



مؤسسة للسلام والتنمية وحقوق الإنسان  
Maat For Peace, Development, and Human Rights

# Paramilitary Forces

A Threat to Security & A Partner in Illicit Arms Flows



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## Introduction

Wars in the 21<sup>st</sup> century are increasingly being launched in urban areas, causing unspeakable suffering to thousands of civilians who are suffering under cruel siege and trapped in a daily barrage of attacks and relentless bombardment from the ground and air, thus shelling civilian homes and destroying infrastructure through inaccurate or highly destructive munitions that cause extensive damage beyond intended targets. Such disproportionate use has devastating consequences on the lives and livelihoods of civilians.

Munitions and explosive remnants of war remain a major cause of civilian casualties, particularly among children and the most vulnerable, as their small size makes them more vulnerable to the impact of the deadly blast. Explosive ordnance or unexploded ordnance remnants of war, regardless of where they are used, endanger civilians in the decades to come, especially children. Therefore, all parties to conflicts must stop the use of these weapons in populated areas and put in place measures to protect civilians, especially children.

Children living in war-torn parts of the world are experiencing daily, unimaginable horror. They do not feel safe in their homes, on the streets, in schools, or in hospitals. Children caught between lines of fire of warring parties face shocking levels of violence as they face the risks of death, injury, abduction, sexual violence, attacks on educational and health facilities, as well as the denial of much-needed humanitarian assistance.

There are more than 61 million male and female children living in war-affected countries in the Middle East, out of a total number of 166 million male and female children. This means that more than a third of children in the Middle East are affected by conflict and ongoing violence. That is, one out of every three children suffers from this situation. In this region, living in conditions of war has become a living reality for millions of children. The world has witnessed devastating damage caused by explosive more than once in various regions, including Syria, Libya, Palestine, Iraq and Ukraine. In addition to deaths numbers, the use of these weapons causes long-term damage as it destroys livelihoods and critical infrastructure such as healthcare facilities.

Therefore, **Maat for Peace, Development and Human Rights** presents this paper to clarify the impact of the munitions defined in the Fifth Protocol to the Conventional Arms Trade Treaty of 1988 on children's enjoyment of their rights by clarifying the nature of the munitions and their impact on civilians as well as clarifying the Association's role

in participating in private formal and informal consultations on the Fifth Protocol and the Declaration on the Protection of Civilians from the Danger of Munitions and explaining the danger of these munitions to children in a number of conflict countries.

### **First: Definition of Ammunition and Humanitarian Consequences Thereof**

Protocol Five annexed 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 (CCW), issued on November 28, 2003, defined the concept and types of ammunition in its first article, for the purpose of this Protocol, as follows:

1. Explosive ordnance means conventional munitions containing explosives, with the exception of mines, booby traps, and other devices as defined in Protocol II of this Convention as amended on 3 May 1996.
2. Unexploded ordnance means explosive ordnance that has been primed, fused, armed, or otherwise prepared for use and used in an armed conflict. It may have been fired, dropped, launched, or projected and should have exploded but failed to do so.
3. Abandoned explosive ordnance means explosive ordnance that has not been used during an armed conflict, that has been left behind or dumped by a party to an armed conflict, and which is no longer under the control of the party that left it behind or dumped it. Abandoned explosive ordnance may or may not have been primed, fused, armed or otherwise prepared for use.
4. Explosive remnants of war means unexploded ordnance and abandoned explosive ordnance.
5. Existing explosive remnants of war means unexploded ordnance and abandoned explosive ordnance that existed prior to the entry into force of this Protocol for the High Contracting Party on whose territory it exists<sup>1</sup>.

Explosive weapons are systems using ammunition or devices whose primary destructive effect results from the detonation of a high explosive, creating a storm zone and fragmenting many different types of explosive weapons used by national military forces and non-State armed groups. Examples include indirect firearms such as artillery, rockets and mortars; as well as weapons that launch missiles such as multi-launch missile systems, large bombs dropped from the air and sea also include surface-to-surface ballistic missiles, and improvised explosive device (IEDs). Explosive weapons with extensive effects constitute a major subset of explosive weapons. They include weapons

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<sup>1</sup> - Protocol V 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 of November 28, 2003, link, <http://hrlibrary.umn.edu/arab/b206.html>

that use munitions with a large destructive radius or that are launched into rockets or that launch multiple munitions over a wide area<sup>2</sup>.

Many of these weapons have a significantly destructive and indiscriminate effect when used in populated areas. They can increase civilian casualties and have devastating humanitarian effects, especially since armed conflicts are increasingly being fought in population centers. The urbanization of war has had devastating and well-documented effects on civilians, often because of the use of weapons systems designed for traditional open battlefields.

### **Humanitarian Implications and Consequences of Using Such Weapons in Populated Areas.**

A number of international organizations have defined explosive weapons as explosive weapons that affect an area close to the detonation area, due to blast and shrapnel damage, including a range of weapons used against children regularly, including: missiles, grenades, landmines, and explosive devices. The definition also includes: unexploded ordnance or explosive remnants of war, which are explosive weapons that did not explode due to a malfunction or because of their design and still pose a threat to children even after the end of the conflict<sup>3</sup>.

Thus, when explosive weapons are used in villages, towns, cities, or other populated areas, they create a consistent pattern of immediate and long-term harm to civilians, destroying lives, livelihoods, and critical infrastructure. In addition to the immediate impact, many civilians are affected by the indirect and long-term effects of weapons - also referred to as ripple effects. Children are particularly vulnerable to various forms of psychological or emotional trauma.

Hence, the use of these weapons always leaves explosive remnants of war that can kill and injure civilians, particularly children, even long after hostilities have ended. The waste can also prevent or delay reconstruction work or agricultural production as well as the return of refugees and displaced persons<sup>4</sup>.

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<sup>2</sup> Protecting Civilians from Explosive Weapons During Conflict: 5 Things You Should Know, United Nations, 12 June 2022, Available here. <https://news.un.org/ar/story/2022/06/1104262>

<sup>3</sup> - Blast Injuries, Save the Children, 2019, link, <https://resourcecentre.savethechildren.net/document/blast-injuries-impact-explosive-weapons-children-conflict/>

<sup>4</sup> Protecting Civilians from Explosive Weapons During Conflict: 5 Things You Should Know, United Nations, 12 June 2022, Available here. <https://news.un.org/ar/story/2022/06/1104262>

## **Impact of Landmines and Explosives**

Landmines and explosive remnants of war kill or injure thousands of people every year. Since it is not possible to distinguish between landmines and unexploded cluster bombs, there is an equal risk of harm to both soldiers and children, and they continue to kill after the end of wars for long periods, and it impedes the deployment of peacekeepers and the delivery of humanitarian relief<sup>5</sup>.

## **Maat's Vision to Reduce the Danger of Ammunition Contained in the Fifth Protocol**

Of the 125 High Contracting Parties to the Convention on Certain Conventional Weapons, 97 have agreed to be bound by Protocol V. Broad adherence to and full implementation of Protocol V, the first multilateral agreement to address the challenges of unexploded and abandoned ordnance, could significantly reduce the number of civilian deaths during and after conflicts. It could also mitigate the long-term social and economic consequences of explosive remnants of war.

However, despite the awareness-raising efforts that have been made to improve the universalization of the Protocol, many countries are still not bound by it, especially what Article 5 of Protocol V stipulates that the All parties involved in an armed conflict, including high contracting parties, must take all possible precautions within their control to protect civilians from the dangers and effects of explosive remnants of war, and to take into account all circumstances prevailing at the time, including humanitarian and military considerations. Such precautions may include warnings, risk education to the civilian population, marking, fencing, and monitoring of the Explosive remnants of war (ERW)-affected area.

Maat for Peace, Development and Human Rights confirms that countries are still not committed to what was stipulated in Article Five of the Protocol, as mentioned earlier. Explosive remnants of war are still a source of danger to many people in conflict areas, especially in the Arab world. In its participation, Maat highlighted the need to address the negative economic and social repercussions caused by explosive remnants of war, it affirmed its support for the Syrian and Palestinian victims. Finally, it stressed that NGOs must increase their activity in building awareness and that affected countries must receive adequate assistance. It recommended the necessity of joint coordination between the national, regional and international bodies; the appointment of an authority responsible for detecting the areas that have been cleared and those that are still under the threat of explosive remnants of war in the post-war period; and the need

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<sup>5</sup> - Mine Action, United Nations Peacekeeping Operations website, <https://bit.ly/3DwPWrx>

to accelerate and intensify all efforts to remove unexploded ordnance, enhance assistance to victims; and support the right of children to a safe and protected environment; the need to mark, disinfect, remove and destroy explosive remnants of war in the areas to which people return, and their removal must be for humanitarian purposes in contaminated areas priority.

## **Second: Declaration on the Protection of Civilians from the Use of Explosive Weapons in Populated Areas**

Over the past decades, coalitions of governments and civil society have successfully campaigned for new instruments that address the human harm of munitions such as the Anti-Personnel Mine Ban Treaty, the Convention on Cluster Munitions and the Safe Schools Declaration. Since 2010, humanitarian actors, including civil society, have led efforts to raise awareness about the indiscriminate and dangerous humanitarian impact of the use of explosive weapons in populated areas.

The process of achieving consensus to develop an international political declaration addressing the humanitarian harm caused by the use of explosive weapons in populated areas, led by Ireland, has been ongoing since 2019, following years of consistent advocacy efforts. After a gap over the pandemic, the countries met in April 2022 to negotiate a political declaration that is expected to expire in June 2022.

Adopting a Political Declaration on the Use of Explosive Weapons in Populated Areas would go a long way towards reducing the associated humanitarian harm by recognizing that conflict cannot be fought in populated areas in the same way as it is fought on open battlefields<sup>6</sup>.

On November 18, 2022, a new political declaration to protect civilians from the devastating effects of explosive weapons when used in populated areas during war was adopted by 82 nations in Dublin. The declaration received strong support from 23 NATO member states, including Canada, France, Germany, Italy, Turkey, and the United States. In the conflict-stricken Middle East and North Africa region, Kuwait, Morocco and Palestine were among the signatories.

The declaration acknowledges that the direct and future effects of explosive weapons can be expected when used in populated areas and includes commitments to assist victims, facilitate humanitarian access and collect and exchange data on the effects of explosive weapons. The Declaration requires governments to adopt national policies

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<sup>6</sup> Protecting Civilians from Explosive Weapons During Conflict: 5 Things You Should Know, United Nations, 12 June 2022, Available here. <https://news.un.org/ar/story/2022/06/1104262>

and practices to restrict or refrain from the use of explosive weapons in populated areas when harm to civilians or civilian facilities is expected.

While the declaration is not legally binding, states that ratify it commit themselves to take steps to enhance the protection of civilians from explosive weapons beyond existing law. The law of armed conflict prohibits attacks that target civilians, that are indiscriminate, that are disproportionate in their impact on civilians, or that do not distinguish between civilian objects and military objectives<sup>7</sup>.

All states should support this political commitment, which aims to protect civilians from the bombing of cities and towns in war time. Governments should endorse the Declaration and interpret its provisions in a way that guarantees the strongest possible protection for civilians in their statements during the Dublin Conference and beyond. Declaring the use of explosive weapons in populated areas provides an important means of sparing civilians one of the greatest threats in contemporary armed conflict. All states should endorse the Declaration at the highest levels and in the strongest terms to show their commitment to making it a success on the ground<sup>8</sup>.

This is particularly reverent since global fighting is increasingly taking place in cities, exposing millions of civilians to the threat of explosive weapons with wide-area effects. Such weapons include aerial bombs, rocket-propelled grenades, rockets, artillery shells, and mortars that have a large blast and fragmentation radius or are inaccurate or disperse multiple munitions at once examples include some airborne weapons, large caliber artillery, multiple rocket launchers, mortars, artillery, and missiles that fire indiscriminate munitions directed<sup>9</sup>. The Declaration therefore finds that the wide-area effects of some explosive weapons exacerbate the risk of devastating impacts on civilians is exacerbated due to their widespread use.

Civilians make up the majority of victims of explosive weapons in populated areas. The direct effects of air bombs, rockets, artillery shells, mortars, and rockets range from deaths, injuries, and psychological harm, in addition to damage and destruction of homes and other civilian buildings. Indirect or reverberating effects from the use of

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<sup>7</sup> How a New Declaration Could Help Protect Civilians During Armed Conflict, Human Rights Watch, November 30, 2022, Available here. <https://www.hrw.org/ar/news/2022/11/30/how-new-declaration-can-help-protect-civilians-during-wartime>

<sup>8</sup> Prevent Explosive Weapons Harm to Civilians, Human Rights Watch, October 26, 2022, <https://www.humanrightswatch.com/https://www.hrw.org/ar/news/2022/10/26/prevent-civilian-harm-explosive-weapons>

<sup>9</sup> How a New Declaration Could Help Protect Civilians During Armed Conflict, Human Rights Watch, November 30, 2022, Available here. <https://www.hrw.org/ar/news/2022/11/30/how-new-declaration-can-help-protect-civilians-during-wartime>

explosive weapons in populated areas also include the damage or destruction of critical civilian infrastructure such as power stations, health care facilities, and water and sanitation systems; this undermines the provision of basic services such as health care and education and affects human rights. Explosive weapons also damage the environment and cause civilian displacement<sup>10</sup>.

Therefore, states should commit to developing operational policies based on the assumption that explosive weapons will not be used in populated areas to encourage the adoption of concrete steps to protect civilians and ultimately enhance compliance with international humanitarian law.<sup>11</sup> Mine-relevant procedures, for example, are not limited to removing landmines only, but also includes increasing efforts to protect people from danger, help victims to achieve self-sufficiency, help them become active members of their communities, and provide them with opportunities for sustainable development. The objective of mine-related procedures is to identify and reduce the impacts and risks of landmines and explosive hazards to a level that is safe for personnel.<sup>12</sup>

### **Third: Maat Participation in the Political Declaration on Protecting Civilians**

Maat participated in the 4<sup>th</sup> consultation on protecting civilians in urban warfare: Towards a political declaration to address the humanitarian harm caused by the use of explosive arms in populated areas, which was held in April 2022. Maat delegation participated in the political declaration consultations on the use of explosive arms in populated areas. The consultations were suspended due to the COVID-19 pandemic more than two years ago. More than 200 participants representing international and regional organizations and civil society organizations participated in the 4<sup>th</sup> consultation meetings, including more than 65 governmental representatives, parliamentarians and diplomatic missions in Geneva.

Maat stressed that in order to protect civilians from the grave effects caused by these munitions, whether they were explosive or unexploded, it is necessary that the political declaration include a strict commitment by states to avoid the use of explosive arms with wide-ranging effects in populated areas. Maat delegation also indicated that participating in the call for a strong political declaration was at the right time because to

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<sup>10</sup> Prevent Explosive Weapons Harm to Civilians, Human Rights Watch, October 26, 2022, <https://www.humanrightswatch.com/https://www.hrw.org/ar/news/2022/10/26/prevent-civilian-harm-explosive-weapons>

<sup>11</sup> Protecting civilians from explosive weapons during the conflict: 5 facts you must know, United Nations, June 12, 2022, <https://news.un.org/ar/story/2022/06/1104262>

<sup>12</sup> Mine -related procedures, United Nations Peacekeeping Operations Site, <https://bit.ly/3dwpwrx>

this day, international humanitarian law is being violated clearly and publicly, and every country participated in conflicts over the past decade claims to be in full compliance with international humanitarian law.

Maat also emphasized the necessity of the international cooperation item, specifically with civil society organizations. Maat delegation called for a greater opportunity for civil society organizations in the Arab region to participate in future meetings, as this will enhance the effectiveness of achieving common goals. Maat emphasized the importance of youth participation in promoting that document, and through its work, found great importance for the participation of youth in the promotion and implementation of international humanitarian law, which was on the sidelines of the trainings and activities that raised the capabilities of more than 100 young men and women in areas affected by armed conflicts.

Hence, it can be said that this declaration goes beyond merely reformulating existing international law to extend to obligating states to take additional steps that help achieve humanitarian goals. States should therefore interpret the Declaration in such a way as to achieve its objective of protecting civilians to the fullest extent as a critical first step towards ensuring its effective implementation.

Thus it can be argued that under the Declaration's core obligation, states agree to adopt and implement national policies and practices that strive to avoid harm to civilians by restricting or refraining from the use of explosive arms in towns, cities and other populated areas.

- ✓ Governments should undertake to refrain from using explosive arms with wide area effects in populated areas due to their potential harm to civilians. These arms are a completely inappropriate option for use in populated areas because they increase the risk of harm to civilians.
- ✓ States should also announce their intention to limit the use of all other explosive arms in populated areas when harm to civilians is expected.
- ✓ Governments should undertake to take into account the direct and indirect effects of the use of explosive arms in populated areas when planning and carrying out attacks because they are reasonably foreseeable.
- ✓ Governments should adopt robust and comprehensive victim assistance programs and collect and share operational data as well as information on the effects of explosive arms.
- ✓ Governments should clearly demonstrate that their future work on the Declaration is regular and meaningful, including meetings to reinforce the commitments of the Declaration.

## **Fourth: Impact of Munitions on Children's Enjoyment of their Rights in Conflict Countries**

Both exploded and unexploded munitions pose a particular threat to children. For example, the UN estimates that there are up to 100 million unexploded landmines, with a similar number stockpiled worldwide waiting to be planted. The mines are also designed to be difficult to locate and costly to remove. Thus it has been confirmed that children in at least 80 countries are at risk because of the war explosive remnants, which are a constant danger to civilians across the country even after the hostilities cessation. Children in particular are particularly vulnerable to unexploded munitions and landmines because they have a low awareness of the dangers and because they are very curious.

### **Overview of Children's Injuries Caused by Explosive and Unexploded Munitions**

International reports documented that during the period from 2013-2022, injuries among children accounted for 18,760 cases due to explosive arms. These losses accounted for 7% of the total of 251,833 civilian casualties reported globally, and in the 6,075 incidents in which children were reported among the civilian casualties, they accounted for 26% of the civilian deaths and injuries. Among the child victims were at least 1,630 girls and 2,040 boys. Syria emerged as the most affected country, with 8,090 child victims, representing 43% of the total number of child victims recorded worldwide. It is also documented that 89% (16,640) of children killed and injured by explosive arms were injured in populated areas. Urban residential areas accounted for 27% (4,984) of child victims, while attacks in villages, multiple urban areas, and on schools also caused severe harm to children. Air-delivered arms also caused the majority of injuries among children (36%), followed by ground arms (33%) and improvised explosive devices (19%).

As for the type of arms, explosive arms that most affected children were air strikes, unidentified explosive devices, and shelling. Unexploded munitions including ground- and air-delivered explosive arms as well as mines accounted for 9% of child casualties. Unexploded munitions were the 4<sup>th</sup> most harmful explosive arm to children between 2013 and 2022. In addition, at least 85 children were killed and injured due to stockpile explosions.<sup>13</sup>

Thus, the extent of the devastating damage caused by explosive arms to population centers repeatedly in conflict countries is evident through these statistics. In addition to the deaths, the use of these arms causes long-term damage and destroys

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<sup>13</sup> The Impact of Explosive Violence on Children: A Global Crisis, AOAV, 2 May 2023, link, <https://aoav.org.uk/2023/the-impact-of-explosive-violence-on-children-a-global-crisis/>

livelihoods and critical infrastructure such as healthcare facilities. Also, unexploded munitions remnants of war, regardless of where they are used, endanger civilians for decades to come, especially children. Therefore, all parties to conflicts must stop the use of these arms in populated areas and put in place measures to protect civilians, especially children.

In **Yemen**, 8 years of war, in addition to decades of historical conflict in Yemen, left a deadly legacy of explosive munitions, including landmines, in all parts of the country, threatening the lives, childhood and future of children. For many, the effects of the blasts are immediate, long-term, and life-ending. More than 11,000 Yemeni children were killed or maimed since the beginning of the conflict. Others have lost friends, parents, and caregivers, or their education has been interrupted, resulting in dire consequences for their health, learning and physical and mental well-being.<sup>14</sup>

According to reports of international organizations concerned with children, an average of one child was killed or injured every two days in Yemen in 2022 due to landmines or other explosive devices, which is the highest rate in five years (2018). As children in Yemen face the greatest risks within five years of encountering landmines and unexploded ordnance (UXO), which are the unexploded arms such as artillery shells, grenades, mortars, rockets, and bombs.

Although direct child casualties from armed violence such as airstrikes, shelling or crossfire in general decreased in Yemen since 2018, the number of child casualties due to explosive devices increased from an average of one every five days in 2018 to one every two days in 2022 with years of conflict plunging the country with landmines and unexploded munitions.<sup>15</sup>

- The number of child victims of landmines and unexploded munitions increased from 1 every 5 days in 2018 to a child every 2 days in 2022. At the same time, the total direct injuries to children from armed violence decreased, as landmines and unexploded munitions caused not less than 657 killing incidents and distortion of children.
- Children are disproportionately affected compared to adults. Where landmines and unexploded munitions represent about 1 in 10 of the total number of victims,

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<sup>14</sup> Yemen's Children's Deadly Legacy of Explosive Ordnance, Save the Children, 2023, link, <https://resourcecentre.savethechildren.net/pdf/ARABIC-Watching-Our-Every-Step-The-Deadly-Legacy-of-Explosive-Ordnance-for-children-in-yemen.pdf/>

<sup>15</sup> Children in Yemen face highest risk from landmines and explosive devices in at least five years: Save the Children report, Save the Children, 23 Mar. 2023, link, <https://www.savethechildren.net/news/children-yemen-face-highest-risk-landmines-and-explosive-devices-least-five-years-save-children>

and about 1 in 5 of the total victims are children. Also, 1 out of every 3 child victims of explosive munitions accidents dies.<sup>16</sup>

- In 2022, more than half of all casualties were children due to landmines and unexploded munitions. Mines and unexploded munitions were the reason behind more than 75% of all war-related injuries among children, killing and injuring more than 42 children between April and the end of June 2022.<sup>17</sup>
- More than half of the victims of landmines and unexploded shells are children in only three governorates: Hodeidah, Taiz and Saada.
- The percentage of children's injuries and deaths due to landmines and unexploded munitions increased during the truce. Landmines and unexploded munitions accounted for two-thirds of the total child casualties in the period from April to October 2022.<sup>18</sup>

Hence, it can be said that during the past five years, international organizations concerned with children estimated that children in Yemen face the greatest risks from landmines and explosive devices from 2018 to 2022, where:

- ☛ The number of child victims of landmines and explosives increased eight-fold from 2018 to 2022. The number of child casualties caused by landmines or unexploded munitions rose to 199 in 2022 – or 55% of all child casualties compared to 68 in 2018, which was 7% of the total child casualties and rose as families returned to their homes during the armistice.
- ☛ An average of one child has been killed or injured every three days over the past five years by landmines and other explosive devices.
- ☛ The number of child casualties from landmines and other explosive devices increased during the truce in 2022.<sup>19</sup>

In **Afghanistan**, children were at particular risk of fatal or life-altering injuries when they inadvertently step on landmines or picked up unexploded munitions (UXO) scattered around the places where they lived, played or made homes. Abandoned and unexploded

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<sup>16</sup> Yemen's Children's Deadly Legacy of Explosive Ordnance, Save the Children, 2023, link, <https://resourcecentre.savethechildren.net/pdf/ARABIC-Watching-Our-Every-Step-The-Deadly-Legacy-of-Explosive-Ordnance-for-children-in-yemen.pdf/>

<sup>17</sup> Explosive Remnants of war the biggest killer of children since truce began, Save the Children, 30 June 2022, link, <https://www.savethechildren.org.uk/news/media-centre/press-releases/yemen-explosive-remnants-biggest-killer-of-children->

<sup>18</sup> Yemen's Children's Deadly Legacy of Explosive Ordnance, Save the Children, 2023, link, <https://resourcecentre.savethechildren.net/pdf/ARABIC-Watching-Our-Every-Step-The-Deadly-Legacy-of-Explosive-Ordnance-for-children-in-yemen.pdf/>

<sup>19</sup> Children in Yemen face highest risk from landmines and explosive devices in at least five years: Save the Children report, Save the Children, 23 Mar. 2023, link, <https://www.savethechildren.net/news/children-yemen-face-highest-risk-landmines-and-explosive-devices-least-five-years-save-children>

arms pose a real and ongoing threat to civilians returning to their homes and communities they fled amid decades of fighting in Afghanistan. Although fighting decreased, people's lives are still disrupted because efforts to clear landmines and other unexploded arms have not been entirely successful, which led to an increase in the number of casualties since August 2021.<sup>20</sup>

International reports stressed that 640 children were killed or injured in 541 incidents involving landmines and explosive remnants between January 2022 and June 2023, which represents nearly 60% of the total number of civilian casualties (1,092 people) due to accidents related to unexploded munitions.<sup>21</sup>

In 2020, according to the UN, children accounted for a third of all civilian casualties and more than 80% of civilian casualties from explosive remnants of war. Reports indicate that the number of children killed or maimed in the conflict in Afghanistan is the highest in the world. The UN Secretary-General's annual report on children and armed conflict found that in 2020 Afghanistan had the highest number of children killed or maimed as a result of armed conflict: nearly two-thirds of all children were killed and one-third maimed. These losses resulted from ground engagement (1,195), 16 non-suicidal IEDs (517), ERW (315), and airstrikes (299).<sup>22</sup>

It has been reported that areas used as military bases or where armed conflicts in the past 40 years were contaminated with abandoned or unexploded weapons. Now that fighting has declined, citizens who fled their homes during the armed conflict have returned and could travel to previously inaccessible areas, placing them at greater risk of crossing unexploded ordnance.

In Libya, United Nations reports confirmed that as of November 2022, at least 39 people had been killed or injured in unexploded ordnance-related remnants of war. Compared to 65 people who were victims of these munitions in 2021. Despite this decrease, the number of victims is high. The threat posed by these unexploded ordnance to civilians' lives persists, and the challenge remains to clear Libyan territory of the risk of such munitions<sup>23</sup>.

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<sup>20</sup> Afghanistan: Children are the main victims of unexploded and abandoned weapons, ICRC, 18 Jul 2023, link, <https://www.icrc.org/en/document/afghanistan-children-victims-unexploded-abandoned-weapons>

<sup>20</sup> - Afghanistan's children paying the biggest price for unexploded weapons, AMU, 18 Jul 2023, link, <https://amu.tv/56947/>

<sup>21</sup> Afghanistan's children paying the biggest price for unexploded weapons, AMU, 18 Jul 2023, link, <https://amu.tv/56947/>

<sup>22</sup> The Impact of Explosive Weapons on Education: A Case Study of Afghanistan, GCPEA, September 2021, link, <https://efaidnbmnnnibpcajpcglclefindmkaj/https://protectingeducation.org/wp-content/uploads/EWIPA-Afghanistan-2021.pdf>

<sup>23</sup> UNICEF, 23 November 2022, link, <https://bit.ly/3QdTOVK>

According to reports, between May 22, 2020, and March 8, 2022, 130 people were killed and 196 injured by mines and explosive devices throughout Libya, most of them in southern Tripoli. The injuries included severe burns and shrapnel injuries, which led to amputation. The victims' ages ranged from 4 to 70, including 299 men, boys, and 26 women and girls. Also, 78 of the victims (24%) were miners, none of whom could return to work<sup>24</sup>.

Demining organizations said that by June 2020, when Libyan armed forces led by Haftar and allied forces including Wagner elements, had withdrawn from the southern suburbs of Tripoli after 14 months of fighting against groups allied with the GNA, many landmines and booby traps were left behind. It included at least four types of landmines not documented by Libya's demining groups before this conflict, along with other explosive devices exploding with the victim. In addition, unexploded or abandoned ordnance caused contamination of approximately 720 million square meters (720 square kilometers) in this area following the fighting. The Wagner Group, therefore, added mines and booby traps scattered on the outskirts of Tripoli, making it dangerous for people to return to their homes. A credible and transparent international investigation must be conducted to ensure justice for the many civilians and deminers illegally killed and maimed by such weapons<sup>25</sup>. Since 2019, landmines and other explosive ordnance have contaminated 720 million square meters in neighborhoods south of Tripoli, resulting in casualties, deaths, and the displacement of thousands of Tripoli's residents. In addition, some 200 people were injured<sup>26</sup>.

In Iraq, in the first three months of 2023, 16 children were affected by unexploded ordnance (four killed and 12 maimed) in seven incidents; approximately 80% of the victims were boys. In 2022, explosive weapons killed 38 children and maimed 47 others<sup>27</sup>. As a result of explosive ordnance incidents in two different locations in Iraq, four children (3 boys and one girl) were killed, and two others lost limbs in the last week of January 2022. In 2021, 125 children were killed or disabled due to explosive remnants of war and unexploded ordnance, of whom 52 were killed; and 73 were disabled. The

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<sup>24</sup> Landmines and other remnants of war kill civilians, Human Rights Watch, April 27, 2022, link, <https://www.hrw.org/ar/news/2022/04/27/libya-landmines-other-war-hazards-killing-civilians>

<sup>25</sup> Russian Wagner Planting Landmines Near Tripoli, Human Rights Watch, May 31, 2022, link, <https://www.hrw.org/ar/news/2022/05/31/libya-russias-wagner-group-set-landmines-near-tripoli>

<sup>26</sup> Landmines and Other War Remnants Kill Civilians, Human Rights Watch, 27 April 2022, link, <https://www.hrw.org/ar/news/2022/04/27/libya-landmines-other-war-hazards-killing-civilians>

<sup>27</sup> UNICEF calls for enhanced investment in education about the dangers of mines and explosive materials, UNICEF, April 4, 2023, link, <https://uni.cf/47c9VJK>

number of child victims also increased by 67% compared to 2020 (79 children in that year, including 61 boys)<sup>28</sup>.

### **Attacks on Schools have the Hugest Impact on Children:**

Attacks on children and educational facilities constitute grave violations of children's rights. Schools are more than just places of learning and must be a haven for protection and peace. Education is under attack around the world. From Afghanistan to Colombia and from Mali to Thailand, students and teachers are also killed, raped, and abducted; schools and universities are bombed, burned, and used for military purposes. In 2020 and 2021, more than 5,000 attacks on educational institutions and incidents of military use in schools were reported, affecting more than 9,000 students and teachers in at least 85 countries. On average, there have been six attacks on education or incidents of military use every day. In 28 countries, at least ten attacks on education occurred between 2020 and 2021.

Explosive weapons were used in about one-fifth of all reported attacks on education in 2020 and 2021. These included airstrikes, artillery shelling, landmines, improvised explosive devices, and explosive remnants of war and often caused damage to or destruction of schools. Students and teachers were harmed or killed. Explosive weapons attacks have been repeatedly reported in Afghanistan, Azerbaijan, Myanmar, Palestine, Syria, and Yemen.

In Palestine, international reports have confirmed that about a quarter of schools in Gaza were affected by explosives fired by Israel from air and land in May 2021. Damage to educational facilities from explosive weapons caused students and teachers to lose at least 249 hours of study between January 2019 and February 2021. These attacks and the resulting destruction mean a loss of Education<sup>29</sup>. In Palestine, in May 2021, during the 11-day escalation of hostilities, explosive weapons, some 191 schools, educational administrative buildings, 19 higher education facilities, and 80 kindergartens were destroyed<sup>30</sup>. The United Nations also found that Israel's illegal use of explosive weapons killed at least 129 Palestinian civilians, including 66 children, and hundreds injured<sup>31</sup>.

In Syria, since the early days of the Syrian crisis in March 2011, heavy weapons and warplanes have been used against schools within Syrian cities and towns, particularly

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<sup>28</sup> War remnants as more deadly to children than war itself, UNICEF, February 2, 2022, link, <https://bit.ly/44HPQt6>

<sup>29</sup> Let's Recommit to Protecting Students, Teachers, and Schools from Attack, United Nations, September 2022, Available here. <https://www.un.org/ar/189698>

<sup>30</sup> Education Under Attack 2022, Protecting Education, 2022, link, <https://eua2022.protectingeducation.org/#finding-eight>

<sup>31</sup> How a New Declaration Could Help Protect Civilians During Armed Conflict, Human Rights Watch, November 30, 2022, link, <https://www.hrw.org/ar/news/2022/11/30/how-new-declaration-can-help-protect-civilians-during-wartime>

after Russia's direct and declared military intervention at the end of September 2015. According to the UNICEF report, the number of schools that have been totally or partially destroyed has exceeded 4 thousand since mid-year 2011, representing about 40% of Syria's total number of schools. More than 2 million children, more than one-third of Syrian children, are out of school, and 1.3 million children are at risk of dropping out<sup>32</sup>.

Local human rights reports also recorded that from March 2011 until March 2022, at least 1,597 schools have been affected, some of which have suffered further abuse. Since 2019, Civil Defense has responded to more than 138 attacks on schools and educational facilities in northwestern Syria. The attacks were spread over 89 in 2019, 40 in 2020, more than 7 in 2021, and one in 2022<sup>33</sup>.

In April 2022, UNICEF warned of the increased seriousness of military attacks on schools in Syria, noting that more than 750 attacks on educational facilities and staff in Syria have been recorded since 2011. UNICEF said that more than 70% of the children killed in Syria in 2021 were in the northwest, where 1 million displaced children lived<sup>34</sup>.

In Afghanistan, Afghan armed forces, international military forces, and non-governmental armed groups used explosive weapons in at least 180 reported attacks on schools between January 2018 and June 2021. Attacks on schools using explosive weapons reportedly killed or injured more than 640 students and teachers and destroyed more than 70 schools during that period. These attacks ranged from air and ground strikes to explosive devices and unexploded ordnance incidents.

After more than 65 reported attacks in 2018, incidents declined steadily in 2019 and 2020, with some 45 attacks and 30 attacks, respectively. However, the rate of such attacks rose again in 2021, with explosive attacks rising to 85 percent compared to other types of attacks on schools as arson, looting, raids, threats, and armed aggression. Attacks on schools using explosive weapons reportedly killed or injured more students, teachers, and staff; they damaged or destroyed more school buildings than unexploded attacks. These attacks on schools using explosive weapons in the first half of 2021 killed

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<sup>32</sup> More than 138 attacks on schools in northwestern Syria in 3 years, Syria website, September 9, 2022, link, <https://bit.ly/3YaRlgZhttps://bit.ly/3YaRlgZ>

<sup>33</sup> On the International Day for the Protection of Education from Attacks, Syria, whose schools were destroyed by Assad and its students killed, Sham Network, September 9, 2022, link, <https://shaam.org/news/syria-news/fy-alywm-aldwly-lhmayh-altalym-mn-alhjmata-swrya-alty-dmr-mdarsha-alasd-wqtl-tlabha>

<sup>34</sup> UNICEF warns of the increasing danger of military attacks on schools in Syria, Al-Shorouk, April 5, 2022, link, <https://www.shorouknews.com/news/view.aspx?cdate=05042022&id=78fcc2ba-a8fe-46ad-86ab-d27dbc4ae2a8>

and injured at least 185 staff and nearly all girls. In addition, explosive weapons are reported to have damaged more than 30 incidents of damage reported in 2021<sup>35</sup>.

In 2022 in Ukraine, attacks on education and the military use of schools continued at alarming levels. For example, more than 2,400 educational institutions have been damaged or destroyed by bombings and bombings in Ukraine since Russia's invasion on 24 February 2022, according to the country's Ministry of Education and Science<sup>36</sup>.

## Conclusion & Recommendations

In conclusion, every child has the right to attend school safely. All parties to conflicts must respect their international obligations and commit that schools are not objective. They are a safe place where children must learn and be safe. Children and the services provided to them must never be attacked, and children are often the victims in conflict contexts.

Hence, Maat stresses the urgent need for global attention and concerted efforts to protect children from the devastating impact of explosive and unexploded weapons. Comprehensive strategies were needed to address the physical, psychological, and educational needs of affected children and rebuild healthcare infrastructure in conflict-affected areas. Only through collective action can a safer and safer future be provided for children affected by explosive weapons.

Thus, children's lives, torn apart by these horrific weapons, cannot continue to be witnessed, and all parties to the conflict must: -

- Prioritize the protection of children and ensure that they are not vulnerable to the threats posed by landmines and other explosive devices.
- Compliance with international humanitarian law, avoiding IEDs in populated areas and ensuring humanitarian access.
- Take immediate action to protect children from these deadly weapons, including ending the use of mines, clearing mined areas, and raising awareness of risks among communities to prevent further tragedies.
- Urge all parties to accelerate and intensify all efforts to clear mines and unexploded ordnance, strengthen victim assistance and support children's right to a safe and protected environment.

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<sup>35</sup> Impact of Explosive Weapons on Education: A Case Study of Afghanistan, GCPEA, September 2021, link, <https://efaidnbmnnnibpcajpcglclefindmkaj/https://protectingeducation.org/wp-content/uploads/EWIPA-Afghanistan-2021.pdf>

<sup>36</sup> Let's Recommit to Protecting Students, Teachers, and Schools from Attack, United Nations, September 2022, Available here. <https://www.un.org/ar/189698>