

**THIRD 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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DECLARATION ON MOTAPM

Presented by Germany

1. Germany welcomes the progress made within the CCW in addressing the humanitarian risks posed by Mines other than Anti-Personnel Mines (MOTAPM). After several years of fruitful discussions, time has come to finalize a substantive CCW Protocol on MOTAPM which will strengthen international humanitarian law by providing added value to the existing CCW protocols.
2. It is regrettable that Germany's proposal to intensify negotiations on a legally binding protocol on MOTAPM, which was supported by the European Union and Japan, did not find consensus at this CCW Review Conference. Nonetheless, together with most States Parties, Germany continues to believe in the vitality of the CCW as a key multilateral mechanism of international humanitarian law. MOTAPM remain on the agenda. Negotiations should continued no later than the next meeting of States Parties to the CCW in November 2007.
3. On a national basis, Germany is applying the following policy on MOTAPM, which is more stringent than the European Union's proposals which Germany supports in the CCW context:
 - (i) MOTAPM used by the German armed forces are detectable.
 - (ii) MOTAPM used by the German armed forces are equipped with a mechanism ensuring their active life to be limited.
 - (iii) MOTAPM transferred to third states must meet the requirements of detectability and active life.
4. For more than two decades, the CCW has proven to be the ideal global forum for further strengthening international humanitarian law. It is necessary to keep up the momentum of this dynamic instrument and its unique contribution to the protection of the civilian population in the face of ever more dangerous and violent conflicts. A new Protocol on legally binding commitments with regard to detectability, active life and transfer of MOTAPM would be such a contribution. Germany remains committed to this important endeavour.