

INCENDIARY WEAPONS: ASSESSING THE PROBLEM

SHORTCOMINGS OF PROTOCOL III

Protocol III to the Convention on Conventional Weapons (CCW) seeks to protect civilians from incendiary weapons, which burn people, homes, and infrastructure. While the protocol prohibits and regulates certain uses of incendiary weapons, two loopholes reduce its effectiveness:

- Protocol III's definition of incendiary weapons excludes most multipurpose incendiary munitions. The definition does not encompass munitions, such as white phosphorus, that are "primarily designed" to create smokescreens or signal troops, yet have the same cruel incendiary effects.
- Protocol III prohibits the use of air-dropped weapons in concentrations of civilians, but the provision on ground-launched incendiary weapons includes several caveats. This arbitrary distinction ignores the fact that incendiary weapons cause horrific burns and destructive fires regardless of their delivery mechanism.

ACTIONS TO STRENGTHEN PROTECTIONS

CCW states parties should:

- Agree to include Protocol III on the agenda of the 2021 CCW Sixth Review Conference,
- Express their views on the adequacy of Protocol III at CCW's next meeting and during interim written procedures,
- Condemn the use of incendiary weapons and raise awareness of the harm they cause, and
- Close Protocol III's loopholes and further stigmatize the use of incendiary weapons. A complete ban on incendiary weapons would have the greatest humanitarian benefits.

USE OF INCENDIARY WEAPONS

In the past fifteen years, Human Rights Watch has documented the use of incendiary weapons in [Afghanistan](#), [Gaza](#), [Iraq](#), [Syria](#), [Ukraine](#), and [Yemen](#).

STATES THAT HAVE RAISED CONCERNS ABOUT INCENDIARY WEAPONS SINCE THE FIFTH REVIEW CONFERENCE IN 2016

	Condemned or Expressed Concern about Use	Supported Further Discussion	Called for Amending or Strengthening Protocol III
Argentina		✓	✓
Australia	✓	✓	
Austria	✓	✓	✓
Belgium	✓	✓	
Chile	✓	✓	✓
Costa Rica	✓	✓	✓
Croatia	✓	✓	✓
Finland		✓	
Germany	✓	✓	
Holy See	✓	✓	✓
Ireland	✓	✓	
Jordan	✓		✓
Mexico	✓	✓	✓
Montenegro	✓		
New Zealand	✓	✓	
Panama	✓	✓	✓
Philippines	✓	✓	
Sri Lanka	✓		
Sweden	✓	✓	
Switzerland	✓	✓	
United Kingdom	✓		
United States*	✓	✓	
Zambia	✓	✓	✓
European Union	✓	✓	
ICRC	✓	✓	

*In 2018, the United States expressed support for a Protocol III agenda item, but it reversed its position in 2019.

THE HUMAN COST OF INCENDIARY WEAPONS

IMMEDIATE EFFECTS

- Extensive and excruciating burns that require painful treatment. White phosphorus inflicts particularly deep burns and can reignite when bandages are removed.
- Respiratory damage from inflamed airways and toxic fumes
- Infection, extreme dehydration, and organ failure
- Psychological trauma from injuries and treatment

“Everything caught fire. My husband and four of my children burned alive in front of my eyes; my baby girl ... my only girl, melted in my arms. How can a mother have to see her children burn alive? I couldn’t save them. I couldn’t help them.”

- Sabah Abu Halima, survivor of 2009 white phosphorus attack in Gaza

LONG-TERM HARM

- Intense, chronic pain
- Severe scarring and loss of mobility
- Hypersensitivity to temperature, excessive skin dryness, and dead nerve endings
- Brain damage from shock or hypoxia
- Stunted growth in children
- Post-traumatic stress disorder, anxiety, and depression
- Detachment from society and inability to work
- Need for lifelong physical and psychological treatment

“The hard part is my little nephew is scared to come near me, my other nephew who always used to hug me is scared to play with me. I’ll be walking in the street and someone will stop me and say, ‘Why do you look like that?’”

- Muhammed Assi, survivor of 2013 attack on a school in Urum al-Kubra, Syria

“With those types of weapons, there has to be some kind of control. Absolutely, 100 percent. They’re unacceptable.”

- Christine Collins, former US Air Force nurse who treated Afghan girl burned in 2009 white phosphorus attack

CHALLENGES TO TREATMENT

- Difficulty of treating burn injuries, which is exacerbated in armed conflict
- Inadequate supplies and equipment
- Shortage of medical personnel and burn experts
- Lack of knowledge about how to treat incendiary weapon injuries
- Few professional ambulances for transfers to better facilities
- Gaps in continuity of long-term care
- Deprioritization of psychological support
- Trauma to medical personnel

“Incendiary weapons create deep, ongoing disabilities, and the medical system [in a conflict zone] is not equipped to deal with that.... [Survivors] live with greater disability than their counterparts in other places.”

- Dr. Rola Hallam, British doctor who treated incendiary weapon victims in Syria in 2013

ADDITIONAL HRW AND IHRC RESOURCES

- Report: [“They Burn Through Everything”: The Human Cost of Incendiary Weapons and the Limits of International Law](#) (November 2020)
- Briefing Paper: [“Standing Firm against Incendiary Weapons”](#) (November 2019)
- Briefing Paper: [“Myths and Realities about Incendiary Weapons”](#) (November 2018)