Statement by MAG on Improvised Explosive Devices (IEDs)

(Check Against Delivery)

Thank you Mr Coordinator,

Thank you also for your food for thought paper and for the Coordinators’ work on IEDs, which we have read closely and with interest.

We offered input on this topic at November’s meeting of High Contracting Parties. But we are keen to add our reflections and input again as this continues to be one of the top priority topic for States, NGOs and other stakeholders seeking to mitigate the humanitarian impact of armed conflict, uphold international humanitarian law and protect humanitarian space along with the principles that underpin it.

Unfortunately, the need to respond to the humanitarian impact of IEDs is not diminishing. Our efforts in the field are, however, growing and with it, our collective experience. We believe, however, that this additional knowledge and experience only reinforces what we put forward in November. I would like to draw revisit several themes to which we attach significant importance as a humanitarian organisation.

Firstly, we stressed the importance of detail in the discussion of IEDs, particularly in terms of device type and the context in which a device is used. In many respects, the improvised nature of an explosive device is not its key characteristic when it comes to mitigating and addressing its humanitarian impact after active hostilities have ceased.

As all delegates will be aware, IEDs range widely in type and in their deployment. Many victim-operated improvised devices are, first and foremost, homemade landmines, as defined by this Protocol and the Anti-Personnel Landmine Convention. While we would condemn all indiscriminate actions, the use of a sophisticated IED usually has different practical and policy responses to the deployment of homemade landmines or booby traps. While both devices are frequently referred to as ‘IEDs’, more specific detail, particularly concerning device type and context, is proving to be an essential component of efforts to mitigating their humanitarian impact. This is true of both policy and practical programming responses.
Related to this is the increasingly unclear division between ‘conflict and post-conflict’ contexts in many current hostilities. When inaction is itself an active decision – and often one with humanitarian consequences – waiting for a traditional ‘post-conflict’ status does not meet the reality of much contemporary armed conflict, especially for actors seeking to meet humanitarian imperatives.

This is especially the case in complex crises with rapid displacement, returns and a range of urgent protection needs. We need increasingly to find ways of meeting need in ‘areas where active hostilities have ceased’. This issue affects all parts of humanitarian work, including mine action, and it is important irrespective of whether or not devices are improvised in nature.

This relates to the third area – the relationship between response to IEDs and mine action. Again, we believe that detail, context and nuance are vital. We are as concerned at the wholesale inclusion of IED work into mine action as we are by the creation of an artificial exclusion of all ‘IED work’ from mine action’s scope. Dealing with many improvised devices has been a long-standing component of mine action, but, again, always depending on device type and context.

We recall the valuable comments made by colleagues at GICHD in November, who stressed that technical and operational expertise and competence should be relevant to context. GICHD also stressed that mine action’s response to address the humanitarian impact of IEDs within mine action should always be considered on a case-by-case basis. We continue to strongly support this approach, which we feel reflects the contextual reality of much contemporary humanitarian mine action.

Mr Coordinator, in MAG’s view, perhaps the most important consideration for humanitarian organisations working to reduce the humanitarian impact of IEDs relates to the purpose or drivers of activities. We feel that it is essential to ensure the separation of humanitarian action in support of humanitarian objectives from activities that provide active support to military operations, force protection or those undertaken in support of disruption (or Counter-IED) activities.

To close, I would like to draw attention to two areas where we feel that further discussions could be of benefit to the issues to IED and the mitigation of their humanitarian impact:

- Firstly, we feel that there could be a greater focus on finding find ways to distinguish clearly between action involving IEDs that is humanitarian, and that which is focussed on disruption or support to force protection or military objectives. The integrity of humanitarian action depends on humanitarian principles more than ever, including for the safety of humanitarian workers and the beneficiaries we serve. We have heard several delegations refer to this issue already and we warmly welcome this.

- Second, States that are stakeholders in both humanitarian and Counter-IED work could consider the role they can play in ensuring a clear division of labour between different these areas of work involving IEDs. We continue to believe that increased civil-military dialogue, facilitated by States, could be an effective way to ensure a comprehensive response to IEDs which effectively ‘firewalls’ and protects humanitarian action. We have seen this work effectively for over a decade in several locations, including Afghanistan and in the Middle East.

To conclude, we thank you again for steering discussions on IEDs. From our perspective responding to the humanitarian impact of much contemporary conflict, including IEDs, does not find easy answers to debates such as ‘mine action does or doesn’t’, ‘post-conflict or not’, ‘NGOs or others do
or don’t. Or ‘what is good in one location will work everywhere’ – it will not. Our success in mitigating and addressing the humanitarian impact of mines, IEDs and explosive remnants of war in many areas will depend on the extent to which we can work out the detail of these grey areas. But all the time, the principles that uphold humanitarian action must be reinforced.

Mr Coordinator, MAG will continue to work hard with our colleagues in the humanitarian community and with other stakeholders - including those in the room – to achieve a positive and forward-looking dialogue to ensure safe humanitarian access and return, the safety of humanitarian personnel and support to people affected by current conflict, however challenging this may be.

Thank you.

ENDS