

GROUP OF GOVERNMENTAL EXPERTS
TO PREPARE THE REVIEW CONFERENCE
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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PROGRESS REPORT OF THE GROUP OF GOVERNMENTAL EXPERTS TO
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1. The Group of Governmental Experts to Prepare the Review Conference 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, held its third session at the Palais des Nations, Geneva, from 8 to 19 August 1994, in accordance with the decision taken at its first session. The Group held 15 plenary meetings during that period under the Chairmanship of Mr. Johan Molander of Sweden. Mr. C. Narain of India and Mr. Peter Poptchev of Bulgaria continued to serve as Vice-Chairmen of the Group. Mr. Sohrab Kheradi, Deputy Director of the Centre for Disarmament Affairs, Department of Political Affairs, continued to serve as Secretary of the Group.

2. At the third session of the Group of Governmental Experts, the following States parties to the Convention participated in the work of the Group: Australia, Austria, Bulgaria, China, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, India, Japan, Latvia, Mexico, Netherlands, New Zealand, Norway, Pakistan, Poland, Russian Federation, Slovakia, Slovenia, Spain, Sweden and Switzerland. The following States non-parties to the Convention also participated in the work of the Group as observers: Afghanistan, Argentina, Belgium, Cambodia, Canada, Chile, Colombia, Egypt, Estonia, Iran (Islamic Republic of), Ireland, Israel, Italy, Morocco, Nicaragua, Oman, South Africa, Thailand, Turkey, United Kingdom of Great Britain and Northern Ireland and the United States of America. The International Committee of the Red Cross took part in the work

of the Group, pursuant to the invitation issued by the Secretary-General of the United Nations, the Depositary of the Convention. The United Nations Department of Humanitarian Affairs, the Office of the United Nations High Commissioner for Refugees and the United Nations Children's Fund also took part in the work of the Group as observers. The Group of Experts agreed that agenda item 6 regarding the question of participation was still open and the Chairman of the Group would give periodic briefings to the non-governmental organizations on the work of the Group, pending a solution to the outstanding issues under that item.

3. The Group continued to concentrate its efforts on agenda item 10 entitled "Consideration of proposals for and preparation of amendments to Protocol II of the Convention and the adoption of the report of the Group of Experts for submission to the States Parties". At the same time, the Group also decided to keep open agenda item 9 entitled "General exchange of views", so that the substantive consideration of the issues before the Group could benefit from such an exchange of views. In this connection, a large number of delegations participated in the exchange of views.

4. In the course of its consideration of agenda item 10 regarding amendments to Protocol II to the Convention, the Group had before it the following documents:

- (1) CCW/CONF.I/GE/3 - "Draft amended protocol on prohibitions or restrictions on the use of mines, booby-traps and other devices (Protocol II)" submitted by France;
- (2) CCW/CONF.I/GE/5 - "Summary of negotiations leading to the conclusion of 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 and of subsequent developments related to the Convention" prepared by the Secretariat;
- (3) CCW/CONF.I/GE/6 - "The rationale for amending and the ways and means of improving Protocol II of the Convention as well as the military and humanitarian perspectives concerning the amendment of Protocol II of the Convention" prepared by the International Committee of the Red Cross;
- (4) CCW/CONF.I/GE/7 - Communication received from the Republic of Argentina on a Moratorium;
- (5) CCW/CONF.I/GE/10 - Proposal by Sweden on Article 6;
- (6) CCW/CONF.I/GE/13 - A speech by the Deputy Minister of Defence of South Africa;
- (7) CCW/CONF.I/GE/18 - "Commission of States parties" proposed by the Russian Federation;
- (8) CCW/CONF.I/GE/19 - Official communication received from Israel;

- (9) CCW/CONF.I/GE/20 - "Prohibitions and restrictions" proposed by the Russian Federation;
- (10) CCW/CONF.I/GE/CRP.2 - "Chairman's Rolling Text" prepared by the Chairman;
- (11) CCW/CONF.I/GE/CRP.2/Rev.1 - "Chairman's Rolling Text" prepared by the Chairman;
- (12) CCW/CONF.I/GE/CRP.5 - "Non-paper on the scope of application" submitted by Germany;
- (13) CCW/CONF.I/GE/CRP.6 - "Non-paper on definitions" submitted by Germany;
- (14) CCW/CONF.I/GE/CRP.7 - "The question of mines in the Review Conference of the Conventional Weapons Convention: discussion paper" submitted by the Netherlands;
- (15) CCW/CONF.I/GE/CRP.8 - "Non-paper on the structure of clusters 3 (restrictions and prohibitions) and 4 (verification)" submitted by Germany;
- (16) CCW/CONF.I/GE/CRP.9 - "Non-paper on cluster 3 (prohibitions and restrictions)" submitted by Germany;
- (17) CCW/CONF.I/GE/CRP.10 - "Article 4 - Specific restrictions on the use of mines, booby-traps and other devices" submitted by Denmark and the United States;
- (18) CCW/CONF.I/GE/CRP.10/Rev.1 - "Article 4 - Specific restrictions on the use of mines, [booby-traps] and other devices" submitted by Denmark and the United States;
- (19) CCW/CONF.I/GE/CRP.11 - "Protocol II - New Article - Transfers" submitted by Australia;
- (20) CCW/CONF.I/GE/CRP.11/Rev.1 - "Protocol II - New Article - Transfers" submitted by Australia, the Netherlands and Sweden;
- (21) CCW/CONF.I/GE/CRP.12 - "Main Convention - New Article - Grave Breaches" submitted by Australia and Sweden;
- (22) CCW/CONF.I/GE/CRP.13 - "Main Convention - New Article - Implementation Procedures; Protocol II - New Article - Verification Commission" proposed by Australia;
- (23) CCW/CONF.I/GE/CRP.14 - "Working Paper" presented by Bulgaria;
- (24) CCW/CONF.I/GE/CRP.15 - "Convention - Article 5 - Entry into Force; Article 9 - Denunciation and Protocol II - Article 6 - Prohibition on the use of certain mines" submitted by the Russian Federation;

- (25) CCW/CONF.I/GE/CRP.17 - "Non-paper on the Technical Annex to the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-traps and Other Devices (Protocol II)" submitted by Germany;
- (26) CCW/CONF.I/GE/CRP.18 - "Article 8" proposed by Austria;
- (27) CCW/CONF.I/GE/CRP.19 - "Article 3" submitted by Mexico;
- (28) CCW/CONF.I/GE/CRP.20 - "Protocol II - New Article - Reports" submitted by Australia;
- (29) CCW/CONF.I/GE/CRP.21 - "Discussion paper - Scope" submitted by Australia on behalf of a Contact Group;
- (30) CCW/CONF.I/GE/CRP.22 - "Non-paper on definitions" submitted by India on behalf of the Consultation Group of Experts;
- (31) CCW/CONF.I/GE/CRP.23 - "Discussion paper on booby-traps and other devices" submitted by Australia;
- (32) CCW/CONF.I/GE/CRP.24 - "Proposals on prohibitions and restrictions" submitted by the International Committee of the Red Cross;
- (33) CCW/CONF.I/GE/CRP.25 - "Verification and compliance" proposed by France and Germany;
- (34) CCW/CONF.I/GE/CRP.26 - "Technical Annex to Protocol II" Working paper submitted by France;
- (35) CCW/CONF.I/GE/CRP.27 - "Verification and compliance" proposed by Finland;
- (36) CCW/CONF.I/GE/CRP.29 - "Protocol on anti-personnel landmines" proposed by Estonia;
- (37) CCW/CONF.I/GE/CRP.31 - "New Article 9 A - Provisioning of Technical Assistance to the States parties" - proposed by Pakistan, co-sponsored by China, Cuba and Iran (Islamic Republic of);
- (38) CCW/CONF.I/GE/CRP.32 and Corr.1 (English only) - "Verification and Compliance" joint proposal by China, Cuba, Iran (Islamic Republic of) and Pakistan;
- (39) CCW/CONF.I/GE/CRP.33 - "Proposal on Article 9 - Technological cooperation and assistance" submitted by Cuba, Iran (Islamic Republic of) and Pakistan;
- (40) CCW/CONF.I/GE/CRP.34 - "Article 8 - Protection of forces, missions, agencies and other bodies under the authority of the United Nations, of regional arrangements (agencies) acting under Chapter VIII of the United Nations Charter and of the International Committee of the Red Cross from the effects of minefields, mines, booby-traps and other devices" proposed by Austria;

- (41) CCW/CONF.I/GE/CRP.35 - "Article ... - Commission of States parties" proposed by the Russian Federation;
- (42) CCW/CONF.I/GE/CRP.36 - Working paper on "Article 3 - General restrictions on the use of mines, booby-traps, and other devices" jointly submitted by Denmark, Germany and the United States of America;
- (43) CCW/CONF.I/GE/CRP.38 - "Protocol II - New article on transfers" proposed by Australia, Denmark, Ireland, The Netherlands, New Zealand, Norway, South Africa, Sweden and Switzerland;
- (44) CCW/CONF.I/GE/CRP.39 - "Technical Annex Provisions" submitted by the United States;
- (45) CCW/CONF.I/GE/CRP.40 - "Article 4, paragraph 2" proposed by Denmark and the United States of America.

In addition, a large number of informal working papers were submitted by delegations during the course of deliberations on the subject.

5. The Group continued to consider various proposals to amend Protocol II to the Convention regarding prohibitions and restrictions on mines, booby-traps and other devices on the basis of the revised rolling text submitted by the Chairman (CCW/CONF.I/GE/CRP.2/Rev.1). Upon the proposal of the Chairman, the Group agreed to set up various working groups to consider the subject within the framework of the following clusters of issues: (1) scope of application; (2) definitions; (3) prohibitions and restrictions; and (4) verification, fact-finding and compliance.

6. Working Group I on "Prohibitions and Restrictions" and Technical Military Experts Group on "Definitions and Technical Annexes" held five and two meetings respectively under the Chairmanship of Mr. C. Narain of India from 9 to 17 August, assisted by Mr. Lin Kuo-Chung of the Centre for Disarmament Affairs. Working Group I concentrated its efforts on the deliberations of amendments to Articles 3-9 as well as possible new articles to the Protocol. The Technical Military Experts Group devoted its efforts on Article 2 and Technical Annexes to Protocol II. In the course of deliberations, various proposals were submitted. During this period, the Chairman of the Working Group also conducted informal consultations on those issues.

7. Working Group II on "Verification and fact-finding" held two meetings under the Chairmanship of Mr. Johan Molander, Chairman of the Group of Experts, assisted by Mr. Sohrab Kheradi, Secretary of the Group of Experts. The Working Group had extensive discussions on all aspects relating to the question of a possible verification system and fact-finding missions with a view to elaborating possible new articles to be added to Protocol II. In the course of the deliberations a number of proposals were put forward and intensive informal consultations were conducted by the Chairman. Alternative proposals for verification and compliance were elaborated and considered. There is no consensus on the principle of establishing a verification system for the purpose of this Protocol or Convention.

8. On 17 August the Secretary of the Group of Experts stated, inter alia, that the CCW Convention is a multilateral instrument binding States parties and hence, no aspect related to its implementation, including those related to any fact-finding mission and/or Verification Commission or other mechanisms that would be part of the Convention or its Protocols, would have any financial implications as far as the United Nations budget is concerned.

9. Working Group III on "Scope of application" and Working Group IV on "Compliance" held two meetings and one meeting respectively, under the chairmanship of Mr. Peter Poptchev of Bulgaria from 10 to 16 August, assisted by Mr. Francesco Cottafavi of the Centre for Disarmament Affairs. Working Group III had intensive deliberations on the possible extension of the scope of application beyond the present one to include also armed conflicts not of an international character. Various proposals were put forward on the issue. Intensive informal consultations were also held by the Chairman of the Working Group on the question of scope but there was no consensus on the principle of extending the scope of the Protocol to armed conflicts not of an international character.

10. Working Group IV had extensive discussions on several issues related to the question of compliance with the provisions of the Protocol. Subsequently, various proposals were put forward on the issue.

11. On the basis of the deliberations in the various working groups, the Group of Governmental Experts, upon the proposal of the Chairman, agreed to elaborate an integrated draft text of amendments to Protocol II in the plenary meetings during the period 16 to 18 August. The revised and integrated draft text of amendments to the Protocol II of the Convention is contained in the new version of the Chairman's rolling text (CCW/CONF.I/GE/CRP.2/Rev.2) as annexed to the present report.

12. On 15 August, the Group of Governmental Experts began a preliminary exchange of views on agenda item 11 entitled "Consideration of other proposals relating to the Convention and its existing or future Protocol". A number of delegations made statements or introduced their proposals on blinding weapons, naval mines and small calibre weapon systems. One delegation also addressed the issue of an amendment to the Convention to provide for more frequent meetings of the States parties. A general exchange of views took place without prejudice as to whether the proposals would ultimately result in new protocols. The Group had before it for its consideration, the following documents under agenda item 11:

- (1) CCW/CONF.I/GE/9 - Background documentation entitled "The rationale for considering other proposals relating to the convention and to its existing or future protocols" prepared by the International Committee of the Red Cross;
- (2) CCW/CONF.I/GE/11 - "Draft Protocol on Blinding Weapons" - submitted by Sweden;
- (3) CCW/CONF.I/GE/12 - "Draft Protocol on Naval Mines" submitted by Sweden;

- (4) CCW/CONF.I/GE/14 and Corr.1 - "Blinding weapons: explanatory memorandum to the proposal for a prohibition" submitted by Sweden;
- (5) CCW/CONF.I/GE/15 - "Small calibre weapon system: Assistance in Wound Ballistics Research and Testing" submitted by Switzerland;
- (6) CCW/CONF.I/GE/16 - "Draft Protocol on small calibre weapon systems" submitted by Switzerland;
- (7) CCW/CONF.I/GE/CRP.28 - "Draft Protocol on blinding weapons" submitted by the International Committee of the Red Cross;
- (8) CCW/CONF.I/GE/CRP.30 - "Draft Protocol on naval mines" submitted by France.

13. The Group of Governmental Experts decided, on 18 August, to hold an additional session in Geneva from 9 to 20 January 1995. In this connection, the Group adopted the estimated costs for the fourth session as contained in document CCW/CONF.I/GE/17.

14. The Group further took up for consideration agenda item 12(a) regarding the question of date and duration for the Review Conference. On 18 August, the Group decided to hold the Review Conference in Geneva within the time-frame 25 September - 13 October 1995. The exact duration will be decided at the fourth session of the Group of Governmental Experts. At its final meeting on 19 August 1994, the Group of Governmental Experts to prepare the Review Conference 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 decided to nominate the President of the CCW Review Conference at the January 1995 session of the Group of Governmental Experts and then consider the recommendation of Mr. Molander, the present Chairman of the Group.

15. At its final plenary meeting, on 19 August 1994, the Group of Experts considered and adopted its draft progress report for the third session, as contained in document CCW/CONF.I/GE/CRP.37, as orally amended, which is to be issued as document CCW/CONF.I/GE/21.

16. The last paragraph of the letter of States parties to the Convention submitted to the Secretary-General of the United Nations, dated 22 December 1993, states: "The Group of Experts should report to the States parties before the end of 1994 on the results of its work on amendments to Protocol II of the Convention". Pursuant to that request, the Group of Experts decided to submit to the States parties its progress reports as contained in documents CCW/CONF.I/GE/4, CCW/CONF.I/GE/8 and CCW/CONF.I/GE/21 and to request the Secretariat to take appropriate action concerning this matter.

Annex

CHAIRMAN'S ROLLING TEXT

Explanatory note by the Chairman

The enclosed revised version of the Chairman's Rolling Text (CCW/CONF.I/GE/CRP.2/Rev.2) reflects the view of the Chairman of the Group of Governmental Experts on the present state of negotiations on amendments to Protocol II of the Convention. The revised text will hopefully facilitate consideration of existing proposals in capitals, and will form the basis for the deliberations of the Group of Governmental Experts at its fourth session on 9-20 January 1995.

The text is made up of three parts. The first part reflects the current state of negotiations on articles 1 to 9. It also includes the new subject areas of "Transfers" and "Technological Cooperation and Assistance". At this stage views vary as to the appropriateness of including these subject areas into the body of Protocol II.

Appendix I contains the proposed texts on verification and compliance. These texts do not, at the present stage, commit any delegation, as there is no consensus on the addition of a verification regime to Protocol II.

Appendix II contains proposals relating to the subject matter of Protocol II but which have been submitted in relation to the Main Convention.

Article 1

[Material] Scope of Application

1. This Protocol relates to the [use] [emplacement] on land of the mines, booby-traps and other devices defined herein, including mines laid to interdict beaches, waterway crossings or river crossings, but does not apply to the use of anti-ship mines at sea or in inland waterways.

[2. This Protocol shall apply in the situations referred to in Article 2 [and 3] and common to the Geneva Conventions of 12 August 1949 for the Protection of War Victims, and [in Article 1 of Additional Protocol II to the Geneva Conventions of 12 August 1949.] [and in conformity with the international obligations of the parties concerned].

3. In the case of conflicts referred to in [Article 1 of Additional Protocol II] that take place in the territory of a High Contracting Party that has accepted this Protocol, the dissident armed groups referred to in [that article] shall specifically be bound to apply the prohibitions and restrictions of this Protocol on the same basis.

4. When one or more of the parties to a conflict are not bound by this Protocol, the parties to the conflict which are bound by the Protocol shall remain bound thereby in their mutual relations. [Any party to a conflict

shall be bound by this Protocol in relation to any other party to the conflict which is not bound by the Protocol, if the latter accepts and applies the Protocol].

5. The application of the provisions of this Protocol to parties to a conflict which are not High Contracting Parties that have accepted this Protocol shall not change their legal status or the legal status of a disputed territory, either explicitly or implicitly.]

Note: Some delegations support the view that the issue of scope should be addressed in the Convention, rather than in the Protocol.

Note: There is no consensus on the principle of extending the scope of the Protocol to conflicts not of an international character.

Article 2

Definitions

For the purpose of this protocol:

1. "Mine" means a munition placed under, on or near the ground or other surface area and designed to be exploded by the presence, proximity or contact of a person or vehicle.

and "Remotely-delivered mine" means a mine not directly emplaced but delivered by artillery, missile, rocket, mortar, or similar means, or dropped from an aircraft. 1/

and "Anti-personnel mine" means a mine designed to [be exploded by the presence, proximity or contact of a person and that will] incapacitate, injure or kill one or more persons.

2. "Booby-trap" means any device or material which is designed, constructed, or adapted to kill or injure, and which functions unexpectedly when a person disturbs or approaches an apparently harmless object or performs an apparently safe act.

3. "Other devices" means manually emplaced munitions and devices designed to kill, injure or damage and which are actuated by remote control or automatically after a lapse of time.

4. "Military objective" means, so far as objects are concerned, any object which by its nature, location, purpose or use makes an effective contribution to military action and whose total or partial destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage.

1/ It was suggested that further consideration should be given to the definition of "remotely-delivered mine".

5. "Civilian objects" are all objects which are not military objectives as defined in paragraph 4.

6. "Minefield" is an area in which mines have been emplaced.

and "Mined area" is an area which is dangerous due to the presence [or suspected presence] of mines.

7. "Recording" means a physical, administrative and technical operation designed to obtain, for the purpose of registration in the official records, all available information facilitating the location of minefields, mines, booby-traps and other devices.

8. "Self destruction mechanism" means an incorporated automatically functioning mechanism which secures the destruction of a munition.

and "Self neutralizing mechanism" means an incorporated automatically functioning mechanism which renders a munition inoperable.

[and "Self deactivation" means automatically rendering a munition inoperable by means of the irreversible exhaustion of a component that is essential to the operation of the munition.]

[and "Remote control" means a control by commands from a distance.]

[9. "Anti-handling device" means a device by which a mine will explode when an attempt is made to remove, neutralize or destroy the mine.]

or ["Anti-handling device" means a device to protect a munition against removal.]

Article 3

General restrictions on the use of mines, [booby-traps] and other devices

1. This Article applies to:

- (a) mines;
- (b) [booby-traps;] and
- (c) other devices.

2. Each State party or party to a conflict is, in accordance with the provisions of this Protocol, responsible for all mines, [booby-traps,] and other devices employed by it [and undertakes to clear, remove or destroy them at the end of active hostilities or as specified in Article 9 of this Protocol].

3. It is prohibited in all circumstances to direct weapons to which this Article applies, either in offence, defence or by way of reprisals, against the civilian population as such or against individual civilians.

4. The indiscriminate use of weapons to which this Article applies is prohibited. Indiscriminate use is any placement of such weapons:

- (a) which is not on, or directed against, a military objective; or
- (b) which employs a method or means of delivery which cannot be directed at a specific military objective; or
- (c) which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated.

[5. Several clearly separated and distinct military objectives located in a city, town, village or other area containing a similar concentration of civilians or civilian objects cannot be treated as a single military objective.]

6. All feasible precautions shall be taken to protect civilians from the effects of weapons to which this Article applies. Feasible precautions are those precautions which are practicable or practically possible taking into account all circumstances ruling at the time, including humanitarian and military considerations. These circumstances include, but are not limited to:

- (a) the short and long term effect of landmines upon the local civilian population for the duration of the minefield;
- (b) possible measures to protect civilians (e.g. fencing, signs, warning and monitoring);
- (c) the availability and feasibility of using alternatives; and
- (d) the short and long-term military requirements for a minefield.

7. Effective advance warning shall be given of any emplacement of mines, [booby-traps] and other devices which may affect the civilian population, [unless circumstances do not permit].

[8. Restrictions and prohibitions in this protocol shall facilitate the ultimate goal of a complete ban on the production, stockpiling, use and trade of anti-personnel landmines.]

Article 4

[Specific] restrictions on the use of mines [other than remotely delivered mines], [booby-traps] and other devices

1. This Article applies to:

- (a) mines [other than remotely delivered mines];
- (b) [booby-traps;] and

(c) other devices.

[2. Unless combat between ground forces is taking place or appears to be imminent, weapons to which this article applies

(a) must be placed within a perimeter-marked area. The marking must be visible and distinct, and of a kind which cannot be accidentally removed. The perimeter-marked area must be protected by fencing or other means, and monitored by military personnel; and

(b) must, before abandonment, be cleared or turned over to allied or coalition forces that accept responsibility for maintenance of the protections required by the provisions of this Article and for subsequent destruction or recovery of the mines and other devices placed within it.]

[2.(a) [Anti-personnel] mines, booby-traps and other devices [without a combination of (1)] a self-destruction [or a self-neutralizing] mechanism, and (2) [self-deactivation] may be used only if:

1. They are placed within a perimeter-marked [border] area and protected by fencing or other means to effectively exclude civilians from the area. The marking must at least be visible to a person who is about to enter the perimeter-marked area. The marking must be of a distinct and durable character. The area must be continuously monitored by military personnel; and 1/

2. They are cleared before leaving the area, unless that area is turned over to allied or coalition forces that accept responsibility for maintenance and subsequent clearance (i.e., removal or destruction) of those weapons.

3. A party to the conflict is relieved from further compliance with the provisions of Subparagraphs 2 (a) and 2 (b) above only if such compliance is unfeasible due to forcible loss of control of the area as a result of enemy military action. If the party to the conflict regains control of the area, it shall resume compliance with the provisions of the Subparagraphs.]

[3][4]. If the forces of a party gain control of an area in which [[anti-personnel] mines, [booby-traps] and other devices] [weapons to which

1/ It was also suggested that Article 1, paragraph 2 (a) 1 should read as follows:

2. "Mines, [booby-traps,] and other devices that are not self-destructing [or self-neutralizing] may be used only if:

(a) They are placed within a party's own territory from which its civilian population has been effectively evacuated, or, within a perimeter-marked area, in which case they shall be protected by fencing or other means to effectively exclude civilians from the area. The marking must be visible, distinct and durable. The marked area must be continuously monitored by military personnel; and"

this Article applies] have been laid, such forces shall [to the maximum extent possible] maintain the [existing] protections required by this Article until such weapons have been cleared.

[4][5]. [Mines, booby-traps and other devices shall comply with the minimum standards for reliability design and construction contained in the Technical Annex.]

[5][6]. [The intentional removal, defacement, destruction or concealment, [by persons not under the command of a party,] of any device, system or material used to establish the perimeter of a perimeter-marked minefield, except following the clearance of the minefield, shall be prohibited.]

[6][7]. [To facilitate clearance, all [anti-personnel] mines, [booby-traps,] and other devices must be [easily] [readily] detectable using widely-available equipment, such as electronic mine detectors [in accordance with the Technical Annex]. No [anti-personnel] mines, [booby-traps,] and other devices may be designed such that they will detonate by the operation of standard mine-sensing devices.] 2/

Article 5

[Specific] restrictions on the use of remotely delivered mines:

1. The use of remotely delivered mines is prohibited unless [they possess either a 'self neutralizing' or a 'self destruction' mechanism [which should be capable of self-deactivation] [in accordance with the Technical Annex]; and
- [2. All remotely-delivered mines shall comply with the standards for armed period, reliability, design and construction contained in the Technical Annex.]

Article 6

Prohibitions [on the use of] [regarding] [certain]
[mines] booby-traps and other devices

1. Without prejudice to the rules of international law applicable in armed conflict relating to treachery and perfidy, it is prohibited in all circumstances to use booby-traps and other devices which are in any way attached to or associated with:
 - (a) internationally recognized protective emblems, signs or signals;
 - (b) sick, wounded or dead persons;
 - (c) burial or cremation sites or graves;

2/ Views were expressed to the effect that this paragraph should be moved to Article 6 or Article 9.

(d) medical facilities, medical equipment, medical supplies or medical transportation;

(e) children's toys or other portable objects or products specially designed for feeding, health, hygiene, clothing or education of children;

(f) food or drink;

(g) kitchen utensils or appliances except in military establishments, military locations or military supply depots;

(h) objects clearly of a religious nature;

(i) historic monuments, works of art or places of worship which constitute the cultural or spiritual heritage of peoples;

(j) animals or their carcasses.

[2. The [manufacture, stockpiling,] use [and transfer] of booby-traps in the form of apparently harmless portable objects is prohibited.]

3. It is prohibited in all circumstances to use any [mine,] booby-trap [or other device] which is designed to cause superfluous injury or unnecessary suffering.

[4. It is prohibited to use [,manufacture, stockpile, or transfer] [anti-personnel] mines which cannot be detected, that is, which cannot be identified using widely available equipment such as electromagnetic mine detectors [as specified in the Technical Annex].

[5. The States parties shall notify the Depositary of all stockpiles of weapons to which this Article applies and undertake to destroy them within a period of .. years. The States shall report annually on the progress made regarding implementation of paragraphs 2 and 4 of this Article.]

Article 6 bis

[Prohibition of the use, development, manufacture, stockpiling and transfer of certain mines and booby-traps]

[1. It is prohibited to use, develop, manufacture, stockpile or transfer, directly or indirectly:

- Anti-personnel mines defined in Article 2, [paragraph 1] of this Protocol; and]
- [Anti-personnel mines without self-destruction or self-neutralizing mechanisms]
- [- Booby-traps defined in Article 2, [paragraph 2] of this Protocol.

2. The States parties undertake to destroy the weapons to which this article applies and which are in their ownership and/or possession.]

[Article 6 ter]

[Transfers]

[The States parties undertake, as a preventive measure, not to transfer any land mines, booby-traps and other devices to a country or countries the territory of which is [or could become] the subject of armed conflict whose humanitarian consequences, due to the abuse of the employment of land mines in contravention to the relevant articles of this Protocol, could be considered to be of grave proportions.

The implementation of this undertaking shall, in all cases, be preceded by monitoring and consultations (within the framework of the International Verification Commission to be established under the revised Convention) and may be carried out either by virtue of this Protocol or in response to a respective decision by the United Nations Security Council.

This specific non-transfer obligation of the States parties shall in no way interfere with or prejudice any other arrangement regulating the international trade and transfer of land mines and relevant equipment the States parties might participate in.

Explanatory note:

The placement of this new text in a revised Protocol II will depend on the development of the conceptual discussion in the Group concerning the division or fusion on the "use" and the "production and transfer" issues.]

- [1. It is prohibited to transfer any weapon defined in Article 2 of this Protocol to entities which are not States;
2. States parties undertake not to transfer any weapon defined in Article 2 of this Protocol to States which are not bound by this Protocol;
3. States parties undertake not to transfer to other States parties any weapon defined in Article 2 of this Protocol of which the use is prohibited in all circumstances;
4. States parties shall exercise restraint in transferring to other States parties any weapon defined in Article 2 of this Protocol of which the use is restricted.]

Article 7

Recording and publication of the location of minefields, mined areas, mines, [booby-traps] and other devices and all relevant information

1. The parties to a conflict shall record the location of all minefields, mined areas, [booby-traps] and other devices laid by them. The recording shall be done in accordance with the Technical Annex.

2. All such records shall be retained by the parties, who shall:

(a) immediately after [the cessation of active hostilities] [the effective cessation of hostilities and the meaningful withdrawal of forces from the combat zone]:

- (i) Take all necessary and appropriate measures, including the use of such records, to protect civilians from the effects of the minefields, mines, [booby-traps] and other devices;
- (ii) Make available to each other and to the Secretary-General of the United Nations all information in their possession concerning the location of the minefields, mines, [booby-traps] and other devices in the zone of conflict;

(b) When a United Nations force or mission performs these functions in any area, make available to the authority mentioned in Article 8 such information as is required by that article; 1/

[(c) Provide for the release of information concerning the location of the minefields, mines, [booby-traps] and other devices, particularly in agreements covering the cessation of hostilities;]

(d) Make available to each other all information concerning the date of neutralization or destruction of mines equipped with either a neutralizing mechanism [or process] or a destruction mechanism [or process] as defined in paragraphs 8 and 9 of article 2 of this Protocol;

(e) Make available to each other all relevant technical information, in particular concerning the detection and location of the mines, [booby-traps] and other devices, which can be used for purposes of clearance.

1/ It was suggested that the wording of subparagraph 2 (b) should be revised in the light of the final text of Article 8.

Article 8

Protection of [forces, missions, agencies and other bodies under the authority of the United Nations, of regional arrangements (agencies) 1/ acting under Chapter VIII of the United Nations Charter] [and of the International Committee of the Red Cross] from the effects of minefields, mines, booby-traps and other devices 2/

1. When a [force, mission, agency or other body under the authority either of the United Nations or of a regional arrangement (agency) acting under Chapter VIII of the United Nations Charter [or any other organization providing relief action undertaken subject to the agreement of the parties concerned in such relief action,] performs functions of peace-keeping, observation, humanitarian assistance or similar functions] in any area, each party to the conflict shall, if requested by the respective head of the force, mission, [agency or other body] in that area [and in accordance with the United Nations Charter]:

(a) remove or render harmless all mines, [booby-traps] and other devices in that area,

(b) take such measures as may be necessary to protect the [force, mission, agency or other body] from the effects of minefields, mined areas, mines, [booby-traps] and other devices while carrying out its duties, and

(c) make available [to the head of the United Nations force or mission] [to the head of the requesting agency] in that area all information in the party's possession concerning the location of minefields, mined areas, mines, [booby-traps] and other devices in that area.

2. When a [force, mission, agency or other body under the authority of the United Nations or of a regional arrangement (agency) acting under Chapter VIII of the United Nations Charter] performs functions in any area, any party to the conflict concerned shall provide protection of that body except where, because of the size of such body, it cannot adequately provide such protection. In that case it shall make available to the head of the [force, mission, agency or other body] in that area the information in its possession concerning the location, in that area, of minefields, mined areas, mines, [booby-traps] and other devices.

[3. Each party to the conflict shall provide information and protection as specified in paragraphs 1 and 2 and under the conditions set out therein to

1/ Bracketed language will require further consideration in the light of ongoing related work in the Ad Hoc Committee on the Safety of United Nations Personnel, at the United Nations General Assembly Sixth Committee.

2/ It was suggested that the specific measures described in Article 8 should be limited to United Nations forces or missions in light of their far-reaching character. At the same time, it was suggested that appropriate protections be given to an even broader range of peacekeeping forces, or internationally recognized humanitarian or relief activities, which might, in appropriate cases, include mine clearance, provision of information on the location of mines, or the provision of escorts.

the International Committee of the Red Cross when the latter is working in an area of minefields, mined areas, mines, [booby-traps] and other devices.]

Article 9

[Removal of minefields, [mined areas,] mines, [booby-traps] and other devices and international cooperation] 1/

1. [Upon the cessation of active hostilities] [After the effective cessation of hostilities and the meaningful withdrawal of forces from the combat zone] each party to the conflict shall clear, remove or destroy, or maintain in accordance with Article 4, all minefields, mined areas, [booby-traps,] and other devices remaining in territory under its control.

2. If mines, [booby-traps] and other devices laid by a party to a conflict are in territory not under its control, each party to the conflict is further obliged to provide timely information and technical and material assistance necessary to clear all such devices.

3. Further, the parties shall endeavour to reach agreement, both among themselves and, where appropriate, with other States and with international organizations, on the provision of technical and material assistance - including, in appropriate circumstances, joint operations - necessary to remove or otherwise render ineffective minefields, mined areas, [booby-traps] and other devices laid during the conflict.

4. The activities regarding removal referred to in this Article shall, where appropriate, be carried out in consultation with any other parties affected.

[5. Upon receiving the request from a State party for any technical assistance, to meet the requirement/specifications laid down for the mines (self-destruct, self-neutralizing); the Depositary of this Convention will render this assistance free of cost.]

It will employ all possible means at its disposal to ensure:

(a) Transfer of technology from advanced nations to the developing countries for acquisition on no cost basis;

(b) Allocate requisite funds for the assistance through United Nations coordinated programme.]

1/ It was suggested that the provisions relating to the removal of mines as well as to the international cooperation necessary for such removal should be treated in a specific article.

It was also suggested that Article 9 should be distinct from proposals concerning technical assistance which might become necessary in order to apply the technical requirements resulting from proposals for prohibitions and restrictions proposed by some delegations.

Proposals regarding Article 9

[Technological cooperation and assistance

1. Each State party shall undertake to facilitate and shall have the right to participate in, the fullest possible exchange of equipment, material and scientific and technological information concerning means of mine clearance.
2. The States parties shall undertake to provide information concerning various means and technologies of mine clearance to the data bank established within the United Nations system. The data bank shall contain the information provided by States parties and international organizations which upon the request will be freely available to all States parties.
3. The coordinated mine-clearance programme established within the United Nations as per in the United Nations General Assembly Resolution 48/7 adopted without a vote shall also, within the resources available to it, and at the request of a State party, provide expert advice and assist the State party in identifying how its programmes for the mine clearance could be implemented.
4. Each State party undertakes to provide assistance through the United Nations coordinated programme and other relevant United Nations bodies and to this end to elect to take one of the following two measures:
 - (a) to contribute to the voluntary fund for assistance, established by United Nations coordinated programme;
 - (b) to declare not later than 90 days after the amended protocol II enters into force for it, the kind of assistance it might provide in response to an appeal by the United Nations coordinated programme. If, however, a State party subsequently is unable to provide the assistance envisaged in its declaration it is still under the obligation to provide assistance in accordance with this paragraph.
5. The request by a State party to receive assistance, substantiated by relevant information, shall be submitted to the United Nations programme and the Depositary that shall transmit it immediately to all States parties and related international organizations. Subsequently after the receipt of the request, an investigation shall be initiated in order to provide foundation for further action. A report consequently shall be forwarded, accompanied by relevant facts related to the request as well as the type and scope of the assistance needed.]

Technical Annex

1. Guidelines on recording

The recording of the location of minefields, mined areas, [booby-traps] and other devices shall be done as per the following guidelines:

- (a) Maps, diagrams or other records should be made in such a way as to indicate the location of minefields, mined areas, [booby-traps] and other devices; as far as minefields and mined areas are concerned they should also indicate their perimeters and extent.

(b) The location of the minefields and mined areas should be specified accurately by relation to the coordinates of reference points and the estimated dimensions of the area containing mines in relation to those reference points.

(c) The location of [booby-traps] and other devices should be specified accurately, by relation to the coordinates of reference points.

(d) [The estimated location and area of remotely delivered mines should be specified accurately by coordinates of reference points and should be ascertained and marked on the ground at the earliest opportunity. The total number and type of mines laid, the date and time of laying and the self-neutralizing/self-destruction [/self-deactivation] time period should also be recorded.]

(e) For purposes of detection and clearance of mines, [booby-traps] and other devices, diagrams or other records should contain complete information on the type, number, emplacing method, type of fuse and life time, date and time of laying, of all the munitions laid.

[(f) Concept of a repository of records.]

2. Specifications for the detectability of mines

(a) [To facilitate detection and clearance of mines by widely available detection equipment a minimum of 8 grams of [irremovable] iron in a single coherent mass has to be integrated in all mines.]

(b) [A sufficient quantity of [irremovable] material or any appropriate device, [incorporating detectability equivalent to 8 grams of iron in a single coherent mass,] to enable detection by commonly available technical detection equipment shall be placed in or on every [anti-personnel] mine emplaced.]

(c) [To facilitate detection and clearance, all mines must have irremovable metallic elements in their construction.]

3. Specifications for self-destruction and self-neutralizing mechanisms and for self-deactivation]

(a) [Mines, booby-traps, and other devices with self-destruction [or self-neutralization] mechanisms, [or with self-deactivation], shall be designed and constructed so that no more than 1 in every 1,000 such munitions will be operable .. days after emplacement.] 1/

(b) [Mines, booby-traps, and other devices with self-deactivation shall be designed and constructed so that, once deactivated, they cannot be reactivated by means available outside their manufacture plant or a comparable facility.]

4. International sign for minefields and mined areas]

1/ It was suggested that a shorter time limit be established for remotely delivered anti-personnel mines.

APPENDIX I

Proposals relating to verification and compliance

[Article 10]

[Verification Commission]

[1. Within _____ after entry into force of this Article, the Depositary shall convene a meeting in New York of Parties bound by this Article, which shall designate _____ of their number to serve as a Verification Commission, taking into account equitable geographic distribution. Members of the Commission shall serve for two-year periods and shall be eligible for re-election. The Commission shall take all its decisions by consensus if possible, but otherwise by a majority of members present and voting.]

[1. Each State party shall be entitled to ask the Depositary to convene a Verification Commission within a period of one week, to conduct an inquiry in order to clarify and resolve any questions relating to possible non-compliance with the provisions of this Protocol concerning the use of mines, booby-traps and other devices. The request for an inquiry shall be accompanied by relevant information and evidence confirming its validity. 1/

2. Any State party may appoint a representative to the Verification Commission which shall meet in New York. Subject to the provisions of paragraph 3 of this article [and paragraph 1 of Article 11] the Verification Commission shall take its decisions by consensus if possible, but otherwise by a majority of members present and voting.] 2/

The costs of the Verification Commission's activity shall be covered by the States parties in accordance with the United Nations scale of assessments, adjusted to allow for differences between the number of States Members of the United Nations and the number of States parties, subject to the provision of (Article 11, paragraph 3).

[3. The Verification Commission shall, not later than 48 hours after it has been convened, decide whether to conduct the inquiry requested.]

[3. An inquiry shall be held unless the Verification Commission decides, not later than 48 hours after it has been convened, with a majority of two thirds of its members present and voting that the information and evidence produced does not justify an inquiry.]

1/ It was suggested that it should also be possible for the Secretary-General to request the convening of a Verification Commission in cases where alleged violations of the Protocol affect peace-keeping forces under his control.

2/ It was suggested that the participation of a quorum of a simple majority should be necessary for a Verification Commission to be instituted.

For the purposes of the inquiry the Verification Commission shall seek useful assistance and relevant information from States parties and international organizations concerned and from any other appropriate sources.]

[Article 11]

[Fact-finding missions]

[1. The inquiry shall be supplemented by evidence collected on the spot or in other places under the jurisdiction or control of the party to the conflict concerned unless the Verification Commission decides with a majority of two thirds of its members present and voting that no such evidence is required.]

[1. The Verification Commission may decide that the inquiry has to be supplemented by evidence collected on the spot and in any place under the jurisdiction or control of the party to a conflict concerned.] In such cases the Verification Commission shall notify the party to a conflict concerned of the decision to send a team of experts to conduct a fact-finding mission at least 24 hours before the team of experts is expected to arrive. It shall inform all States parties of the decision taken as soon as possible.

2. For the purposes of paragraph 1 of this article, the Depositary shall prepare a list of qualified experts provided by States parties, and constantly keep this list updated. The experts shall be designated in view of the particular fields of expertise that could be required in a fact-finding mission concerning the alleged use of mines, booby-traps and other devices. The initial list as well as any subsequent change to it shall be communicated, in writing, to each State party without delay. Any qualified expert included in this list shall be regarded as designated unless the State party, not later than thirty days after its receipt of the list declares its non-acceptance[, in which event the Verification Commission shall decide whether the expert in question shall be designated].

3. Upon receiving a request from the Verification Commission, the Depositary shall appoint a team of experts from the list of qualified experts to conduct a fact-finding mission at the site of the alleged incident. Experts who are nationals of States parties involved in the armed conflict concerned or of States parties which requested the inquiry shall not be chosen. The Depositary shall dispatch the team of experts at the earliest opportunity taking into account the safety of the team.

4. The party to a conflict concerned shall make the necessary arrangements to receive, transport and accommodate the team of experts in any place under its jurisdiction or control. 1/

5. When the team of experts has arrived on the spot, it may hear a statement of information by official representatives of the party to a conflict concerned and may question any person likely to be connected with the alleged violation. The team of experts shall have the right of access to all areas

1/ It was suggested that further consideration be given to the issue of the cost of travel by the team of experts.

and installations where evidence of violation of this Protocol could be collected. The party to a conflict concerned may make any arrangements it considers necessary for the protection of sensitive equipment, information and areas unconnected with the subject of the fact-finding mission[, or for any constitutional obligations it may have with regard to proprietary rights, searches and seizures, or other constitutional protections. In that event, it shall make every reasonable effort to satisfy the legitimate needs of the team of experts through other means.]

6. After having completed its fact-finding mission, the team of experts shall submit a report to the Depositary not later than one week after leaving the territory of the State party in question. The report shall summarize the factual findings of the mission related to the alleged non-compliance with the Protocol. The Depositary shall promptly transmit the report of the team of experts to all States parties.]

[Article 12]

[Compliance

1. The States parties undertake to consult each other and to cooperate with each other in order to resolve any problems that may arise with regard to the [interpretation and] application of the provisions of this Protocol.

2. [If the Verification Commission concludes, based on the inquiry, including any report of the team of experts referred to in article 11, paragraph 6, that there has been a violation of the provisions of this Protocol on the use of mines, booby-traps and other devices, the parties to the conflict which are responsible shall be required to take all appropriate measures to remedy the situation and, in particular, to ensure the removal of the minefields and mines.]

[The Verification Commission shall review the report of the inspection team as soon as it is presented. If the Verification Commission reaches the conclusion that further action may be necessary, it shall take appropriate measures to redress the situation and to ensure compliance with this Protocol.]

[However, if the Verification Commission finds that there has been no violation of the Protocol, the party which initiated the proceedings will bear the costs incurred by the Verification Commission.]

If the parties to the conflict responsible for the violation cannot, for a duly supported reason, comply with the provisions of the previous paragraph, they shall arrange financing, logistical support and staff for mine removal operations by qualified experts. For the purposes of this paragraph, the Depositary shall compile and keep up to date a list of qualified experts supplied by the States parties, on whom the Depositary may call to conduct the corresponding operation.

[3. If weapons covered by this Protocol have been used in violation of its provisions, the States parties shall take collective measures, in accordance with international law, against the State party or States parties responsible for the violation.

4. In the event of a serious violation or emergency calling in question compliance with the provisions of the Protocol, the Verification Commission shall consider what action to take. The question may be brought to the attention of the Security Council of the United Nations under the conditions and in accordance with the procedures specified in the Charter of the United Nations.]

[4. In cases where serious damage to the object and purpose of this Protocol may result from activities prohibited by Articles (3 - 6), the Verification Commission may recommend collective measures to States parties in conformity with international law and, as appropriate, bring the issue to the attention of the United Nations Security Council.]

5. The provisions of the 1949 Geneva Conventions relating to the repression of breaches and grave breaches shall apply to breaches and grave breaches of this Protocol. Each party to a conflict shall take all appropriate measures to prevent and suppress breaches of this Protocol. Any act or omission in violation of this Protocol, if committed wilfully or wantonly and causing death or serious injury to the civilian population shall be treated as a grave breach. A party to the conflict which violates the provisions of this Protocol shall, if the case demands, be liable to pay compensation, and shall be responsible for all acts committed by persons forming part of its armed forces. High Contracting Parties and parties to a conflict shall require that commanders ensure that members of the armed forces under their command are aware of, and comply with, their obligations under this Protocol.]

The following has been presented as an alternative text to Articles 10, 11 and 12. 1/

[Verification and compliance

1. Each State party to the Convention undertake to take necessary measures to prohibit indiscriminate use of landmines.
2. Each State party undertakes to protect civilians from the effects of the use of landmines and further undertakes to ensure that all the landmines meet requirements of this Protocol.
3. Each State party to this Protocol undertakes to facilitate the fullest possible exchange of technological information in order to assist State parties to comply with restrictions/requirements of this Protocol.

1/ It was stated that the measures in the proposal could be developed further.

4. Each State party undertakes to provide/exchange information with other State parties to promote transparency and credibility for wider adherence to this Protocol's requirements/restrictions.

5. Each State party to this Convention affirm the recognized objective of prohibiting the indiscriminate use of landmines and to this end undertake to provide on a voluntary basis pertinent information to the depositary annually, i.e.

(a) Progress on implementation of the Protocol II.

(b) Information on recovery destruction/clearance after military use of mines.

(c) Information on casualty to civilian population occurred due to deployment of such mines in her territory.]

[Article ... 1/]

[Commission of States parties

1. For the purposes of this Protocol, a Commission shall be established by the States parties. The Commission of States parties shall meet in Geneva regularly. Any State party may appoint a representative to the Commission. The ICRC shall be invited to participate in the work of the Commission as an observer. The Commission shall consider annual reports provided by the States parties on the implementation of the Protocol. The Commission shall take its decisions by consensus if possible, but otherwise by a majority of members present and voting.

2. Each State party undertakes to provide annually the relevant information to the Commission, i.e.

(a) Progress on implementation of the Protocol II;

(b) Information on mine clearance;

(c) Information on civilian casualties occurring due to deployment of mines in its territory.

3. Each State party undertakes to provide/exchange information with other State parties to promote transparency and credibility for wider adherence to this Protocol requirements/restrictions.

1/ Some delegations consider that elements of this text may be more appropriately addressed through amendment of the Convention, rather than of Protocol II. Further, this text is without prejudice to proposals for more frequent meetings of the Review Conference than currently provided for in the Convention.

[4. Each State party to this Protocol undertakes to facilitate the fullest possible exchange of technological information in order to assist States parties to comply with restrictions/requirements of this Protocol.]

5. The Commission shall also carry out other functions as are necessary for the implementation and review of this Protocol.

6. The costs of the Commission's activities shall be covered by the States parties in accordance with the United Nations scale of assessments, adjusted to allow for differences between the number of States Members of the United Nations and the number of States parties.]

APPENDIX II

Other Proposals

RUSSIAN FEDERATION

Convention

Article 5 Entry into Force

1. This Convention shall enter into force three months after the date of deposit of the sixth instrument of ratification, acceptance, approval or accession.

Paragraphs 2, 3 and 4 of this Article to be modified in accordance with the amendments to paragraph 1.

Article 9

(a) New paragraphs. Denunciation

1. Any High Contracting Party may, by so notifying the Depositary, denounce this Convention or any of the annexed Protocols upon the expiry of 10 years since the date on which the Convention and any of its Protocols came into force. Such denunciation shall take effect one year after the date on which it is registered.

2. Any High Contracting Party which ratifies this Convention and any of its annexed Protocols and does not, within the year following the expiry of the 10-year period mentioned in the preceding paragraph, exercise the right of denunciation provided for in this article, shall be bound for a further 10-year period and may thereafter denounce this Convention or any of its annexed Protocols upon the expiry of each 10-year period under the terms of this article.

(b) The first sentence of the existing paragraph 2 to be deleted.
Protocol

Article 6

Prohibition on the use of certain mines

1. It is prohibited to use

- Anti-personnel mines which do not have metallic elements in their construction;

Proposal by Estonia

Protocol on anti-personnel landmines

It is prohibited to use, develop, manufacture, stockpile and transfer anti-personnel landmines.

The States parties bound by this Protocol undertake to destroy the anti-personnel landmines which are in their possession.
