

**GROUP OF GOVERNMENTAL EXPERTS OF
THE STATES PARTIES 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**

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Mines Other Than Anti-Personnel Mines (MOTAPM)

Working Group on Mines Other Than Anti-Personnel Mines

PROPOSAL ON ANTI-VEHICLE MINES (AVMs)

Presented by the Islamic Republic of Pakistan

1. The Group of Governmental Experts on Mines Other Than Anti-Personnel Mines (MOTAPM) has been working under a discussion mandate since 2001. The deliberations focused on addressing the humanitarian concerns related to the irresponsible use of MOTAPM and searching for ways and means to ensure the exclusion of civilians from the mined areas.
2. The anti-vehicle mine (AVM) is universally recognized as a legitimate defensive weapon. AVMs form a vital and critical component of security doctrines of States. Their non-detectability and persistence is an essential element of defensive doctrines.
3. The AVMs do not pose serious humanitarian concerns. No credible statistics exist to prove the adverse effects of AVMs for civilians. Therefore, all along the deliberations, an effort was made to strike the right balance between military needs and humanitarian concerns. The CCW framework is established on this cardinal principle.
4. The few incidents and casualties, quoted during the deliberations, are limited to civil wars involving non-State actors (NSAs). Civil war casualties will continue even if mines are detectable and non-persistent. The genuine way to minimize such risks is to focus the discussions in the Group of Governmental Experts on transfers, irresponsible use by non-State actors, protection of civilians, risk education and cooperation and assistance. This can be supplemented through national measures regulating production, storage, movement and transfers of AVMs in such a way that these do not fall into the hands of NSAs.
5. The technological disparities between various States must be taken into consideration while considering any technical standards for life limiting and detectability features for AVMs. The economic implications, particularly for the developing countries, also merit serious consideration while setting out any standards of detectability and active life, and laying down restrictions on the use and transfer of non-detectable and persistent AVMs. In order to work

towards a realistically implementable instrument, it is crucial to enhance cooperation and assistance between States so that the requisite technologies could be shared to achieve common standards in the future production of AVMs, without causing economic burden on the developing States.

6. Demining operations require proper planning and professional approach. Therefore, non-governmental organizations and other actors of civil society involved in such operations should provide sufficient training to their personnel. It will be appropriate for the NGOs to participate in such operations along with the professional armies.

7. The aforementioned aspects have been guiding our analysis and discussions with the spirit of achieving a fine balance between legitimate security needs of the States and humanitarian concerns so that any future protocol on AVMs attains universal acceptance. Following are the main features that could form the basis of future deliberations in the GGE on the issue of AVMs.

Scope

8. AVMs are not anti-personnel land mines (APLs). The approach to address risks related to them, if there are any, should be different.

9. The framework and scope of GGE's work, based on the term MOTAPM (Mines Other Than Anti-Personnel Mines), is too broad to reach a common understanding. The term MOTAPM is vague, general and non-specific. It does not exist in any military manual. It can yield to multiple interpretations and thus include, potentially, a whole range of weapons. This ambiguity needs to be removed. The Convention on Certain Conventional Weapons comprises a framework instrument and five individual protocols that regulate specific categories of weapons. The discussions based on broad and general terms are contrary to this framework.

Anti-Vehicle Mine (AVM)

10. An AVM means a land mine which is designed to be exploded by the presence, proximity or contact of a tracked or wheeled vehicle and that will damage, incapacitate or destroy one or more of such land-based vehicles.

Perimeter Marked Area

11. Perimeter Marked Area (PMA) is an area, which, in order to ensure the effective exclusion of civilians, is monitored by military or other qualified personnel authorized by the State Party which controls the minefield/mined area, or protected by fencing or other means. A perimeter marked area will be marked by appropriate signage that is visible to a person who is about to enter the PMA, except during periods of active hostilities,. During the periods of active hostilities, the marking requirements in the preceding sentence shall not apply and, as soon as feasible, the area shall be marked with appropriate signage.

Detectability

12. Non-detectability is an essential element of defensive military plans. It is not a semantic issue. Nor can it be narrowed down to a solution through exclusions in perimeter marked area. The parameters of borderlines, lines of control or areas around critical plants and infrastructure vary from country to country depending upon security situations and strategies. It is not possible to establish one criterion for defining such parameters for the purpose of perimeter marked area.

Active Life

13. The persistence of AVMs is also linked to the defence doctrine and security situation. Discussions on technical features like self-destruct (SD), self-neutralization (SN) and self-deactivation (SDA) should be restricted to Remotely Delivered AVMs only.

14. AVMs are large enough in size to be visible from a distance and hence are easy to be detected and cleared. Article 6 of Amended Protocol II provides the best and effective framework to address this issue.

15. It is possible to deliberate on the feasibility of incorporating either SD or SN in Remotely Delivered AVMs. Standards for their reliability and active life cannot be fixed and generalized.

Transfers

16. Transfers of AVMs should be limited between the States Parties only without any conditionality of detectability and non-persistence (active life) for the purpose of use in PMA only.

Cooperation and Assistance

17. Cooperation and assistance should flow from other obligations agreed in the discussions. The scope and framework of international cooperation should encompass all related fields particularly financial and technological, including weapon technology. This would enable all States to gradually work towards achievement of common technical standards.

18. A number of non-governmental organizations are involved in humanitarian demining operations. The scope of cooperation should cover provision of the latest demining related technologies and equipment to these NGOs.

Protection of Civilians and Risk Education

19. The provisions contained in Amended Protocol II are sufficient and can be useful in the context of AVMs as well.

Fuze design and Sensors

20. States shall follow the best practice in relation to the fuzes/sensors of AVMs to minimize the possibility of involuntary or accidental activation by a person. States shall strive, to the extent technologically and financially feasible, to apply modern sensor technology, taking into account the life and environmental factors.
