

**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**

CCW/GGE/VII/WG.2/WP.3
10 March 2004

Original: ENGLISH

Seventh Session
Geneva, 8-12 March 2004
Item 8 of the revised provisional agenda

Working Group on Mines Other Than Anti-Personnel Mines

**A COMMON INTER-AGENCY COORDINATION GROUP ON MINE ACTION
(IACG-MA) ON MINES OTHER THAN ANTI-PERSONNEL MINES (MOTAPM)**

Presented by the United Nations Mine Action Service (UNMAS) on
behalf of the IACG-MA¹.

1. The IACG-MA has followed with great interest the work of the GGE and will continue to do so throughout 2004. As the UN Secretary-General said in his message to the Meeting of the States Parties to the CCW, on 27 November last year, “Full implementation of the Convention, and universal adherence to it, is particularly vital regarding the Explosive Remnants of War and Mines Other than Anti-personnel Mines. These are sleeping killers which continue to threaten men and women in fields and children at play, endanger the lives of aid workers, and hold back reconstruction and development. Progress in eradicating the threat they pose will help meet pressing humanitarian needs while advancing the security interests of states.”

2. Today, we would like to focus on the issue of mines other than anti-personnel mines (MOTAPM). The States Parties decided last year to mandate the GGE to consider all proposals on MOTAPM put forward since December 2001, and to make appropriate recommendations for submission to the next Meeting of the States Parties. The UN has seen first hand that MOTAPM have a humanitarian impact on local populations, hamper reconstruction and development efforts, and have an effect on the speed and efficiency of humanitarian mine clearance operations. Therefore, we urge the GGE to recommend a negotiating mandate on MOTAPM to the Meeting of States Parties.

¹ The IACG-MA is the coordination mechanism for all mine action policies and operations; it comprises 14 UN departments and agencies involved in mine action: the United Nations Mine Action Service (UNMAS), the UN Children’s Fund (UNICEF), the United Nations Development Programme (UNDP), the United Nations Office for Project Services (UNOPS), the Office for the Coordination of Humanitarian Affairs (OCHA), the United Nations High Commission for Refugees (UNHCR), the United Nations High Commission for Human Rights (OHCHR), the United Nations Department for Peacekeeping Operations (DPKO), the United Nations Department for Disarmament Affairs (DDA), the World Health Organization (WHO), the Food and Agriculture Organization (FAO), the World Food Programme (WFP), the World Bank, the Office of the Special Adviser on Gender Issues (OSAGI).

Impact of MOTAPM on humanitarian and development assistance

3. MOTAPM contamination has a direct impact on the return and re-integration of refugees and IDPs. The movement of civilian populations into or through mine-affected areas is a major problem to be overcome, particularly when routes are suspected or known to be mined. In fact, roads are where most MOTAPM can be found. Last year, UNHCR was forced to delay organised repatriation of refugees to Angola because roads could not be used until cleared.

4. MOTAPM contamination has a direct impact on the ability to provide humanitarian assistance and aid to local populations. In Angola large areas are still cut off from humanitarian assistance because roads are contaminated or suspected of being contaminated by MOTAPM. In Afghanistan, the presence of MOTAPM has delayed and increased the cost of development activity, including reconstruction of roads.

5. MOTAPM do not distinguish a tank from a bus or a truck. Therefore, MOTAPM accidents kill and injure civilians, but also a large number of aid workers and peacekeepers. Accidents caused by MOTAPM are documented in different countries, such as Angola, Cambodia, Serbia and Montenegro (Kosovo), FYR of Macedonia, Burundi², Afghanistan³ and Angola. In Afghanistan, the vast majority of accidents with multiple deaths were caused by MOTAPM, located in roads, many of them not marked nor fenced. In Angola, MOTAPM accidents, which are unfortunately common,⁴ often involve mines that have been in the ground for years: if the lifespan of these mines was limited, many of these accidents could be avoided.

Impact of MOTAPM on humanitarian mine clearance operations

6. In addition, MOTAPM have an impact on humanitarian mine clearance operations: they render operations more difficult, time-consuming and expensive, as well as more dangerous for operators.

7. When MOTAPM are not marked, fenced nor recorded, and that's often the case in Angola for instance, the clearance area needs to be significantly enlarged, which increases the duration and amount of work of mine clearance operations.⁵

8. MOTAPM with low metal content—and many modern MOTAPM have a minimum amount of metal—are difficult to locate with metal detectors and could easily be missed during clearance operations.

9. MOTAPM fitted with anti-handling devices pose a particular threat to deminers. The mines must be pulled from a safe distance before being removed, which is time-consuming. This in turn can contaminate the clearance area with metal fragments, which again slows down operations.

² Cases are documented in UNMAS working paper CCW/GGE/II/WP.14

³ Cases are documented in UNMAS working paper CCW/GGE/IV/WG.2/WP.3

⁴ Find detailed cases in UNMAS Working Paper CCW/GGE/VI/WG.2/WP.11

⁵ UNMAS Working paper CCW/GGE/VI/WG.2/WP.11

10. Finally, dogs are often used for humanitarian mine clearance operations. But they cannot be used at all in areas where MOTAPM are fitted with sensitive fuses such as tripwire, break-wire or tilt-rods

Impact of MOTAPM on development and reconstruction

11. Finally, MOTAPM have serious repercussions on a country's socio-economic development. In Afghanistan, for example, as in many other places, MOTAPM deny access of people to farm and grazing land or shelter and water, they kill livestock and prevent rehabilitation of other essential infrastructure such as bridges, irrigation systems, schools or other public buildings and services. The presence of MOTAPM in Angola has an important impact on rural development, which is seen by the Angolan Government and the UN as national high priority in the longer term⁶.

Conclusion

12. The IACG-MA considers that existing international regulations are not addressing all the humanitarian concerns posed by MOTAPM. The points we made were also raised by a large number of States⁷, NGOs⁸ and the ICRC⁹ during previous meetings of the GGE and of the States Parties to the CCW.

13. Therefore, the IACG-MA urges the GGE to recommend the meeting of States Parties to CCW to agree during 2004 to a negotiating mandate on MOTAPM that would cover all relevant issues and reflect **at least** the following elements:

- All MOTAPM should contain a self-destruction mechanism, or at least mechanisms for self-neutralization or self-deactivation so that they have a limited lifespan;
- MOTAPM should be detectable by commonly available technical mine detection equipment;
- MOTAPM should not be fitted with anti-handling devices;
- MOTAPM should not be fitted with sensitive fuses that can be activated by the presence, proximity or contact of a person.

14. The IACG-MA is convinced that the suggested measures will make a tangible contribution to reduce the terrible humanitarian effects of MOTAPM, will render humanitarian mine clearance operations significantly less time-consuming, expensive and dangerous and will reduce the obstacles to reconstruction and development.

⁶ UNMAS Working Paper CCW/GGE/VI/WG.2/WP.11

⁷ Including those co-sponsoring a proposal for a new Protocol on MOTAPM

⁸ Very recent examples are the. Statement by Landmine Action to the Meeting of the States Parties to the CCW (Geneva, 27 November 2003) and a working paper presented by Mine Action Canada (CCW/GGE/VI/WG.2/WP.2).

⁹ ICRC position expressed to the GGE but not contained in a specific document is similar to the IACG-MA position.