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COMMISSION ON HUMAN RIGHTS
Sub-Commission on Prevention of
Discrimination and Protection
of Minorities
Forty-eighth session
Agenda item 13

INTERNATIONAL PEACE AND SECURITY AS AN ESSENTIAL CONDITION FOR
THE ENJOYMENT OF HUMAN RIGHTS, ABOVE ALL THE RIGHT TO LIFE

Mr. Ali Khan, Mr. Bengoa, Mr. Bossuyt, Mrs. Daes, Mr. Diaz, Mr. El-Hajjé,
Mr. Fix, Mr. Guissé, Mr. Hatano, Mr. Joinet, Mr. Khalil, Mr. Lindgren,
Mr. Maxim, Mrs. Mbonu, Mr. Mehedi, Ms. Palley, Ms. Warzazi, Ms. McDougall
and Mr. Yimer: draft decision

1996/... Injurious effects of anti-personnel land-mines

The Sub-Commission on Prevention of Discrimination and Protection of
Minorities,

Taking into account that anti-personnel land-mines are a major instrument
of grave violations of human rights, in particular the right to life,

Recalling its resolution 1995/24 of 24 August 1996 in which it declared
itself in favour of a total ban on the production, marketing and use of
anti-personnel land-mines,

Stressing the urgency for the Sub-Commission to follow up this issue in
order to guarantee the full respect and the implementation of all relevant
conventions, protocols and resolutions,

Welcoming the initiative of the Organization of American States, which in
June 1996, called for the establishment of an anti-personnel mine-free zone in
the Americas,

Taking note with satisfaction that the Council of Ministers of the Organization of African Unity, in February 1996, urged subregional organizations on the continent to undertake initiatives for the prohibition of anti-personnel land-mines in support of the commitment of the Organization of African Unity to a total ban on land-mines,

Taking note with satisfaction also of the appeal launched by the European Parliament on 13 May 1996 to all member States to ban unilaterally the production of anti-personnel land-mines and to destroy existing stocks,

Welcoming the initiative of the Government of Canada to host an international conference in Ottawa in autumn 1996, bringing together the more than 40 States which support a global ban on anti-personnel mines to consider short- and medium-term measures to achieve this end,

Regretting the result of the Review Conference of States Parties to the Convention on Conventional Weapons held in Geneva in May 1996 as regards the distinction made between "intelligent" and "dumb" mines and the nine-year period given to States to start producing only supposedly "intelligent" means,

Gravely concerned at the constant violation of the rights to life and to security of person, particularly of vulnerable groups of civilians such as peasants, indigenous peoples and children, caused by the use of anti-personnel land-mines,

Bearing in mind that land-mines cause death, maiming and psychological damage and have economic and environmental effects,

Expressing the hope that United Nations action in favour of mine clearance will in the near future result in the total and final elimination of the scourge of unexploded land-mines,

Regretting that funds are lacking to improve mine-clearance techniques and step up rehabilitation programmes for the victims of anti-personnel land-mines,

1. Reaffirms its support for a total ban on the production, marketing and use of anti-personnel land-mines, as a means to protect the right to life;
2. Urges States that have not yet done so to sign and ratify the Convention on Conventional Weapons and the Protocols thereto;
3. Urges all States to modify, where necessary, their legislation in order to prohibit the production, marketing and use of anti-personnel land-mines in and from their territories;

4. Considers that the date for the next Review Conference, scheduled for 2001, to be too far away in view of the existing situation with respect to this matter, which requires an urgent solution;

5. Reiterates its request to Governments and the international community to pursue a policy of information, prevention, rehabilitation and reintegration for the victims of anti-personnel land-mines, particularly children, and to take the economic and social measures considered necessary for that purpose;

6. Again encourages Governments, organizations and individuals that can do so to respond favourably to the request for voluntary contributions to the United Nations mine-clearance programme, if possible on a regular basis;

7. Requests the Secretary-General to transmit to all Governments the Sub-Commission's appeal for voluntary contributions to the mine-clearance programme and to the Voluntary Trust Fund for Assistance in Mine Clearance established in November 1994;

8. Decides to consider this question at its forty-ninth session under the same agenda item in order to ensure the necessary follow-up within the framework of the full enjoyment of human rights and the strengthening of international humanitarian law.
