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Briefing: Indiscriminate weapons

Indiscriminate effects can derive from factors such as the design of the weapon, the intention and professionalism of those using it, and the circumstances in operation at the time of the attack (such as weather, visibility, reliability of intelligence). An indiscriminate weapon can therefore be defined as a weapon deemed to have indiscriminate effects either because of inherent characteristics or because of the way it tends to be used, or both. Where evidence shows that a weapon has a high potential for indiscriminate effects, for whatever reason or combination of reasons, then banning the weapon might be the most effective way to prevent such indiscriminate effects.

Amnesty International calls on all parties to any international armed conflict to take all necessary precautions to avoid civilian casualties, in accordance with binding principles of international humanitarian law. These include a prohibition on direct attacks on civilians or civilian objects; attacks which do not distinguish between military targets and civilians or civilian objects; and attacks which, although aimed at a military target, have a disproportionate impact on civilians or civilian objects.

Under the Geneva Convention, Article 51 (4) Protocol I prohibits indiscriminate attacks, including:

"those which employ a method or means of combat which cannot be directed at a specific military objective" and "those which employ a method or means of combat the effects of which cannot be limited as required by this Protocol".

Consequently, in each case, the attacks "are of a nature to strike military objectives and civilians or civilian objects without distinction."

The International Committee of the Red Cross Commentary to the Protocols mentions "long-range missiles which cannot be aimed exactly at the objective" as examples of weapons which cannot be directed at specific targets and refers to bacteriological weapons and to the poisoning of sources of drinking water as obvious cases of weapons which "by their very nature have an indiscriminate effect."

Public Document

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