

EXPLOSIVE WEAPONS AND GRAVE VIOLATIONS AGAINST **CHILDREN**

Position paper



Save the Children

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We save children's lives. We fight for their rights.
We help them fulfil their potential.

Acknowledgements

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*All names of children and parents who shared their stories have been changed to protect identities.

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Cover photo: Salim,* two, at a refugee settlement near the Syrian border
(Photo: Jonathan Hyams/Save the Children)



“We can take everything, everything but the shelling and the bombing. I experienced seven days of continuous shelling. It is indescribable. Children are dying from fear.” Reem, mother from Syria*

INTRODUCTION

The use of explosive weapons in populated areas has dire consequences for children. Explosive weapon use was responsible for thousands of children being killed or injured in at least 41 countries in 2010–12.¹ In addition to killing and injuring children, use of explosive weapons, particularly in populated areas, results in children being denied access to healthcare and the opportunity to go to school. It can also prevent life-saving humanitarian aid from reaching children, causing them to be displaced from their homes, exposing them to the risk of separation from their families and communities, and increasing their vulnerability to exploitation and abuse.

Explosive weapons are munitions such as mortar or artillery shells, cluster bombs and air-dropped bombs, as well as improvised explosive devices (IEDs). These weapons are designed to function through blast and fragmentation effects that kill and injure people in the area around the point of detonation. The area of effect of an explosive weapon varies according to its size, its type, the way it is delivered and other factors. This area of effect can be very wide, and any person in it can be hit by the blast or projected fragments and debris. When explosive weapons are used in populated areas, civilians are severely affected, with 91% of casualties reported to be civilians. In incidents where the age of casualties was reported, children accounted for 15% of worldwide civilian casualties.² In addition, when explosive weapons fail to detonate as intended, it is often civilians who fall victim when they explode later, sometimes long after the conflict has ended.

UN Security Council Resolution 1612 on the protection of children affected by armed conflict identifies six grave violations against children in armed conflict because of their especially egregious nature and severe impact on a child's wellbeing.

The six grave violations against children during armed conflict

- Killing or maiming of children
- Recruitment or use of children by armed forces and groups
- Sexual violence against children
- Abduction of children
- Attacks against schools or hospitals
- Denial of humanitarian access for children

The use of explosive weapons in populated areas is frequently a key factor in grave violations against children as set out in Resolution 1612. The Special Representative of the Secretary-General (SRSG) for Children and Armed Conflict has highlighted a link between the use of explosive weapons in populated areas and four of the grave violations. This paper will focus on three: killing or maiming of children, attacks against schools or hospitals, and denial of humanitarian access for children.³ The fact that children's bodies are smaller, more delicate and still developing means that injuries caused by explosive weapons to their organs and tissues are often much more complex to treat than those suffered by adults.⁴ Explosive weapons also cause long-term psychological distress in children. Even after the conflict has ended, children continue to experience the psychological effects of conflict that could potentially undermine the cognitive, emotional and social aspects of their development. The link between the use of explosive weapons in populated areas and the most serious violations against children – as defined by the UN Security Council – shows the clear need for immediate attention and action on this issue. While recognition of this pattern of harm is growing among states and international organisations, the international community must do more to tackle this unacceptable and preventable suffering. We need accurate reporting of the impact of the use of explosive weapons in populated areas, and child protection programmes must be supported so that they can respond to the psychological needs and other key development concerns of children who have been affected.

Use of explosive weapons in times of armed conflict is governed by the general rules of international humanitarian law (IHL), including the obligation to protect civilians from the effects of hostilities, the prohibition of indiscriminate and disproportionate attacks, and the obligation to take precautionary measures. These rules are open to interpretation, however, and the current legal framework has proved unable to prevent a pattern of increasing civilian harm associated with the use of explosive weapons in populated areas. The UN Institute for Disarmament Research (UNIDIR) notes that “IHL has proven relatively ineffective in addressing the impacts of explosive weapons on civilians” and that “deliberations within existing frameworks tend to encounter serious obstacles to responding to the humanitarian problems that explosive weapons cause, or in focusing attention on the moral acceptability of civilian harm”.⁵ Considering explosive weapons in their own category provides an opportunity to examine the commitment made by states to protect civilians under existing IHL and hold users to greater account for the harm inflicted on civilian populations.

In recent years, the use of explosive weapons in populated areas has increasingly been recognised as a key area of concern by the UN, states, and civil society. Save the Children works in 120 countries and our experience attests to the high levels of harm that the use of explosive weapons in populated areas causes to civilians. In particular, our emergency response to the Syria crisis has uncovered the devastating impact that explosive weapons are having on children and their families in Syria.

Save the Children is a founding member of the International Network on Explosive Weapons (INEW) and believes that this suffering can and must be reduced and further child deaths and injuries prevented. INEW is calling on states and other actors to face up to this problem as an urgent humanitarian policy challenge, to meet the needs of victims and survivors, to review their national practices and to come together to develop stronger international standards to curb this pattern of violence.⁶

The devastation caused by the use of explosive weapons in populated areas has been well documented over decades of conflict – from Dresden in 1945 to Aleppo, Syria, today. Such violence has in the past been a driver of reforms to IHL, but it continues to present a serious humanitarian concern that needs to be more fully addressed. The way that conflict affects children informs how we manage the protection of civilians as a whole in conflict.

This paper shows how the use of explosive weapons in populated areas leads directly to grave violations against children. In doing so, its findings support INEW’s goal of stronger policy, practice and international standards that will better prevent humanitarian suffering from this violence. The paper starts with an outline of the growing concern of the international community and then shows the devastating impact that the use of explosive weapons in populated areas has had in Syria. The paper then provides a global snapshot of how explosive weapons directly contribute to three grave violations and psychological harm, using data and experience from NGOs, research organisations and the UN, and drawing in particular on Save the Children’s direct experience of working with Syrians affected by the ongoing conflict.

BACKGROUND

A growing area of concern⁷

In recent years the UN Secretary-General and the UN Special Representative to the Secretary-General for Children and Armed Conflict have increasingly highlighted the use of explosive weapons in populated areas as a key issue of concern for the protection of children. They have repeatedly urged parties to refrain from using explosive weapons with wide area effects in populated areas and called for systematic data collection on the use and impact of explosive weapons and analysis of the human cost.

The Secretary-General's concerns have been echoed by the European Union and 29 individual states that have highlighted the problem of explosive weapons in open debates at the UN Security Council and Human Rights Council.⁸ Jakob Kellenberger, President of the International Committee of the Red Cross (ICRC), said, "The debate has been prompted in part by the growing number of military operations conducted in densely populated urban areas, often using heavy or highly explosive weapons,⁹ which have devastating humanitarian consequences for civilian populations. The media images of death, injury and destruction – of terrible suffering – in such situations of conflict in different parts of the world are surely all too familiar to everyone here today."¹⁰

In his April 2012 report on children and armed conflict, the Secretary-General said: "Reports of child casualties in the course of military operations, including the use of explosive weapons, aerial bombardments and drones, continue to be of concern, and I remind all parties of their obligation under international human rights law and international humanitarian law, in particular the principles of distinction and proportionality and the duty to protect children and prevent violations, to take all necessary precautions to avoid civilian casualties." In the more recent February 2013 Security Council open debate on the protection of civilians in armed conflict, the Secretary-General again emphasised the need to enhance the protection of civilians, declaring that "all parties to conflict should avoid using explosive weapons with wide-area effect¹¹ in populated areas".¹² In stronger language, during his presentation he urged Council members to recognise this "fundamental humanitarian issue" and to take active steps to address it.

In her June 2012 annual report to the Human Rights Council, the SRSR for Children and Armed Conflict said: "Explosive weapons touch on four of the six grave violations against children and armed conflict, including killing or maiming. They are also used for direct and physical attacks on schools and hospitals, where they may result in forced closure or compromised functioning. Children recruited and used as suicide bombers and victim bombers both carry explosive weapons. In some country situations, children are denied humanitarian access because of the presence of explosive remnants of war.¹³ Recent developments in countries such as Afghanistan, Iraq, Libya, Somalia, the Sudan and the Syrian Arab Republic, where thousands of children have been killed and maimed, have confirmed the gravity of the issue."¹⁴

In her August 2012 annual report to the General Assembly, the SRSR for Children and Armed Conflict noted that explosive weapons "have a devastating impact on civilians, including children, especially when used in highly populated areas".¹⁵ Recognising the severe psychological effects of being exposed to the use of explosive weapons, she also noted that these weapons cause "long-lasting harm by damaging children's emotional stability, education and future opportunities."¹⁶ In most of the 23 countries analysed in the report, explosive weapons have killed and injured children. Explosive weapons were also reported to have been directly targeted at schools and hospitals, killing and injuring medical and education personnel and preventing access to these facilities. The report makes three strong recommendations to states with regard to the use of explosive weapons in populated areas, calling on them to:

- 1) refrain from using explosive weapons with wide area effects in populated areas, including by revising and strengthening military policies and procedures
- 2) support the collection of data on the impact of explosive weapons on children; including by collecting and sharing such information with the UN
- 3) hold to account those using explosive weapons in contravention of international law.¹⁷



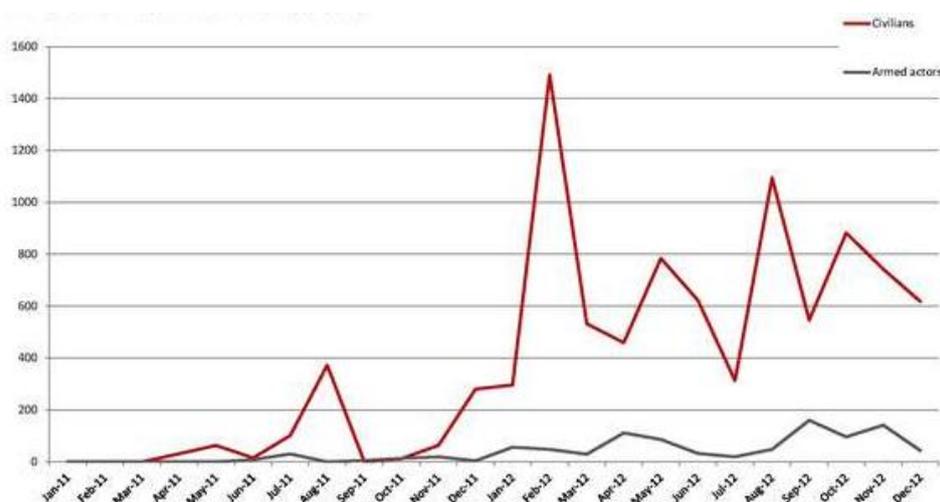
“I lost my brother three months ago when our house was destroyed by shells. He was 21. His death broke my heart.” Taraq*, 16, from Syria

THE USE OF EXPLOSIVE WEAPONS IN POPULATED AREAS IN SYRIA

The protracted crisis in Syria is a stark example of the humanitarian harm that explosive weapons cause when used in populated areas. Syria was the worst-affected country in the world in 2012 in terms of explosive violence: nine out of ten victims of explosive violence in the country were civilians.¹⁸ The bombardment of civilian centres, bringing death, displacement and complete destruction to parts of the country, has sparked global outrage. March 2013 saw the millionth¹⁹ Syrian refugee leaving the country, with more than 2 million children in need of humanitarian assistance inside the country.²⁰ Schools, hospitals and people queuing for bread have been targeted, with severe effects on children's survival, wellbeing and rights. The destruction caused by explosive weapons and the threat of their use has also prevented much-needed assistance from reaching Syrians desperately in need of aid.

Despite the limited number of humanitarian actors inside Syria and the serious security threats posed to journalists, some of the impact of explosive weapons has been documented. Research by Action on Armed Violence (AOAV) has highlighted civilian casualties caused by explosive weapons in Syria over the course of 2011 (see graph). The 2011 research noted: "On 31 July, during some of the most severe shelling, people living in Hama described how houses were 'flattened to the ground' as tank shells fell across the city at a rate of four per minute. One resident described how the city's three hospitals were overwhelmed by the number of casualties, and had run out of supplies of blood needed to treat the wounded."²¹ AOAV's report *Wide of the Mark: Syria and the use of explosive weapons with wide-area effects* records that tens of thousands of civilians in Syria have been killed and maimed by explosive weapons since the start of the conflict in 2011. The report also notes: "Over the course of 2012, the civilian death toll rose sharply, corresponding with a rapid escalation in the size of the explosive weapons being used and their increasing deployment in densely populated urban areas."²²

Monthly casualties of explosive violence in Syria, 2011-2012



Credit: Action on Armed Violence

Human rights organisations have also continuously drawn attention to the impact of explosive weapons in Syria over the course of the conflict. In February 2013 Human Rights Watch documented more than 141 people, including 71 children, killed during attacks with ballistic missiles on populated areas in the city of Aleppo and a town in Aleppo governorate.²³

In November 2012 the reported use of cluster munitions killing at least ten children in a school playground caused international outrage.²⁴ Human Rights Watch has since identified at least 119 locations across Syria where at least 156 cluster bombs have been used over a six-month period.²⁵ Cluster bombs are a type of explosive weapon with very wide area effects and are prohibited in international law under the 2008 Convention on Cluster Munitions. Cluster bombs cause unacceptable harm, both at the time of impact and for a long time afterwards as unexploded submunitions continue to maim and kill. Amnesty International reported that a multiple cluster bomb attack in March 2013 in a densely populated residential housing area in Aleppo killed at least 19 people and injured more than 60 others. Many of the victims were children.²⁶

Save the Children has been working in the Middle East for decades, and we rapidly scaled up our programmes in neighbouring Iraq, Lebanon and Jordan to respond to the influx of Syrian refugees. In November 2012 Save the Children began to respond inside Syria. While providing food, health, clean water, shelter, education and child protection across the region we have gathered testimonies of children recounting their experiences inside Syria before they fled to neighbouring countries. A member of the Save the Children Syria response team said that between September 2012 and March 2013 they interviewed more than 130 children and their families, nearly all of whom cited the constant threat and stress of shelling, bombing and bombardment of their homes, schools and communities as their primary reason for fleeing Syria. Many saw friends and relatives killed by explosive weapons; some children had been injured themselves and spoke of their schools and local hospitals being attacked.

Save the Children has seen at first hand the devastating impact that the use of explosive weapons in populated areas is having on Syrian children, and has identified this as one of the main drivers of humanitarian harm and causes of displacement. Families have been repeatedly displaced even before crossing the border out of Syria.

EXPLOSIVE WEAPONS AND THREE GRAVE VIOLATIONS AGAINST CHILDREN

UN Security Council Resolution 1612 on the protection of children affected by armed conflict was unanimously adopted by the Security Council in July 2005. This resolution established the UN-led Monitoring and Reporting Mechanism on Children and Armed Conflict and its operational country-level Task Forces, charged with monitoring and reporting on six grave violations against children during armed conflict. As mentioned earlier in this paper, the UN Security Council singled out these six violations because of their especially egregious nature and severe impact on a child's wellbeing.

The following three sections show how the use of explosive weapons in populated areas is a key concern regarding three of the six grave violations against children. Examples from around the world are provided, and testimonies collected by Save the Children from Syrian children and their families illustrate the devastating impact of this problem.

I. Killing and maiming

Explosive weapons are responsible for killing and injuring thousands of children in at least 41 countries over the past two years.²⁷ Research conducted into the humanitarian harm caused by the use of explosive weapons in populated areas provides an indicator of the scale and scope of the impact of explosive weapons on children:²⁸

- Children were recorded among the casualties of explosive violence in 898 incidents (16% of all incidents captured by AOVAV over a two-year data set).
- 2,685 children were reported as killed or injured by explosive weapons in the 898 incidents where the age of casualties was reported.
- 84% of recorded child casualties occurred in a populated area.
- On average 103 children were recorded killed or injured by explosive weapons every month.

AOVAV, in an analysis of data provided by Iraq Body Count, found that “amongst violent incidents types [in Iraq], children tend to make up a greater proportion of those killed and injured by explosive weapons than they do of those killed and injured by guns or other forms of direct assault”.²⁹

Because children are smaller and their bodies more delicate, blast from explosive weapons can result in more complex injuries to their organs and tissues. Their pliable ribs offer less protection and make them more prone to abdominal injuries.³⁰ Chest injuries caused by blunt-force impact are a common cause of death in children subjected to explosive blast.³¹

Dr Ahmad,* who worked in a hospital inside Syria during the conflict, told Save the Children:

“While the men would have injuries from bullets, the women and children were injured with shrapnel. Shrapnel can hit any part of the body. An explosion happens and shrapnel spreads, affecting everyone. Could be in the head, the jaw, in the chest, could be the belly.

“Treating children is always more difficult because they need special liquids, serums and blood transfusions, and it is hard to operate on their vessels because they are very narrow. So even if they are slightly injured, it is still harder to operate on them. Very little children, babies, are smaller so less likely to be hit – children between five and 13, they have worse injuries.”

1 October 2010 - 31 December 2012 | Data based on English-language media reports

HOW EXPLOSIVE WEAPONS CONTINUE TO IMPACT THOUSANDS OF CHILDREN'S LIVES

AT LEAST
898 ATTACKS
KILLED OR INJURED CHILDREN



OUT OF THE TOTAL 12,758 CIVILIAN CASUALTIES, EVERY FIFTH VICTIM WAS A CHILD



86 CHILDREN KILLED OR INJURED PER MONTH

123 CHILDREN KILLED OR INJURED PER MONTH

84% OF CHILDREN WERE KILLED OR INJURED IN POPULATED AREAS

BUT: THE VICTIM'S AGE IS ONLY REPORTED IN 16% OF ATTACKS IT IS LIKELY THAT MANY MORE CHILDREN HAVE BEEN KILLED OR INJURED BY EXPLOSIVE VIOLENCE



THE MOST DANGEROUS PLACES TO BE A CHILD



41

NUMBER OF COUNTRIES WHERE EXPLOSIVE VIOLENCE HAS KILLED OR INJURED CHILDREN

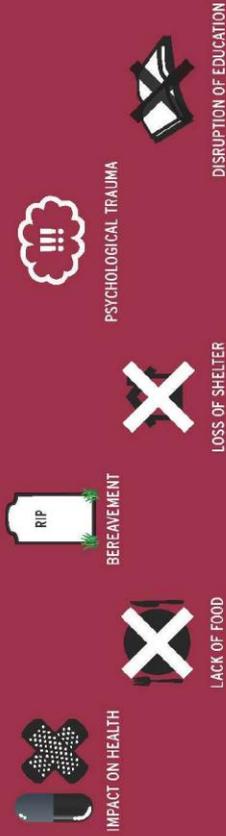


IN 2012,
SYRIA

ACCOUNTED FOR 27% OF ALL CHILDREN KILLED OR INJURED

DAMAGING YOUNG LIVES FOREVER

THE LIFE-LONG CONSEQUENCES OF EXPLOSIVE WEAPONS



ACTORS OF ARMED VIOLENCE

AOAV

AOAV WORKS TO REDUCE THE WORLDWIDE HARM OF ARMED VIOLENCE
aoav.org.uk

In Syria, children are being killed and maimed by explosive weapons almost daily. The conflict has claimed the lives of some 70,000 people, and an estimated 300,000 are believed to have been injured. While there is no exact figure for how many of these casualties are children, hospital reports show that an increasing number of children are being admitted with burns, gunshot wounds and injuries from explosions.³² In January 2013 alone there were more than 3,000 recorded “security incidents” – clashes or attacks – in Syria, and 80% of them involved explosive weapons such as mortars, shells and rockets. This fighting was concentrated in urban areas: in Damascus, 247 incidents were recorded in just two communities that were formerly home to 1.8 million people.³³ There are multiple reports from across Syria of blasts from explosive weapons killing several children at once – sometimes from the same family, sometimes infants less than three months old.³⁴

Save the Children has met children who have seen family members and friends killed by explosive weapons, as well as children who have themselves been injured.

Naziha,* a 17-year-old mother, was hit by shrapnel while she was breastfeeding in her home. She was taken to hospital, but there was a delay in receiving medical care, and she is now paralysed down one side of her body.

“One evening I was at my house with my husband and I was holding my daughter in my arms, breastfeeding.

“We heard a noise outside. Something hit the house, and I don’t remember anything after that. Later I woke up at the hospital and I asked why I was there. They asked me if I remembered anything, but I didn’t. They told me that I was hit by shrapnel. I know there was a delay treating me, but I don’t remember it. All I know is that afterwards, I was disabled – I can’t move my arm or my leg. Now I can’t stand or sit without help.

“Many people have been injured and become disabled in Syria like this. This can’t go on. Someone should put an end to it. People are losing their children, brothers, parents.”

Save the Children also talked to children who had witnessed family members and other children being killed by explosive weapons inside Syria.

“My cousins, a 17-year-old boy and a nine-year-old girl, they died because of the shelling. Whenever I hear shelling I’m so scared and I remember my cousins. And I cry when I hear the shelling. When I look at where their house used to be, I feel very sad.”

Ali,* 12

“I saw my 15-year-old friend die in the street near my home. There was shelling and a fragment flew into his head. The shelling went on all night. I couldn’t retrieve his body until six o’clock the next morning.”

Hisham,* 15

Save the Children met Mohammad,* who suffered extreme burns to his face and body as a result of the shelling in Syria. Mohammad was assigned a Save the Children social worker to help him deal with his experiences.

“My name is Mohammad, and I’m 17.*

“People in Syria are dying. They’re getting arrested. Their houses are broken into. It’s not safe anymore – there’s so much shelling. In my village there are a lot of houses being destroyed by air strikes, shells, tanks. I feel that not a single house is untouched. Houses are destroyed, or someone in the family is dead or imprisoned. Not one house untouched...”

“Whenever a house is destroyed I go with my family to try and help. One house I saw was a three-floor house. The shelter was in the basement. The shells destroyed the whole thing, including the basement. Thirteen people died that night; four of them were children. I ran there to help. We found bodies covered in dust. We got rid of the dust, and then we buried them as best we could. Shelters don’t work, nothing does. They’re using all sorts of things – bombs, shells, guns, tanks.

“I will try any way I can to let the whole world know that this is actually happening in Syria. This is real, it’s happening. I want the whole world to know, I want the whole world to listen.

“I never know if my family in Syria will be alive one moment to the next. I could call them now and then five minutes later they could be dead. Children are crying all the time, so terrified because of the bombings.”

Fourteen-year-old Thær* told Save the Children:

“I remember the day I was hurt. It was a normal day, like any other. There were nine of us playing football in the street by the house. Suddenly we heard an explosion near to us, so we ran and hid. There were rocks and dust all around us. After a few minutes it was quiet, so we went to see what had happened.

“I was just inside the door, and the others were outside. There was another explosion, and something hit me. I didn’t feel anything. I didn’t know that I was hit, I felt just a rock hit my back: I didn’t feel that I was injured. And then I woke up in the field hospital. I was unconscious for four hours – I had been hit by shrapnel in my back and my head. My skull was a bit broken, they said.”

2. Attacks against schools or hospitals

The office of the SRSG for Children and Armed Conflict explains: “Schools and hospitals are civilian institutions that often provide shelter and tend to the needs of children during conflict. Attacks against schools or hospitals are, in principle, contraventions of well-established international humanitarian law – treaty and customary law, and may constitute crimes against humanity and war crimes.”³⁵ The ICRC notes: “Armed conflict or other situations of violence can lead to the closure of schools. When that happens, more young people will be denied the opportunity to develop essential skills, and subsequently become more vulnerable to recruitment in armed forces or armed groups.”³⁶ In addition to direct attacks, because of their wide area effects, some explosive weapons may strike schools or hospitals even if these are not the intended targets.

Schools

An estimated 2,400 schools have been damaged by the conflict in Syria. One UN survey found that one-fifth of schools in Damascus have been damaged or destroyed; in Idlib province, 60% have been damaged.³⁷ Where schools are open, average attendance is down to approximately two days per week.³⁸ Thousands of schools are being used as shelters by civilians; some of these are then being targeted by armed actors, as when, for example, a government jet dropped a ‘barrel bomb’ on a school that was sheltering 200–300 people, killing a dozen, including children.³⁹ In some cases schools are also used as barracks, which makes them a target in the conflict.⁴⁰

In Syria, before the conflict, access to primary education was free and more than 95% of primary school-aged children were enrolled – one of the highest rates in the Middle East.⁴¹ But the conflict is undoing all those achievements, denying children the right to education, depriving them of a safe learning environment, and threatening their futures as well as that of the country as a whole. In other conflict settings where Save the Children works we have witnessed that once children have been forced to drop out of school their aspirations and faith in the education system are seriously affected. The longer children are out of school, the less likely they are ever to return.

Children like Noura,* fleeing from the fighting, just want to be back at school, back to normality, learning and playing with their friends.

“I liked going to school in Syria. We used to write and play. When I want to remember something happy, it is playing with my friends on the swings. We laughed. I miss them.

“At the beginning... there wasn’t shelling at my school, but after some time the shelling started. I stopped going to school when the shelling started. It wasn’t safe. I feel sad that my school was burned, because my school reminds me of my friends. I love going to school.

“I would hear the shelling... I would get scared and try to hide. One day I was with my friends, playing in the sun and sand. We were collecting the sand, putting it in a bucket, then we flipped it. We made a castle like that, always. Then a voice from the mosque shouted ‘Run, run.’ We ran away to our house and sat inside, because we knew the shelling had started. We ran very fast. I was afraid that the shrapnel would hit me.

“I came home; we hid in the living room and we prayed. I prayed that my brother and sisters would stay safe. I also prayed for my school not to be destroyed.”

Mohamad,* 24, told Save the Children the effect that explosive weapons were having on children’s ability to go to school.

“Children in Syria now are almost homeless. They don’t go to school. Schools were targeted with shells, so it became too dangerous to attend.”

Hospitals

The ICRC report *Health Care in Danger* recorded that in conflicts around the world “health care is frequently suspended, withdrawn or rendered impossible by violent events. Thousands of wounded and sick people can be denied effective health care when hospitals are damaged by explosive weapons.” An ICRC study analysed reports over a two-and-a-half-year period of violent incidents affecting healthcare in 16 countries where the organisation is operational. The report found that “the number of people killed or injured per event is greater when explosive weapons are used, as compared with other weapons” and that explosive weapons resulted in more casualties and damage than any other weapons.⁴² In December 2011, a nutrition centre run by the Somali Red Crescent Society was hit by an air strike at a time when the “population is in dire need of food assistance”.⁴³

The Independent International Commission of Inquiry on the Syrian Arab Republic has documented a continued trend in attacks on hospitals in contested areas in Syria.⁴⁴ In one incident recorded by the Commission of Inquiry, the Syrian Army shelled a Free Syrian Army field hospital that had been established in a school. The medical infrastructure was damaged and 15 civilians were killed.⁴⁵ Furthermore, in Deir ez-Zor governorate, for example, every single hospital has been damaged, while in Aleppo governorate, two-thirds of hospitals are no longer functioning. Across the country, more than half of Syria’s hospitals have been damaged, and nearly a third have been put completely out of action.⁴⁶ The Médecins Sans Frontières (MSF) report *Syria Two Years On* shows that health workers and medical facilities continue to receive threats in Syria, and medical structures are targeted and destroyed.⁴⁷

Hiba* fled the conflict in Syria with her 13-year-old daughter and son who has severe disabilities. She told Save the Children how hospitals are being targeted in Syria:



“Hospitals in Syria are being targeted by bombs. The one I took my son to for physiotherapy sessions is not operating any more. I don’t know why some hospitals were shut down. Some were hit by bombs. Others were untouched; but the roads were too dangerous for us to travel to the hospitals anyway.”

Dr Ahmad,* a medical doctor who worked during the conflict until he was eventually forced to flee, explained to Save the Children the effect that explosive weapons had on hospitals.

“Where I was was like any other area where fighting is taking place. Shelling everywhere, whether civilians are living there or not. Everything was hit, whether houses or hospitals.

“When people run away they are most at risk. Shrapnel from explosions is deadly. Most of the people I saw injured had run from their homes.

“Sometimes when wounded people are transported to the clinic, the clinics are also targeted. This increases the number of people wounded and killed even more. When the fighting comes, you run or you stay in your home and wait to die.

“The clinic is four floors, but we were only working underground – we knew the building could be shelled at any time. Everyone there was a volunteer; no one was being paid. If the shelling stopped, and there were fewer wounded people, we would all rest on the floor; we still would not leave. We were normally working 18 hours, then a few hours' rest, then starting again. Many times we would just stay there for days at a time, working.

“What is happening there now is already a disaster.”

3. Denial of humanitarian access to children

Delivery of humanitarian assistance in Syria has been an ongoing challenge, as only a small group of foreign and international humanitarian organisations have so far been able to access the country. The most compelling obstacle to reaching the millions who need assistance is insecurity and the risk posed by the constant bombardment. Explosive weapons are one of the key security concerns, putting aid workers under threat and ruining the roads and buildings that act as the key infrastructure for delivering humanitarian aid. At least two aid workers have been killed by explosive weapons in Syria in the past two years while trying to get assistance to civilians caught up in the conflict.⁴⁸ Many areas in Syria are too risky to operate in, denying children and their families who are greatly in need. For instance, the UN agency responsible for providing assistance to Palestinian refugees in Syria, including in Yarmouk camp in southern Damascus, had to close all its operations⁴⁹ following the use of explosive weapons.⁵⁰ In February 2012 the ICRC called for a ceasefire so that humanitarian organisations could deliver much-needed aid.⁵¹ MSF has said that "indiscriminate or targeted bombing considerably limits the amount of aid provided in the north of Syria".⁵²

The office of the SRSO for Children and Armed Conflict says that "consent to provide relief to a civilian population, including to children, must not be refused by a conflict-party on arbitrary grounds, and each party must refrain from deliberately impeding the delivery of relief supplies to civilians in need in areas under its control".⁵³

The use of explosive weapons in populated areas is one reason for the rising death toll among humanitarian workers since 2006.⁵⁴ When explosive weapons are used in populated areas they often damage and destroy infrastructure, which heightens the need for humanitarian aid while at the same time making its delivery more difficult. Unexploded remnants often left behind by explosive weapons also hinder humanitarian access.⁵⁵ There are further examples from recent conflicts that show how the threat from and impact of explosive weapons acts as a serious barrier to the delivery of humanitarian aid. The use of explosive weapons results in the denial of humanitarian aid to children and their families; either by making the area of operations too dangerous to work in, or by physically preventing access to the people in need of aid.

In the Israeli military offensive on Gaza in late 2008/early 2009, humanitarian operations were suspended because of the widespread use of explosive weapons. The UN Relief and Works Agency (UNRWA) temporarily suspended movements of staff throughout the Gaza Strip, which had "serious consequences for its principal operations".⁵⁶ The European Union condemned an attack on a UNRWA convoy which affected food distribution across Gaza and noted that other humanitarian partners were forced to reduce or stop their operations.⁵⁷

Other examples in Libya and Somalia have shown how the use of explosive weapons has hampered aid efforts. An International Organisation for Migration ferry was forced to wait outside Misrata for four days after Gaddafi forces pounded the harbour with explosive weapons. When the ship finally docked to evacuate foreign migrants and injured civilians, five members of a migrant family were killed by explosive weapons.⁵⁸ In October 2011, an airstrike in an internally displaced persons (IDP) camp in Somalia killed five people and wounded 45. MSF was forced to evacuate its team from Jilib, postponing a distribution of rations.⁵⁹

Psychological impact of explosive weapons on children

In addition to the harmful consequences discussed above, the use of explosive weapons causes long-term psychological distress in children. Even after the conflict has ended, children still suffer the effects of the war through the psychological damage they have endured. Indeed, all of the grave violations are linked to potentially undermining healthy child development, including psychological development.



“We left Syria because of the shelling. Every night I’d wake up scared. I’d rather die here from the bad conditions than die in Syria. I wouldn’t be alive if I was still in Syria.” Ali, 12*

Psychological and/or physical trauma at a critical time in children’s psychological development can cause them to drop out of school and can lead to short-term or chronic mental illness, substance abuse, and impairment of memory, concentration and learning, as well as social problems.⁶⁰ Studies of children and adolescents have correlated exposure to bomb attacks with likelihood of developing post-traumatic stress disorder.⁶¹ As a result of ongoing violence, children in Gaza have shown signs of distress such as frequent bed-wetting, nightmares, aggression and loss of hope.⁶² Parental distress also contributes to the vulnerability of children, as traumatised or distressed parents are more likely to ignore or punish children’s signs of distress. Response to the psychological needs of children impacted by explosive weapons is crucial, and more research in this area will help to guide and strengthen how we respond to their needs.

Testimonies of Syrian children and their parents who talked specifically about the psychological impacts of explosive weapons paint a clear picture of this grave consequence.

Parents reported that children became scared of explosions and anything that reminded them of explosive weapons, such as loud noises. Wadha,* a mother, recounted:

“My children are always scared. They have now seen things they will never forget. Do you hear the wind? The wind scares them. All loud noises are the same.”

Nabil,* a father, said:

“The younger children still cry when a plane goes overhead or a pot falls to the ground. They’re traumatised. I’ve spoken to lots of parents, and they say the same thing.”

Many other humanitarian organisations are reporting psychological impacts. MSF documented that the sound of planes is enough to frighten Syrian children and send them running.⁶³ Children in a refugee camp screamed in panic when an aeroplane flew overhead.⁶⁴

Parents also reported to Save the Children other psychological effects due to the shelling and bombardments, such as bed-wetting, loss of appetite, and children becoming withdrawn. A number of parents explained the impact that the use of explosive weapons has had on their children:



“Because of the heavy shelling, children started to get scared whenever they heard the explosions. They would run inside... My daughter started wetting her bed, and this got worse as the explosions carried on.”
Um Ali,* mother

“And then it is bombardment, and you are waiting for it to end. I kept thinking it would get better, but it kept getting worse. My children cry in their sleep. Any noise and they are just terrified. Before this, Aham, my youngest, was so full of energy. He liked to jump up and down and ride his tricycle. Now he just sits.”*
Mona,* mother of three

Children also explained in their own words to Save the Children the impact that the use of explosive weapons has had on them:

“The sound was loud, very loud. Whenever I saw the light in the sky I would be scared.” Zeinab,* 6

“I left Syria because of the constant bombardment, the constant shelling, and the torture. The children are all terrified. They don’t understand what’s happening.” Khalid,* 15

“I remember I was so scared in Syria. Once I was asleep and I woke up because I heard the shells fall next to our house. I was so scared, my tongue was frozen, I couldn’t even talk.” Omar,* 11



“Once when I was in the shelter, I was so scared and I had a fit. My sister told me it was a nervous breakdown. I don’t want to eat any more; I’m not hungry. I’ve lost so much weight over the past few months. When I think about what happened, I can’t stop crying. I cry all the time. I don’t know how long it will take to recover – perhaps a lifetime.” Amani,* 13

CONCLUSION AND RECOMMENDATIONS

Further restraining the use of explosive weapons in populated areas would save children's lives, protect them from injury, provide them with the opportunity to go to school and access medical care, and prevent them from developing lifelong psychological scars. The research and stories above are testimony to that, and should serve as a sobering reminder that these grave violations are not confined to history but have happened in the last year and are still happening today.

Explosive weapons are governed under international humanitarian law, but the current legal framework has proved unable to prevent a pattern of increased civilian harm associated with the use of explosive weapons in populated areas. The six grave violations against children have been identified by the UN Security Council because of their especially egregious nature and severe impact on a child's wellbeing. The use of explosive weapons in populated areas is directly leading to three of these grave violations, which continue to occur on a large scale. While recognition of this pattern of harm is growing among states and international organisations, the international community must do more to tackle this unacceptable and preventable suffering. The UN Children's Fund (UNICEF), the UN Office for the Coordination of Humanitarian Affairs (OCHA) and the SRSG for Children and Armed Conflict have said: "States should work towards stronger standards that will better protect civilians from the use of explosive weapons with wide area effects in populated areas."⁶⁵

Save the Children has heard at first hand from children and their families about the impact that the use of explosive weapons in populated areas has had in Syria. We urge states, NGOs, international organisations and other relevant bodies to respond to these harrowing testimonies by taking action to prevent and reduce the impact of explosive weapons on children and other civilians.

In line with the call of the UN Secretary-General to take active steps to address this fundamental humanitarian issue, Save the Children as a founding member of the International Network on Explosive Weapons makes the following recommendations:

1. All parties to conflict should refrain from the use of explosive weapons with wide area effects in populated areas to ensure that civilians are protected – in particular children – against death, injury and psychological harm.
2. States should publicly acknowledge that the use of explosive weapons in populated areas causes severe harm to individuals and communities and furthers suffering by damaging vital infrastructure.
3. The UN and civil society should continue to demonstrate that the use of explosive weapons in populated areas is a key humanitarian issue and should continue to call for attention and action on this issue.
4. Parties to conflict that use explosive weapons in populated areas should refrain from further use, recognise the impact of explosive weapons on children, acknowledge responsibility for any resulting harm, and develop risk education for children and their communities affected by explosive weapons to enhance security for children living with this threat.
5. The UN Security Council should allocate to an appropriate UN body the mandate to create a mechanism to ensure open and accurate reporting of loss of life, injury, impact on infrastructure and environmental damage when explosive weapons are used in populated areas. Such a mechanism and follow-up responses must be adequately resourced, and information should be disaggregated by age, gender, nationality and ethnic group.
6. States and civil society should also systematically gather and make available relevant data, and with the UN should work for the full realisation of victims' and survivors' rights, ensuring

that assistance to victims is age and gender-sensitive, so that services are effective and appropriate.

7. States should work with the UN and civil society to review and strengthen national policies and practices on the use of explosive weapons and develop stronger international standards.
8. There should be an increase in funding for child protection, education and mental health programmes that can respond to the psychological needs of children and families affected by the use of explosive weapons in populated areas, in order to prevent long-term negative effects on the cognitive, emotional and social development of the coming generations.



Manal, one, at a refugee settlement near the Syrian border*

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