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# Twentieth 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

30 October 2018

Original: English

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Geneva, 20 November 2018  
Item 10 of the provisional agenda  
Improvised Explosive Devices (IED)

## Report on improvised explosive devices

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

### I. Introduction

1. The Group of Experts of the High Contracting Parties to Amended Protocol II met in Geneva on 11 and 12 June 2018 to continue its discussions on the issue of improvised explosive devices (IEDs) in the framework of the Convention on Certain Conventional Weapons (CCW). The discussions were held in accordance with the decisions taken at the Nineteenth Annual Conference of High Contracting Parties to Amended Protocol II.<sup>2</sup> The Coordinators informed the High Contracting Parties on 8 May 2018 on how they intend to further advance the work on IEDs in 2018.

2. Building on the work undertaken by the Group of Experts on this issue since 2009, discussions on IEDs were aimed at seven overarching objectives: to exchange general views; to present updates on the compilation of reference documents in the framework of the CCW and other similar initiatives, to exchange on methods of humanitarian clearance and campaigns and practices on risk education; to explore general features and new types of IEDs; to share information on how to fight unlawful use of IEDs; to update on the counter-IED questionnaire first circulated in 2015 as a working paper of the Group of Experts to the Seventeenth Annual Conference; and to take stock of IED developments in other fora outside of the CCW.

### II. Conduct of the meeting (Geneva, 11-12 June 2018)

#### A. General exchange of views

3. Participants expressed their ongoing concern over the increasing proliferation of IEDs and the overwhelming burden they place on civilians because of their indiscriminate use. In this regard, the direct and indirect humanitarian consequences of these devices were underscored as highly concerning and a principal driving force in tackling this problem. Furthermore, the extensive use of IEDs by terrorist actors was noted as especially troubling

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<sup>1</sup> Colonel Nicolas Coussière and Lieutenant Colonel Pascal Levant of France and Ms. Diana Esperanza Castillo Castro of Colombia.

<sup>2</sup> CCW/APII/CONF.19/4, paragraph 29.



with experts expressing concern over the varying methods of construction, placement and deployment of these devices in such circumstances.

4. Several participants acknowledged the interdisciplinary, multi-faceted nature of the IED threat, thus calling for a commensurate, holistic response by the international community. Preventive and remedial measures taken inside and outside the CCW framework were referenced in this regard. Participants noted the high value of continuing discussions on IEDs in the framework of CCW Amended Protocol II, recognizing that it represents the only legally-binding instrument with explicit reference to IEDs. In particular, the Declaration on Improvised Explosive Devices, recommended by the Eighteenth Annual Conference on Amended Protocol II and adopted at the Fifth Review Conference of the CCW, was welcomed as a meaningful contribution to multilateral efforts to mitigate the IED threat. High Contracting Parties also reiterated their continued support of the principles and commitments contained in the Declaration.<sup>3</sup>

5. Several participants also welcomed General Assembly resolution “Countering the threat posed by improvised explosive devices” as a useful vehicle to address the cross-cutting IED issue.<sup>4</sup> Some participants also noted the value of the first report of the Secretary-General on this issue, and the substantive recommendations contained therein, submitted to the General Assembly pursuant to resolution 70/46.<sup>5</sup> Some participants also referenced adoption of Security Council Resolution 2370 dedicated to preventing the acquisition of weapons by terrorists, welcoming its call to eliminate the supply of IED components to terrorists. Several experts also supported the development of the United Nations IED Disposal Standards, coordinated by the United Nations Mine Action Service (UNMAS), as well as the ongoing efforts to update the International Mine Action Standards (IMAS) to reflect relevant IED clearance operations.<sup>6</sup>

6. The importance of international cooperation and coordination was also underscored. Many participants called for a deepened coordination of efforts in this area, including with relevant stakeholders in private industry in light of the role of dual-use precursor materials. Coordination in the areas of clearance operations, information exchange on national measures and lessons learned, and monitoring potentially-dangerous dual use materials were also highlighted. Experts noted the relevance of robust regulatory systems, including the safe and secure management of weapons and ammunition stockpiles as well as destruction of ammunition in surplus and explosive remnants of war.

## **B. Compilation of existing guidance, best practices and other recommendations aiming at addressing the diversion or illicit use of materials that can be used for IEDs**

7. The Coordinators recalled their recent letter inviting High Contracting Parties to submit updates to the compilation of existing guidance, best practices and other recommendations aiming at addressing the diversion or illicit use of materials that can be used for IEDs. A draft compilation was first circulated on 5 April 2012 by the Co-Coordination on IEDs and was discussed by the subsequent Group of Experts. The United Nations Office for Disarmament Affairs (UNODA) presented the newly-revamped IED page of the CCW website highlighting the changes incorporated therein to make the Compilation more user-friendly. The Group welcomed the draft and supported its dissemination. The Fourteenth Annual Conference had requested the Implementation Support Unit to disseminate the Compilation and, in consultation with the Coordinators and the High Contracting Parties, to maintain the Compilation on an ongoing basis, including updating it as new relevant guidelines, best practices, recommendations and other comments are published. The High Contracting Parties are encouraged to update the Compilation at any moment.

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<sup>3</sup> Annex V, CCW/AP.II/CONF.18/6

<sup>4</sup> A/RES/72/36.

<sup>5</sup> A/71/187.

<sup>6</sup> [www.mineaction.org/sites/default/files/UN%20IEDD%20Standards.pdf](http://www.mineaction.org/sites/default/files/UN%20IEDD%20Standards.pdf)

8. In the context of information exchange on existing guidance and best practices, UNODA presented its IED information hub, which was established pursuant to the request of the General Assembly contained in resolution 71/72.<sup>7</sup> UNODA noted the information page is subject to regular updates and seeks to provide interested stakeholders with improved accessibility and ease of navigation of resources related to the cross-cutting, multi-dimensional IED issue. The hub covers the various dimensions of the IED threat from international law to humanitarian clearance to counter-terrorism. Participants were encouraged to consult the information hub and provide suggestions for additional resources.

9. Also in support of the discussions on information exchange, UNMAS presented the findings of a mapping exercise it undertook to identify and analyze the scope and scale of IED responses across the United Nations system. The exercise was undertaken pursuant to recommendations contained in the Final Report of the Panel of Experts on Technology and Innovation in UN Peacekeeping that called for better synchronization and prioritization of United Nations action in this area.<sup>8</sup> UNMAS confirmed that IED incidents adversely affect programme and mandate delivery across the United Nations, especially in the context of the protection of civilians and of the provision of humanitarian assistance. The mapping also indicated the need for strengthened coherence to increase the sharing of expertise and technical guidance and to standardize data collection.

## C. Information exchange

### 1. IED risk education methods, campaigns or practices

10. The CCW Declaration on IED recognized the value of IED risk education campaigns and High Contracting Parties have acknowledged that risk education represents an important means of mitigating IED risks, especially as IEDs are often disguised as everyday items. To facilitate discussion among experts, a panel discussion was organized with representatives from the Geneva International Centre for Humanitarian Demining (GICHD) and UNCIEF. GICHD noted the importance of education around victim-activated devices as well as gender and diversity considerations when designing and implementing such programmes. UNICEF referenced the development of a Technical Note for Mine Action IED Risk Education<sup>9</sup>, an informative document developed with the IMAS Review Board addressing methodology for IED risk education programme design.

### 2. National measures, best practices and lessons learned

11. Experts exchanged information on national measures, best practices and lessons learned on three specific topics—general features of IEDs, including new types of IEDs; methods of humanitarian clearance; and methods to protect civilians from IEDs.

12. Regarding general features and new types of IEDs, national perspectives were offered by experts from Afghanistan, India and the Russian Federation. An intervention was also made by a representative from the UNMAS Iraq Programme who noted various trends in the deployment of IEDs, including those IED especially designed to target first responders or clearance operators. The representative of Afghanistan reflected on the challenges of IED contamination, acknowledging that the challenges posed by IED clearance are different from those associated with conventional mines. The expert also emphasized the vital importance of a strong community liaison when addressing IED contamination at the local level. The expert from the Russian Federation reflected on his national experience related to addressing IEDs in the Syrian Arab Republic, noting the proliferation of IED production because of their simplicity. It was also noted that aluminum nitrate, a dual-use item, is particularly used in the manufacture of IEDs. The expert from

<sup>7</sup> [www.un.org/disarmament/ieds/](http://www.un.org/disarmament/ieds/).

<sup>8</sup> [https://peacekeeping.un.org/sites/default/files/performance-peacekeeping\\_expert-panel-on-technology-and-innovation\\_report\\_2015.pdf](https://peacekeeping.un.org/sites/default/files/performance-peacekeeping_expert-panel-on-technology-and-innovation_report_2015.pdf), page 48.

<sup>9</sup> [https://www.mineactionstandards.org/fileadmin/MAS/documents/technical-notes/20181008\\_TNMA\\_12.10-01\\_Risk\\_Education\\_for\\_Improvised\\_Explosive\\_Devices\\_IED\\_.pdf](https://www.mineactionstandards.org/fileadmin/MAS/documents/technical-notes/20181008_TNMA_12.10-01_Risk_Education_for_Improvised_Explosive_Devices_IED_.pdf).

Turkey noted the growing use of pressure plates and the dangers posed by the looting of weapons and ammunition caches for explosives and other IED components. The representative of India recognized that information exchange is imperative as is deepened coordination. He also welcomed the discussions in the framework of the General Assembly resolution on this topic.

13. Regarding humanitarian clearance, an expert from El Salvador shared national experiences in this area. Support provided to international operations was also referenced in this context. Insights were offered on El Salvador's experience in clearing its territory following internal conflict in the 1980s and 1990s. The expert explained that the Salvadoran national demining plan lasted 18 months with a cost of 4.5 million USD resulting in the clearance of 9,511 antipersonnel mines. During this session, the relationship between IED clearance and existing standards and guidelines was also emphasized with particular support expressed for the updating of the IMAS to reflect humanitarian clearance of IEDs.

14. An expert from the United States of America as well as the non-governmental organization Halo Trust made an intervention under the sub-item addressing methods to protect civilians from IEDs. The representative of Halo Trust emphasized the importance of dialogue with those that are affected by such devices. He also noted the need to secure consent and access with a view to safeguarding humanitarian principles. The unique challenges posed by clearance of IEDs in urban environments were also referenced during this discussion.

## **D. Facilitation of voluntary information sharing to help counter the illicit use of IEDs**

### **1. Facilitation of information sharing**

15. The Secretary-General, in the first report to the General Assembly on "Countering the threat posed by improvised explosive devices", called for strengthened information-sharing among Member States, international and regional organizations and the private sector. This call was consistent with the decision of the High Contracting Parties to Amended Protocol II to discuss how to facilitate effective voluntary sharing of information to help counter the illicit use of IEDs. Sharing of information on various aspects of the IED threat, including, inter alia, on incidents, devices and components, and suspicious activities involving precursor materials, was welcomed as it can inform more effective planning and policy formulation. Participants also noted that information exchange related to IEDs is important considering the often-transnational nature of these incidents. In the context of these exchanges among experts, the GICHD presented its mobile incident reporting form underscoring the impact of evolving technologies on information management in mine action. The representative also noted the trend towards multiple data sources, remote sensors, unmanned aerial vehicles and third-party information sources. A High Contracting Party shared insights on its information sharing practices in view of countering the illicit use of IEDs, by elaborating specifically on the underlying guiding principles which are maintaining confidence among information exchange partners, careful treatment of all received information and internal and external consultations.

### **2. Questionnaire on Counter-IED**

16. The Coordinators noted that the questionnaire covers various elements of counter-IED work, including legal frameworks, risk assessment, organizational and institutional set-up and information sharing. Participants were reminded that the Nineteenth Annual Conference requested that responses to the questionnaire continue to be made available to High Contracting Parties through the restricted area on the CCW website. In line with this request, the Coordinators on IEDs had circulated a letter to High Contracting Parties prior to the meeting encouraging those who have not done so to respond to the questionnaire.

## **E. Relevant developments in other fora**

17. With respect to other fora addressing the threat posed by IEDs, the Group of Experts addressed regional efforts. A panel discussion with representatives from Colombia and the World Customs Organization was organized to facilitate this exchange. Experts were then invited to offer their insights. One participant supported counter-IED-related activity undertaken through regional mechanisms, recognizing the role of the World Customs Organization (WCO) and INTERPOL in this regard.

## **III. Conclusion and recommendations**

18. Discussions demonstrated the ever-present challenge posed by IEDs and the complexity of the response needed to address it. Participants underscored areas of growing concern that could merit further discussion in this forum, including clearance of IEDs in urban environments.

19. Throughout the discussions, participants underscored the importance of continuing information exchange and enhancing cooperation in this area, including through submissions of responses to the Counter-IED questionnaire and the Compilation of existing guidelines, best practices and recommendations. Several experts emphasized the value of addressing IEDs in the framework of CCW Amended Protocol II, in particular focusing on the humanitarian dimension. At the same time, many participants noted the value of developments outside the CCW, such as the General Assembly resolution informal consultative process. In this regard, several participants encouraged cross-fertilization.

20. In light of the robust discussions of the Group of Experts, the Twentieth Annual Conference of the High Contracting Parties to Amended Protocol II to the CCW 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; they further request the Implementation Support Unit to make the compilation more user-friendly on the CCW website;

(b) With a view to ultimately compiling guidelines based on existing best practices, recommendations and lessons learned on methods to educate civilians to the risk posed by IED, the Group of Experts will initiate voluntary information exchange on IED risk education methods, campaigns or practices;

(c) The Group of Experts shall, in accordance with the objectives and purposes of the Convention, continue to exchange information on a voluntary basis and subject to national policies on the protection of sensitive information, on national measures, best practices and lessons learned on the following topics:

(i) General features of IEDs, including new types of IED;

(ii) Methods of humanitarian clearance of IED, possibly focusing on technical innovations and developments in methods for humanitarian clearance of IEDs;

(iii) Methods to protect civilians from IED;

(d) The Group of Experts shall discuss, consistent with the scope of Amended Protocol II, how to facilitate effective voluntary sharing of information to help counter the illicit use of IED;

(e) With respect to the questionnaire on Counter-IED and based on the responses received, the High Contracting Parties request the Implementation Support Unit, in consultation with the Coordinators and the High Contracting Parties, to:

- (i) Continue to make available to High Contracting Parties through the restricted area on the CCW website the responses to the questionnaire;
  - (ii) Continue to maintain a list of national point of contacts for Counter-IED cooperation, available on the protected area of the CCW website;
  - (iii) With respect to other fora addressing the threat posed by IED, the Group of Experts will keep apprised of the relevant developments in their activities, with a view to ensuring complementarity of efforts.
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