armed Violence (AOAV);
- Mr. Emmanuel Dupuy, Institute for Prospective and Security Studies in Europe (IPSE).

6. The Group was reminded about the rise of IED use in populated areas. Indeed, IED attacks occurred most frequently against civilians in urban areas. This had a direct impact on humanitarian aid workers. An increasing number of humanitarian workers have either been killed or injured by IEDs between 2001 and 2014. IED incidents had a tangible impact on humanitarian operations and, specifically, resulted in unforeseen financial implications, for instance the rising costs of insurance. Distinct responses to combat the IED threat may comprise mapping IED incidents to better identify hot-spots, addressing local leaders and warning local populations. In many cases, humanitarian organizations did not wish to fortify themselves –like the military do– as this would run counter to their philosophy of being able to engage freely with the local population.

7. From a geopolitical perspective, the speaker stressed that the use of IEDs had a negative impact on the social, economic, political and geographical agenda of States. To tackle this problem, States should define at the international level what the common insecurities are, in order to have a common understanding of the roots of the problem. The concept of **a network to defeat the network** was again echoed this year as it was more important for States to coordinate their efforts, build national authorities, and encourage international cooperation.

---

<sup>3</sup> For instance, since January 2013, UNMAS in Mali has recorded 409 casualties resulting from IEDs, of which 142 have been peacekeepers deployed to MINUSMA (United Nations Multidimensional Integrated Stabilization Mission in Mali). This figure accounts for 85 % of casualties amongst MINUSMA peacekeepers.

**The questionnaire on national measures and international cooperation in countering improvised explosive devices.**

8. To facilitate an interactive and productive discussion, the Coordinators devoted one complete session to draft and consider the contents of the questionnaire.
9. The purpose of the questionnaire was to enhance international cooperation and assistance and strengthening national capacities including through the creation of a network of national points of contact focusing on six areas i.e. (a) risk assessment; (b) legal framework; (c) counter-IED organization; (d) national point of contact for cooperation; (e) expertise and capabilities open for cooperation; and (f) information sharing.
10. Given the potential sensitivity of the information and the voluntary nature of the questionnaire, the Group agreed that the High Contracting Parties may decide which of the questions to respond to, as well as the level of detail they wish to provide without jeopardizing their national security.
11. After having reviewed the text paragraph by paragraph, and after a number of amendments, the text was agreed by consensus. The agreed English version was first informally circulated to the High Contracting Parties by Coordinators in a letter dated 27 April. After having translated the Questionnaire in all the six official languages, it was officially circulated under the reference CCW/AP.II/CONF.17/WP.1 on 10 July. Responses are expected to be submitted to the CCW Implementation Support Unit by 30 October 2015.

**Information exchange on national measures and best practices**

12. In the first part of this segment, the Group exchanged information on measures taken at the national, regional and international levels to combat improvised explosive devices. The Group heard four presentations by:
  - A representative of the 1267 Committee of the Security Council of the United Nations;
  - Mr. Mustafa Bahaduri, Ministry of the Interior, Afghanistan;
  - Ms. Coulibaly Kani Diabate, Brigadier General, Dr., President of the National Commission Against the Proliferation of Small Arms and Light Weapons, Mali;
  - Mr. Nelson Alfredo Goyeneche-Vanegas, Lieutenant Colonel, Armed Forces, Colombia.
13. The Group received an update from a representative of the Monitoring Team assisting the 1267/1988 Committee on its actions and how recent resolutions of the Security Council of the United Nations had helped further strengthen the mandate of the Team, governed by Chapter VII of the Charter of the United Nations. The Team made progress due to the adoption of Resolutions 2160 and 2161, which detailed measures to combat against improvised explosive devices, a first initiative of its kind. The resolutions contain, *inter alia*, an obligation to prevent listed terrorist groups to procure, manipulate, handle, stock, use any explosives (military, civilian, or improvised), and the materials and components to manufacture improvised explosive devices, including chemical products, detonators and toxic products. The Security Council has also accepted that the term “arms embargoes” should take into account improvised explosive devices. In this regard, Member States were encouraged to inform private companies in the fields of mining, building, chemical and agro-industry of the risks for diversion. Member States were also invited to exchange information, establish partnerships, define national strategies and strengthen the means to combat improvised explosive devices.

14. The presentations by the representatives of Afghanistan, Colombia and Mali provided insight on the impact of improvised explosive devices in their specific regions, focusing on the threat posed by these devices, counter-IED measures, challenges faced and recommendations for the international community. Afghanistan underscored the rule of law, security, governance, diplomatic engagement and public awareness as the five pillars of its C-IED strategy. It also identified that specific insurgency tactics and the lack of technical capacity were ongoing challenges in the fight against improvised explosive devices. The Group was also informed on the evolution of the devices used by armed actors operating in Colombia which spanned four generations of improvised explosive devices due to the rapid development of technology. Despite its long experience in overcoming the scourge of landmines, Mali was only beginning to deal with the IED problem, as jihadists and drug traffickers now used these devices to delineate their territories, which posed a major challenge for the government.

15. In the second part of this segment, the use of detonators in IED was discussed. The Group heard two presentations on the types of detonators (military or civilian) used in IED. Two other presentations were also delivered, focusing on the existing international regulations in relation to the trade of detonators, and technical possibilities of marking and tracking them. Presentations were delivered by:

- Mr. Oskars Lejnieks, Captain, Latvia;
- Mr. Bradley B. Preston, Lieutenant Colonel, Joint IED Defeat Organization (JIEDDO), USA;
- Mr. Lionel Pechera, United Nations Mine Action Service (UNMAS) in Mali;
- Mr. Jeffrey Wickett, World Customs Organization (WCO).

16. One presenter provided a general spectrum of the structure of a detonator, the existing types of detonators and the possible methods used by insurgents to gain access to such detonators. The major types of detonators found in Mali were electric commercial-grade detonators. The lesson learned by UNMAS in Mali was the necessity to improve the detection of the source through the establishment of an automated technical database containing the characteristics and features of the detonators. The implementation and enforcement of existing legal frameworks and standards may also help to put a stop to IED supply chains.

17. One presenter pointed out that detonators remain critical to IEDs. Indeed, without access to industrial detonators, bomb makers would have to construct improvised detonators, the process of which was more complex and dangerous than having to only manufacture the primary explosive. On efforts to limit access to commercial grade detonators, JIEDDO funded a study exploring technological changes that would disrupt the illicit detonator supply chain without causing an undue burden on legitimate industries that relied on these products. It was also supportive of efforts to enable better marking of commercial grade explosives for traceability purposes. In this regard, some High Contracting Parties shared information on their national measures on marking requirements.

18. The Global Shield Programme of WCO, a multilateral operation to monitor movements of 14 identified chemical precursors and to identify trends of illicit movements of these chemicals, had added detonators and specific transmitter components to the current list of monitored and tracked items. It underscored that training and awareness development remained central for customs officers. The presenter also stated that cooperation was a key factor. A whole-of government and industry approach was necessary.

19. In the third part of this segment, the Group discussed issues related to IED awareness. The Group heard presentations by:

- Mr. Robert Hyde-Bales, “Counter-IED Report”
- Mr. John Shanahan (Brigadier General) of Australia and Mr. Ian Rotsey of INTERPOL

20. Australia together with INTERPOL announced the International Counter-Improvised Explosive Device Leaders’ Forum, to be held in Canberra from 2 to 4 September 2015. The Forum aimed to gather key leaders from government, law enforcement and military. The focus would be to bridge the information gap between law enforcement and military communities, and to develop linkages between counter-IED and counter terrorism efforts. INTERPOL also shared information on its *Teal Programme*, a partnership of information-sharing between the police and the military to build a multi-agency cross-jurisdictional C-IED team at INTERPOL.

21. UNMAS raised its downloadable smart-phone application containing a module on the threat of IEDs and available in eight languages. It also shared information on the United Nations pre-deployment IED awareness training to which UNMAS contributed.

22. The representative of Counter-IED Report, a publication established in 2012 and circulated three times a year, underscored that information, analysis and opinions on counter-IED activities must be shared in an open and timely fashion to be efficient. The Report drew on the combined knowledge, skills and expertise of counter-IED experts to identify emerging threats and facilitate the development of coherent policies and capabilities.

#### **The consideration of a database, portal or platform as a tool for information-sharing**

23. Australia provided the Group with a progress report on the AXON Global IED Partnership trial. The Axon database aimed at gathering information on IED incidents worldwide in order to help better understand the threat and its evolution. It was also intended to create a network and improve cooperation. The trial began in April 2014 and was in its final phase. UNMAS and INTERPOL were involved. Key findings were: (a) information-sharing was highly possible; (b) this tool should be aimed at first responders to IED incidents in order to be useful; (c) face-to-face training remained essential. In addition, it appeared that some questions remained on the table. First, regarding who would be responsible for inputting or editing data on an incident occurring in a country (is it the State where the incident occurred? What to do if the incident involves nationals from other countries?) and, second, regarding the ownership of the data (given the sensitivity of the issue, the database should be hosted by a relevant international organization rather than by a single State or a commercial company). The trial would need to resolve those pending issues. Finally, it was concluded that a common lexicon would be important to further develop the instrument.

#### **The way ahead on improvised explosive devices**

24. The Coordinators identified three levels of action to be undertaken. First, at the upstream level, it was possible to limit the access to component parts used in improvised explosive devices (chemical precursors, civilian or military explosives, detonators). The second level related to an elevated global response to improvised explosive devices by further developing operational cooperation among States and specialized organizations e.g. UNMAS, WCO, and INTERPOL. The third level related to greater consideration of improvised explosive devices in post conflict mine action.

25. Initiatives by regional organizations such as the Economic Community of West African States or the European Union also warranted further recognition, as well as United Nations organizations such as the Security Council's 1267 Committee or the mine action group lead by UNMAS.

26. In preparation for the upcoming 2016 CCW Review Conference, the Coordinators reminded the Group of the three broad ideas set out in the food-for-thought paper. First, the Review Conference might consider continuing the work of the Group with a mandate, for instance, to elaborate best practices or guidelines. Second, the conference might envisage the possibility of a joint declaration in which the High Contracting Parties might: recognize the problems posed by improvised explosive devices; take stock of the work done by the Group of Experts since 2009 while recognizing its limitations; draw the attention of the international community; and propose various options for further work. Third, if agreed, such a declaration could be sent to the Secretary-General of the United Nations, highlighting the value of thought being given at a higher level and with more cross-cutting scope.

27. A number of delegations recognized the significance of the work that had been undertaken by the Group. They stressed that the work had greatly increased the understanding of States on the problem of improvised explosive devices in all its aspects. Some States were open to the idea of a declaration on improvised explosive devices to be adopted by the Review Conference. Others supported the effort to consolidate the work done in this forum into a consensus document that would summarize the lessons learned, which could include a collection of best practices for approval by the Review Conference. A number of States agreed that the work in CCW alone would not be sufficient to address the threat posed by IED use. Hence a broader approach would be needed. Efforts to mitigate the problem outside of CCW might be useful, including through a letter of the States Parties to the Secretary General of the United Nations or to the Security Council of the United Nations.

28. One State emphasized that the responsibility of armed non-State actors should also be part of any future discussion, particularly as the users of improvised explosive devices, in the trafficking of explosive components, or in the context of the protection of civilians.

29. Another State supported further efforts in awareness-raising, noting that while improvised explosive devices needed to be discussed, consideration should also be given to the broader context of the use of explosive weapons in populated areas. The ongoing debate on this wider issue should contribute to shaping the international community's response to improvised explosive devices and vice-versa.

30. One country warned about the potential of CCW duplicating other existing global forums, underlining that CCW should build itself into existing international efforts, in line with its mandate.

31. Further details on the meeting, including all the presentations delivered, are available on the CCW website (see [www.unog.ch](http://www.unog.ch), tab Disarmament/CCW/Amended Protocol II/Group of Experts).

## **C. Conclusions**

32. The Group made a positive contribution to the overall work by agreeing on the text of the questionnaire. The session was not only devoted to experts' presentations, but also to an interactive working session which produced a concrete outcome. This trend is encouraged to be continued at future meetings.

## D. Recommendations

33. The Seventeenth 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) The High Contracting Parties request the Implementation Support Unit, in consultation with the Coordinators and the High Contracting Parties, to maintain, update and keep available on the CCW website the Compilation of existing guidelines, best practices and other recommendations aiming at addressing the diversion or illicit use of materials that can be used for improvised explosive devices, on an ongoing basis as new relevant information is published;

(b) Following the work done during the 2015 meeting of experts, the Group of Experts shall continue to narrow and sharpen information exchange on national measures and best practices on, inter alia, the following remaining topics:

- prevent the diversion of commercial grade explosives for use in improvised explosive devices,
- enhance information sharing on detection and counter measures techniques,

in light of the significance of the CCW framework, its norms and implementation with respect to the IED threat, and bearing in mind commercial confidentiality, national security requirements, the legitimate interests in trade of such materials; and taking into account existing and related work of international and regional organizations;

(c) As regards to the possibility of an information exchange database, portal or platform as a voluntary tool to improve information sharing on the diversion and illicit use of improvised explosive devices and materials that can be used for improvised explosive devices, as well as on other means of reducing the threat of improvised explosive devices, the Group of Experts shall continue, consistent with the scope of Amended Protocol II, to keep informed, inter alia, on the development of the AXON database project, as well as any new initiative in this field;

(d) With respect to the questionnaire agreed by consensus by the Group of Experts during its 2015 meeting with a view to enhancing international cooperation and assistance and strengthening national capacities of High Contracting Parties, including through the establishment of a network of national points of contact, circulated on 10 July under the reference CCW/AP.II/CONF.17/WP.1, the High Contracting Parties request the Implementation Support Unit, in consultation with the Coordinators and the High Contracting Parties, to:

- Continue to gather answers received and make them available to High Contracting Parties and relevant agreed international organizations through the specific and protected file available on the CCW website;
- Continue to compile the contact details of the national authorities designated by each High Contracting Party for C-IED cooperation, and make this list available on the CCW website; and
- Prepare a summary and analysis of the answers received for the next meeting of the Group of Experts, as a first assessment of the exercise;

(e) With regards to the forthcoming 2016 Review Conference of the CCW, the High Contracting Parties request the President-designate under Amended Protocol II, together with the Coordinators of the Group of Experts and the Implementation Support Unit, to work together and start consultations on possible options for future decisions to be

made during the Review Conference, with a view to discuss concrete options during the next meeting of the Group of Experts.

---