

Front cover photo courtesy of the HALO Trust

The Anti-Personnel Mine Ban Convention



Anti-Personnel Mine Ban Convention Implementation Support Unit

GICHD
P.O. Box 1300
1211 Geneva 1
Switzerland
T + 41 (0)22 730 93 11
F + 41 (0)22 730 93 62
E isu@apminebanconvention.org
www.apminebanconvention.org



Anti-Personnel Mine Ban Convention

Convention on the prohibition of the use, stockpiling, production
and transfer of anti-personnel mines and on their destruction

www.apminebanconvention.org





The Anti-Personnel Mine Ban Convention
is a short reference to the:

**CONVENTION ON THE PROHIBITION OF THE USE, STOCKPILING, PRODUCTION
AND TRANSFER OF ANTI-PERSONNEL MINES AND ON THEIR DESTRUCTION**

...also known as the Ottawa Convention

CONTENTS

- 1 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction
Page 4
- 2 Maputo Action Plan
Page 21
- 3 Maputo +15 Declaration
Page 30
- 4 The purpose, mandate, membership and working methods of the States Parties' implementation machinery
Page 33

The Convention is the international community's comprehensive response to the humanitarian problems caused by anti-personnel mines, weapons that are indiscriminate and that remain dangerous for decades after conflicts have ended.

The Convention was adopted in Oslo on 18 September 1997 and opened for signature in Ottawa on 3 and 4 December 1997. For their determination in calling for the Convention, the International Campaign to Ban Landmines and its coordinator Jody Williams were awarded the 1997 Nobel Peace Prize.

The Convention entered into force on 1 March 1999. Fifteen years later, in June 2014, the Convention's Third Review Conference was held in Maputo, Mozambique. At that event, the *Maputo Action Plan* was adopted at a high political level.

Through the *Maputo Action Plan*, the Convention's States Parties made 31 specific commitments to enhance implementation and promotion of the Convention during the period leading to the treaty's fourth five-year review in 2019.

Also at the Third Review Conference, the States Parties adopted the *Maputo +15 Declaration*. In doing so, the States Parties committed to intensify efforts to clear mined areas and to assist landmine victims and expressed their aspiration to meet their goals to the fullest extent possible by 2025.

CONVENTION ON THE PROHIBITION OF THE USE, STOCKPILING, PRODUCTION AND TRANSFER OF ANTI-PERSONNEL MINES AND ON THEIR DESTRUCTION

PREAMBLE

The States Parties,

Determined to put an end to the suffering and casualties caused by anti-personnel mines, that kill or maim hundreds of people every week, mostly innocent and defenceless civilians and especially children, obstruct economic development and reconstruction, inhibit the repatriation of refugees and internally displaced persons, and have other severe consequences for years after emplacement,

Believing it necessary to do their utmost to contribute in an efficient and coordinated manner to face the challenge of removing anti-personnel mines placed throughout the world, and to assure their destruction, Wishing to do their utmost in providing assistance for the care and rehabilitation, including the social and economic reintegration of mine victims,

Recognizing that a total ban of anti-personnel mines would also be an important confidence-building measure,

Welcoming the adoption of the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices, as amended on 3 May 1996, annexed 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, and calling for the early ratification of this Protocol by all States which have not yet done so,

Welcoming also United Nations General Assembly Resolution 51/45 S of 10 December 1996 urging all States to pursue vigorously an effective, legally-



binding international agreement to ban the use, stockpiling, production and transfer of anti-personnel landmines,

Welcoming furthermore the measures taken over the past years, both unilaterally and multilaterally, aiming at prohibiting, restricting or suspending the use, stockpiling, production and transfer of anti-personnel mines,

Stressing the role of public conscience in furthering the principles of humanity as evidenced by the call for a total ban of anti-personnel mines and recognizing the efforts to that end undertaken by the International Red Cross and Red Crescent Movement, the International Campaign to Ban Landmines and numerous other nongovernmental organizations around the world,

Recalling the Ottawa Declaration of 5 October 1996 and the Brussels Declaration of 27 June 1997 urging the international community to negotiate an international and legally binding agreement prohibiting the use, stockpiling, production and transfer of anti-personnel mines,

Emphasizing the desirability of attracting the adherence of all States to this Convention, and determined to work strenuously towards the promotion of its universalization in all relevant fora including, inter alia, the United Nations, the Conference on Disarmament, regional organizations, and groupings, and review conferences 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,

Basing themselves on the principle of international humanitarian law that the right of the parties to an armed conflict to choose methods or means of warfare is not unlimited, on the principle that prohibits the employment in

armed conflicts of weapons, projectiles and materials and methods of warfare of a nature to cause superfluous injury or unnecessary suffering and on the principle that a distinction must be made between civilians and combatants,

Have agreed as follows:

ARTICLE 1

General obligations

- 1. Each State Party undertakes never under any circumstances:
 - » a) To use anti-personnel mines;
 - » b) To develop, produce, otherwise acquire, stockpile, retain or transfer to anyone, directly or indirectly, antipersonnel mines;
 - » c) To assist, encourage or induce, in any way, anyone to engage in any activity prohibited to a State Party under this Convention.
- 2. Each State Party undertakes to destroy or ensure the destruction of all anti-personnel mines in accordance with the provisions of this Convention.

ARTICLE 2

Definitions

- 1. "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. Mines designed to be detonated by the presence, proximity or contact of a Vehicle as opposed to a person, that are equipped with anti-handling devices, are not considered anti-personnel mines as a result of being so equipped.
- 2. "Mine" means a munition designed to be placed under, on or near the ground or other surface area and to be exploded by the presence, proximity or contact of a person or a vehicle.
- 3. "Anti-handling device" means a device intended to protect a mine and which is part of, linked to, attached to or placed under the mine and which activates when an attempt is made to tamper with or otherwise intentionally disturb the mine.
- 4. "Transfer" involves, in addition to the physical movement of anti-personnel mines into or from national territory, the transfer of title to and control over the mines, but does not involve the transfer of territory containing emplaced anti-personnel mines.

- 5. "Mined area" means an area which is dangerous due to the presence or suspected presence of mines.

ARTICLE 3

Exceptions

- 1. Notwithstanding the general obligations under Article 1, the retention or transfer of a number of anti-personnel mines for the development of and training in mine detection, mine clearance, or mine destruction techniques is permitted. The amount of such mines shall not exceed the minimum number absolutely necessary for the above-mentioned purposes.
- 2. The transfer of anti-personnel mines for the purpose of destruction is permitted.

ARTICLE 4

Destruction of stockpiled anti-personnel mines

- Except as provided for in Article 3, each State Party undertakes to destroy or ensure the destruction of all stockpiled anti-personnel mines it owns or possesses, or that are under its jurisdiction or control, as soon as possible but not later than four years after the entry into force of this Convention for that State Party.

ARTICLE 5

Destruction of anti-personnel mines in mined areas

- 1. Each State Party undertakes to destroy or ensure the destruction of all anti-personnel mines in mined areas under its jurisdiction or control, as soon as possible but not later than ten years after the entry into force of this Convention for that State Party.
- 2. Each State Party shall make every effort to identify all areas under its jurisdiction or control in which antipersonnel mines are known or suspected to be emplaced and shall ensure as soon as possible that all antipersonnel mines in mined areas under its jurisdiction or control are perimeter-marked, monitored and protected by fencing or other means, to ensure the effective exclusion of civilians, until all anti-personnel mines contained therein have been destroyed. The marking shall at least be to the standards set out in the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps

and Other Devices, as amended on 3 May 1996, annexed 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.

- 3. If a State Party believes that it will be unable to destroy or ensure the destruction of all anti-personnel mines referred to in paragraph 1 within that time period, it may submit a request to a Meeting of the States Parties or a Review Conference for an extension of the deadline for completing the destruction of such anti-personnel mines, for a period of up to ten years.
- 4. Each request shall contain:
 - » a) The duration of the proposed extension;
 - » b) A detailed explanation of the reasons for the proposed extension, including:
 - (i) The preparation and status of work conducted under national demining programs;
 - (ii) The financial and technical means available to the State Party for the destruction of all the anti-personnel mines; and
 - (iii) Circumstances which impede the ability of the State Party to destroy all the anti-personnel mines in mined areas;
 - » c) The humanitarian, social, economic, and environmental implications of the extension; and
 - » d) Any other information relevant to the request for the proposed extension.
- 5. The Meeting of the States Parties or the Review Conference shall, taking into consideration the factors contained in paragraph 4, assess the request and decide by a majority of votes of States Parties present and voting whether to grant the request for an extension period.
- 6. Such an extension may be renewed upon the submission of a new request in accordance with paragraphs 3, 4 and 5 of this Article. In requesting a further extension period a State Party shall submit relevant additional information on what has been undertaken in the previous extension period pursuant to this Article.

ARTICLE 6

International cooperation and assistance

- 1. In fulfilling its obligations under this Convention each State Party has the right to seek and receive assistance, where feasible, from other States Parties to the extent possible.

- 2. Each State Party undertakes to facilitate and shall have the right to participate in the fullest possible exchange of equipment, material and scientific and technological information concerning the implementation of this Convention. The States Parties shall not impose undue restrictions on the provision of mine clearance equipment and related technological information for humanitarian purposes.
- 3. Each State Party in a position to do so shall provide assistance for the care and rehabilitation, and social and economic reintegration, of mine victims and for mine awareness programs. Such assistance may be provided, inter alia, through the United Nations system, international, regional or national organizations or institutions, the International Committee of the Red Cross, national Red Cross and Red Crescent societies and their International Federation, non-governmental organizations, or on a bilateral basis.
- 4. Each State Party in a position to do so shall provide assistance for mine clearance and related activities. Such assistance may be provided, inter alia, through the United Nations system, international or regional organizations or institutions, non-governmental organizations or institutions, or on a bilateral basis, or by contributing to the United Nations Voluntary Trust Fund for Assistance in Mine Clearance, or other regional funds that deal with demining.
- 5. Each State Party in a position to do so shall provide assistance for the destruction of stockpiled antipersonnel mines.
- 6. Each State Party undertakes to provide information to the database on mine clearance established within the United Nations system, especially information concerning various means and technologies of mine clearance, and lists of experts, expert agencies or national points of contact on mine clearance.
- 7. States Parties may request the United Nations, regional organizations, other States Parties or other competent intergovernmental or non-governmental fora to assist its authorities in the elaboration of a national demining program to determine, inter alia:
 - » a) The extent and scope of the anti-personnel mine problem;
 - » b) The financial, technological and human resources that are required for the implementation of the program;
 - » c) The estimated number of years necessary to destroy all anti-personnel mines in mined areas under the jurisdiction or control of the concerned State Party;
 - » d) Mine awareness activities to reduce the incidence of mine-related

- injuries or deaths;
- » e) Assistance to mine victims;
- » f) The relationship between the Government of the concerned State Party and the relevant governmental, inter-governmental or non-governmental entities that will work in the implementation of the program.
- 8. Each State Party giving and receiving assistance under the provisions of this Article shall cooperate with a view to ensuring the full and prompt implementation of agreed assistance programs.

ARTICLE 7

Transparency measures

- 1. Each State Party shall report to the Secretary-General of the United Nations as soon as practicable, and in any event not later than 180 days after the entry into force of this Convention for that State Party on:
 - » a) The national implementation measures referred to in Article 9;
 - » b) The total of all stockpiled anti-personnel mines owned or possessed by it, or under its jurisdiction or control, to include a breakdown of the type, quantity and, if possible, lot numbers of each type of anti-personnel mine stockpiled;
 - » c) To the extent possible, the location of all mined areas that contain, or are suspected to contain, antipersonnel mines under its jurisdiction or control, to include as much detail as possible regarding the type and quantity of each type of anti-personnel mine in each mined area and when they were emplaced;
 - » d) The types, quantities and, if possible, lot numbers of all anti-personnel mines retained or transferred for the development of and training in mine detection, mine clearance or mine destruction techniques, or transferred for the purpose of destruction, as well as the institutions authorized by a State Party to retain or transfer anti-personnel mines, in accordance with Article 3;
 - » e) The status of programs for the conversion or de-commissioning of anti-personnel mine production facilities;
 - » f) The status of programs for the destruction of anti-personnel mines in accordance with Articles 4 and 5, including details of the methods which will be used in destruction, the location of all destruction sites and the applicable safety and environmental standards to be observed;
 - » g) The types and quantities of all anti-personnel mines destroyed after

the entry into force of this Convention for that State Party, to include a breakdown of the quantity of each type of anti-personnel mine destroyed, in accordance with Articles 4 and 5, respectively, along with, if possible, the lot numbers of each type of antipersonnel mine in the case of destruction in accordance with Article 4;

- » h) The technical characteristics of each type of anti-personnel mine produced, to the extent known, and those currently owned or possessed by a State Party, giving, where reasonably possible, such categories of information as may facilitate identification and clearance of anti-personnel mines; at a minimum, this information shall include the dimensions, fusing, explosive content, metallic content, colour photographs and other information which may facilitate mine clearance; and
- i) The measures taken to provide an immediate and effective warning to the population in relation to all areas identified under paragraph 2 of Article 5.
- 2. The information provided in accordance with this Article shall be updated by the States Parties annually, covering the last calendar year, and reported to the Secretary-General of the United Nations not later than 30 April of each year.
- 3. The Secretary-General of the United Nations shall transmit all such reports received to the States Parties.

ARTICLE 8

Facilitation and clarification of compliance

- 1. The States Parties agree to consult and cooperate with each other regarding the implementation of the provisions of this Convention, and to work together in a spirit of cooperation to facilitate compliance by States Parties with their obligations under this Convention.
- 2. If one or more States Parties wish to clarify and seek to resolve questions relating to compliance with the provisions of this Convention by another State Party, it may submit, through the Secretary-General of the United Nations, a Request for Clarification of that matter to that State Party. Such a request shall be accompanied by all appropriate information. Each State Party shall refrain from unfounded Requests for Clarification, care being taken to avoid abuse. A State Party that receives a Request for Clarification shall provide, through the Secretary-General of the United Nations, within

28 days to the requesting State Party all information which would assist in clarifying this matter.

- 3. If the requesting State Party does not receive a response through the Secretary-General of the United Nations within that time period, or deems the response to the Request for Clarification to be unsatisfactory, it may submit the matter through the Secretary-General of the United Nations to the next Meeting of the States Parties. The Secretary-General of the United Nations shall transmit the submission, accompanied by all appropriate information pertaining to the Request for Clarification, to all States Parties. All such information shall be presented to the requested State Party which shall have the right to respond.
- 4. Pending the convening of any meeting of the States Parties, any of the States Parties concerned may request the Secretary-General of the United Nations to exercise his or her good offices to facilitate the clarification requested.
- 5. The requesting State Party may propose through the Secretary-General of the United Nations the convening of a Special Meeting of the States Parties to consider the matter. The Secretary-General of the United Nations shall thereupon communicate this proposal and all information submitted by the States Parties concerned, to all States Parties with a request that they indicate whether they favour a Special Meeting of the States Parties, for the purpose of considering the matter. In the event that within 14 days from the date of such communication, at least one-third of the States Parties favours such a Special Meeting, the Secretary-General of the United Nations shall convene this Special Meeting of the States Parties within a further 14 days. A quorum for this Meeting shall consist of a majority of States Parties.
- 6. The Meeting of the States Parties or the Special Meeting of the States Parties, as the case may be, shall first determine whether to consider the matter further, taking into account all information submitted by the States Parties concerned. The Meeting of the States Parties or the Special Meeting of the States Parties shall make every effort to reach a decision by consensus. If despite all efforts to that end no agreement has been reached, it shall take this decision by a majority of States Parties present and voting.
- 7. All States Parties shall cooperate fully with the Meeting of the States Parties or the Special Meeting of the States Parties in the fulfilment of its review of the matter, including any fact-finding missions that are authorized in accordance with paragraph 8.
- 8. If further clarification is required, the Meeting of the States Parties or

the Special Meeting of the States Parties shall authorize a fact-finding mission and decide on its mandate by a majority of States Parties present and voting. At any time the requested State Party may invite a fact-finding mission to its territory. Such a mission shall take place without a decision by a Meeting of the States Parties or a Special Meeting of the States Parties to authorize such a mission. The mission, consisting of up to 9 experts, designated and approved in accordance with paragraphs 9 and 10, may collect additional information on the spot or in other places directly related to the alleged compliance issue under the jurisdiction or control of the requested State Party.

- 9. The Secretary-General of the United Nations shall prepare and update a list of the names, nationalities and other relevant data of qualified experts provided by States Parties and communicate it to all States Parties. Any expert included on this list shall be regarded as designated for all fact-finding missions unless a State Party declares its non-acceptance in writing. In the event of non-acceptance, the expert shall not participate in fact-finding missions on the territory or any other place under the jurisdiction or control of the objecting State Party, if the non-acceptance was declared prior to the appointment of the expert to such missions.
- 10. Upon receiving a request from the Meeting of the States Parties or a Special Meeting of the States Parties, the Secretary-General of the United Nations shall, after consultations with the requested State Party, appoint the members of the mission, including its leader. Nationals of States Parties requesting the fact-finding mission or directly affected by it shall not be appointed to the mission. The members of the fact-finding mission shall enjoy privileges and immunities under Article VI of the Convention on the Privileges and Immunities of the United Nations, adopted on 13 February 1946.
- 11. Upon at least 72 hours notice, the members of the fact-finding mission shall arrive in the territory of the requested State Party at the earliest opportunity. The requested State Party shall take the necessary administrative measures to receive, transport and accommodate the mission, and shall be responsible for ensuring the security of the mission to the maximum extent possible while they are on territory under its control.
- 12. Without prejudice to the sovereignty of the requested State Party, the fact-finding mission may bring into the territory of the requested State Party the necessary equipment which shall be used exclusively for gathering

information on the alleged compliance issue. Prior to its arrival, the mission will advise the requested State Party of the equipment that it intends to utilize in the course of its fact-finding mission.

- 13. The requested State Party shall make all efforts to ensure that the fact-finding mission is given the opportunity to speak with all relevant persons who may be able to provide information related to the alleged compliance issue.
- 14. The requested State Party shall grant access for the fact-finding mission to all areas and installations under its control where facts relevant to the compliance issue could be expected to be collected. This shall be subject to any arrangements that the requested State Party considers necessary for:
 - » a) The protection of sensitive equipment, information and areas;
 - » b) The protection of any constitutional obligations the requested State Party may have with regard to proprietary rights, searches and seizures, or other constitutional rights; or
 - » c) The physical protection and safety of the members of the fact-finding mission. In the event that the requested State Party makes such arrangements, it shall make every reasonable effort to demonstrate through alternative means its compliance with this Convention.
- 15. The fact-finding mission may remain in the territory of the State Party concerned for no more than 14 days, and at any particular site no more than 7 days, unless otherwise agreed.
- 16. All information provided in confidence and not related to the subject matter of the fact-finding mission shall be treated on a confidential basis.
- 17. The fact-finding mission shall report, through the Secretary-General of the United Nations, to the Meeting of the States Parties or the Special Meeting of the States Parties the results of its findings.
- 18. The Meeting of the States Parties or the Special Meeting of the States Parties shall consider all relevant information, including the report submitted by the fact-finding mission, and may request the requested State Party to take measures to address the compliance issue within a specified period of time. The requested State Party shall report on all measures taken in response to this request.
- 19. The Meeting of the States Parties or the Special Meeting of the States Parties may suggest to the States Parties concerned ways and means to further clarify or resolve the matter under consideration, including the initiation of appropriate procedures in conformity with international

law. In circumstances where the issue at hand is determined to be due to circumstances beyond the control of the requested State Party, the Meeting of the States Parties or the Special Meeting of the States Parties may recommend appropriate measures, including the use of cooperative measures referred to in Article 6.

- 20. The Meeting of the States Parties or the Special Meeting of the States Parties shall make every effort to reach its decisions referred to in paragraphs 18 and 19 by consensus, otherwise by a two-thirds majority of States Parties present and voting.

ARTICLE 9

National implementation measures

- Each State Party shall take all appropriate legal, administrative and other measures, including the imposition of penal sanctions, to prevent and suppress any activity prohibited to a State Party under this Convention undertaken by persons or on territory under its jurisdiction or control.

ARTICLE 10

Settlement of disputes

- 1. The States Parties shall consult and cooperate with each other to settle any dispute that may arise with regard to the application or the interpretation of this Convention. Each State Party may bring any such dispute before the Meeting of the States Parties.
- 2. The Meeting of the States Parties may contribute to the settlement of the dispute by whatever means it deems appropriate, including offering its good offices, calling upon the States parties to a dispute to start the settlement procedure of their choice and recommending a time-limit for any agreed procedure.
- 3. This Article is without prejudice to the provisions of this Convention on facilitation and clarification of compliance.

ARTICLE 11

Meetings of the States Parties

- 1. The States Parties shall meet regularly in order to consider any matter with regard to the application or implementation of this Convention, including:

- » a) The operation and status of this Convention;
 - » b) Matters arising from the reports submitted under the provisions of this Convention;
 - » c) International cooperation and assistance in accordance with Article 6;
 - » d) The development of technologies to clear anti-personnel mines;
 - » e) Submissions of States Parties under Article 8; and
 - » f) Decisions relating to submissions of States Parties as provided for in Article 5.
- 2. The First Meeting of the States Parties shall be convened by the Secretary-General of the United Nations within one year after the entry into force of this Convention. The subsequent meetings shall be convened by the Secretary-General of the United Nations annually until the first Review Conference.
 - 3. Under the conditions set out in Article 8, the Secretary-General of the United Nations shall convene a Special Meeting of the States Parties.
 - 4. States not parties to this Convention, as well as the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations may be invited to attend these meetings as observers in accordance with the agreed Rules of Procedure.

ARTICLE 12

Review Conferences

- 1. A Review Conference shall be convened by the Secretary-General of the United Nations five years after the entry into force of this Convention. Further Review Conferences shall be convened by the Secretary-General of the United Nations if so requested by one or more States Parties, provided that the interval between Review Conferences shall in no case be less than five years. All States Parties to this Convention shall be invited to each Review Conference.
- 2. The purpose of the Review Conference shall be:
 - » a) To review the operation and status of this Convention;
 - » b) To consider the need for and the interval between further Meetings of the States Parties referred to in paragraph 2 of Article 11;
 - » c) To take decisions on submissions of States Parties as provided for in Article 5; and

- » d) To adopt, if necessary, in its final report conclusions related to the implementation of this Convention.
- 3. States not parties to this Convention, as well as the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations may be invited to attend each Review Conference as observers in accordance with the agreed Rules of Procedure.

ARTICLE 13

Amendments

- 1. At any time after the entry into force of this Convention any State Party may propose amendments to this Convention. Any proposal for an amendment shall be communicated to the Depositary, who shall circulate it to all States Parties and shall seek their views on whether an Amendment Conference should be convened to consider the proposal. If a majority of the States Parties notify the Depositary no later than 30 days after its circulation that they support further consideration of the proposal, the Depositary shall convene an Amendment Conference to which all States Parties shall be invited.
- 2. States not parties to this Convention, as well as the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations may be invited to attend each Amendment Conference as observers in accordance with the agreed Rules of Procedure.
- 3. The Amendment Conference shall be held immediately following a Meeting of the States Parties or a Review Conference unless a majority of the States Parties request that it be held earlier.
- 4. Any amendment to this Convention shall be adopted by a majority of two-thirds of the States Parties present and voting at the Amendment Conference. The Depositary shall communicate any amendment so adopted to the States Parties.
- 5. An amendment to this Convention shall enter into force for all States Parties to this Convention which have accepted it, upon the deposit with the Depositary of instruments of acceptance by a majority of States Parties. Thereafter it shall enter into force for any remaining State Party on the date of deposit of its instrument of acceptance.

ARTICLE 14

Costs

- 1. The costs of the Meetings of the States Parties, the Special Meetings of the States Parties, the Review Conferences and the Amendment Conferences shall be borne by the States Parties and States not parties to this Convention participating therein, in accordance with the United Nations scale of assessment adjusted appropriately.
- 2. The costs incurred by the Secretary-General of the United Nations under Articles 7 and 8 and the costs of any fact-finding mission shall be borne by the States Parties in accordance with the United Nations scale of assessment adjusted appropriately.

ARTICLE 15

Signature

- This Convention, done at Oslo, Norway, on 18 September 1997, shall be open for signature at Ottawa, Canada, by all States from 3 December 1997 until 4 December 1997, and at the United Nations Headquarters in New York from 5 December 1997 until its entry into force.

ARTICLE 16

Ratification, acceptance, approval or accession

- 1. This Convention is subject to ratification, acceptance or approval of the Signatories.
- 2. It shall be open for accession by any State which has not signed the Convention.
- 3. The instruments of ratification, acceptance, approval or accession shall be deposited with the Depositary.

ARTICLE 17

Entry into force

- 1. This Convention shall enter into force on the first day of the sixth month after the month in which the 40th instrument of ratification, acceptance, approval or accession has been deposited.
- 2. For any State which deposits its instrument of ratification, acceptance, approval or accession after the date of the deposit of the 40th instrument of

ratification, acceptance, approval or accession, this Convention shall enter into force on the first day of the sixth month after the date on which that State has deposited its instrument of ratification, acceptance, approval or accession.

ARTICLE 18

Provisional application

- Any State may at the time of its ratification, acceptance, approval or accession, declare that it will apply provisionally paragraph 1 of Article 1 of this Convention pending its entry into force.

ARTICLE 19

Reservations

- The Articles of this Convention shall not be subject to reservations.

ARTICLE 20

Duration and withdrawal

- 1. This Convention shall be of unlimited duration.
- 2. Each State Party shall, in exercising its national sovereignty, have the right to withdraw from this Convention. It shall give notice of such withdrawal to all other States Parties, to the Depositary and to the United Nations Security Council. Such instrument of withdrawal shall include a full explanation of the reasons motivating this withdrawal.
- 3. Such withdrawal shall only take effect six months after the receipt of the instrument of withdrawal by the Depositary. If, however, on the expiry of that six-month period, the withdrawing State Party is engaged in an armed conflict, the withdrawal shall not take effect before the end of the armed conflict.
- 4. The withdrawal of a State Party from this Convention shall not in any way affect the duty of States to continue fulfilling the obligations assumed under any relevant rules of international law.



ARTICLE 21

Depositary

- The Secretary-General of the United Nations is hereby designated as the Depositary of this Convention.

ARTICLE 22

Authentic texts

- The original of this Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

MAPUTO ACTION PLAN

2

INTRODUCTION

The States Parties reaffirm their unqualified commitment to ending the suffering and casualties caused by anti-personnel mines for all people for all time, and aspire to end the era of anti-personnel mines. These States Parties strive to: maintain strict observance of the Convention's norms; ensure that there are no new mine victims in areas under their jurisdiction or control; see that survivors participate in their societies on an equal basis to others; and, commit to intensify their efforts to complete their respective time-bound obligations with the urgency that the completion work requires.

The Maputo Action Plan aims for significant and sustainable progress towards the achievement of this ambition during the period 2014 to 2019, building on the achievements made under the Nairobi and Cartagena Action Plans, while acknowledging local, national and regional circumstances in its practical implementation. The States Parties will implement the Maputo Action Plan in a cooperative, inclusive, age-appropriate and gender-sensitive manner and, in doing so, endeavour for a high degree of coherence, coordination and cost effectiveness. In addition, they will continue to recognise the special partnerships in the universalization and implementation of the Convention with the United Nations, the International Committee of the Red Cross, the International Campaign to Ban Landmines and the Geneva International Centre for Humanitarian Demining.

I. UNIVERSALIZATION

While recognising the tremendous progress already achieved, and in order to continue pursuing universal adherence to the Convention and acceptance of its norms, the States Parties will take the following actions:

- **Action 1.** The States Parties will promote formal adherence to the Convention by States not party to the Convention, regularly inviting them to participate in the Convention's meetings and inform States Parties of

practical steps taken, such as formalised commitments not to use, produce or transfer anti-personnel mines, or to destroy stockpiles.

- **Action 2.** The States Parties will continue to promote universal observance of the Convention's norms and objectives, condemn violations of these norms and take appropriate steps to end the use, stockpiling, production and transfer of anti-personnel mines by any actor, including by armed non-State actors.
- **Action 3.** The States Parties will coordinate their actions to promote the Convention, including actions taken at a high level, through bilateral contacts and in multilateral fora, and request the Secretary-General of the United Nations, as Depositary, to continue promoting universalization by inviting States not party to join the Convention as soon as possible.
- **Action 4.** Recalling that in Maputo in 1999, the States Parties formally declared that "as a community dedicated to seeing an end to the use of anti-personnel mines, our assistance and cooperation will flow primarily to those who have foresworn the use of these weapons forever through adherence to and implementation of the Convention," State Parties in promoting the Convention will communicate that they will give specific consideration to those States that have committed to these principles, when considering giving assistance to States not party to the Convention, taking into account that each country will provide assistance on the basis of its own priorities and principles, including in emergency situations.

II. STOCKPILE DESTRUCTION

The elimination of all stockpiled anti-personnel mines will contribute greatly to preventing additional suffering and casualties caused by these weapons. With a view to overcoming persistent challenges to achieving this aim as soon as possible and preventing additional challenges as well as new cases of non-compliance, the States Parties will take the following actions:

- **Action 5.** Each State Party that has missed its deadline for the completion of its Article 4 obligations will provide to the States Parties, through the President, by 31 December 2014, a plan for the destruction of all stockpiled anti-personnel mines under its control or jurisdiction as soon as possible, and thereafter keep the States Parties apprised of efforts to

implement its plan through annual transparency reports and other means.

- **Action 6.** Each State Party in the process of destroying its stockpiled anti-personnel mines will regularly communicate to the States Parties, through annual transparency reports and other means, plans to fulfil its obligations and progress achieved, highlighting as early as possible any issues of concern.
- **Action 7.** Each State Party which discovers previously unknown stockpiles after stockpile destruction deadlines have passed will inform the States Parties as soon as possible, report pertinent information as required by the Convention, and destroy these anti-personnel mines as a matter of urgent priority and no later than six months after the report of their discovery.

III. MINE CLEARANCE

Considerable progress has been achieved in mine clearance, with almost 30 States Parties having completed implementation of their obligations. However, almost an equal number of States Parties are still in the process of meeting mine clearance deadlines, most of which are extended deadlines. The methods and means of identifying, clearing or releasing areas known or suspected to contain anti-personnel mines in the most efficient manner have improved greatly. In order to achieve completion by all States Parties as soon as possible and no later than by their respective clearance deadlines, the States Parties will take the following actions:

- **Action 8.** Each State Party with ongoing mine clearance obligations will undertake all reasonable efforts to quantify and qualify its remaining implementation challenge as soon as possible, and report this information through its Article 7 transparency report by 30 April 2015 and annually thereafter. This information should identify the precise perimeters and locations, to the extent possible, of all areas under its jurisdiction or control that contain anti-personnel mines and therefore require clearance, and that are suspected to contain anti-personnel mines and therefore require further survey. This information is to be incorporated into national demining plans and relevant broader development and reconstruction plans.
- **Action 9.** Each State Party with ongoing mine clearance obligations will ensure as soon as possible that the most relevant land-release standards,

¹ Recommendations on applying all available methods for the full and expedient implementation of Article 5 were endorsed by the Ninth Meeting of the States Parties.

² Document # APLC/MSP.12/2012/4.

policies and methodologies, in line with the United Nations' International Mine Action Standards, are in place and applied for the full and expedient implementation of this aspect of the Convention. These land release methodologies will be evidence-based, accountable and acceptable to local communities, including through the participation of affected communities, including women, girls, boys and men, in the process.¹

- **Action 10.** Each State Party that has reported mined areas under its jurisdiction or control will provide mine risk reduction and education programmes, as part of broader risk assessment and reduction activities targeting the most at-risk populations. These programmes shall be age-appropriate and gender-sensitive, coherent with applicable national and international standards, tailored to the needs of mine-affected communities and integrated into ongoing mine action activities, namely data gathering, clearance and victim assistance as appropriate.
- **Action 11.** All States Parties will apply the recommendations endorsed by the Twelfth Meeting of the States Parties as contained in the paper "Reflections on the Article 5 Extension Process"² on ensuring that high-quality requests for extended mine clearance deadlines continue to be submitted, that high-quality analyses of these requests continue to be prepared, and that cooperative engagement of Article 5 implementing States Parties continues after requests have been granted.

IV. VICTIM ASSISTANCE

States Parties are committed to the full, equal and effective participation of mine victims in society. Actions taken under this Convention to fulfil the solemn promise to mine victims have proven vital and commitments under the Cartagena Action Plan and remain valid and should be acted upon. Engagement in other domains is also necessary in view of the States Parties' understanding that victim assistance should be integrated into broader national policies, plans and legal frameworks related to the rights of persons with disabilities, health, education, employment, development and

poverty reduction. In this context and in order to address victim assistance with the same precision and intensity as for other aims of the Convention and to ensure that broader frameworks are reaching mine victims, the States Parties will take the following actions:

- **Action 12.** Each State Party with mine victims in areas under its jurisdiction or control, in a manner that takes into account sex- and age-disaggregated data, will do its utmost to assess the needs of mine victims, the availability and gaps in services and support, and existing or new requirements for disability, health, education, employment, development and poverty reduction activities needed to meet the needs of mine victims, and to refer victims to existing services where possible.
- **Action 13.** Based on its assessments, each State Party with mine victims in areas under its jurisdiction or control will do its utmost to communicate to the States Parties, including through its annual transparency report, as applicable, by 30 April 2015, time-bound and measurable objectives it seeks to achieve through the implementation of national policies, plans and legal frameworks that will tangibly contribute, to the full, equal and effective participation of mine victims in society. Every year, these objectives should be updated, their implementation monitored, and progress in implementing them reported to the States Parties.
- **Action 14.** Based on its assessments, each State Party with mine victims in areas under its jurisdiction or control will do its utmost to communicate to the States Parties, including through its annual transparency report, as applicable, by 30 April 2015, enhancements that have been made or will be made to disability, health, social welfare, education, employment, development and poverty reduction plans, policies and legal frameworks needed to meet the needs of mine victims, and on budgets allocated for their implementation. Every year, efforts to implement these plans, policies and legal frameworks and their enhancements should be communicated to the States Parties.
- **Action 15.** Each State Party with mine victims in areas under its jurisdiction or control, taking into account its own local, national and regional circumstances, will do its utmost to strengthen local capacities, enhance coordination with subnational entities as relevant and appropriate, and increase availability of and accessibility to appropriate comprehensive rehabilitation services, economic inclusion opportunities and social

protection measures for all mine victims, regardless of their gender and age. This entails removing physical, social, cultural, economic, political and other barriers, including expanding quality services in rural and remote areas and paying particular attention to vulnerable groups.

- **Action 16.** Each State Party, and particularly each with mine victims in areas under its jurisdiction or control, will do its utmost to enhance the capacity and ensure the inclusion and full and active participation of mine victims and their representative organisations in all matters that affect them, particularly as concerns national action plans, legal frameworks, policies, implementation mechanisms, monitoring and evaluation.
- **Action 17.** All States Parties will seize every opportunity to raise awareness of the imperative to address the needs and guarantee the rights of mine victims, in an age- and gender-sensitive manner, including by engaging in the work of international, regional and national human rights, health care, labour and other fora, instruments and domains.
- **Action 18.** Each State Party with mine victims in areas under its jurisdiction or control will do its utmost to report in advance of the next Review Conference on measurable improvements made in the well-being and the guarantee of the rights of mine victims, challenges that remain and priorities for assistance as relevant.

V. INTERNATIONAL COOPERATION AND ASSISTANCE

While each State Party is responsible for implementing the Convention in areas under its jurisdiction or control, the Convention's shared goals can be advanced through enhanced cooperation. With a view to significantly improving cooperation between those seeking assistance and those in a position to provide assistance, the States Parties will take the following actions:

- **Action 19.** Each State Party seeking assistance will do its utmost to demonstrate high-level national ownership in fulfilling Convention obligations, including by: maintaining interest at a high level in fulfilling Convention obligations; empowering and providing relevant State entities with the human, financial and material capacity to carry out their obligations under the Convention; articulating the measures its State entities will undertake to implement relevant aspects of Convention in the most

inclusive, efficient and expedient manner possible and plans to overcome any challenges that need to be addressed; and making a regular significant national financial commitment to the State's programmes to implement the Convention.

- **Action 20.** All States Parties in a position to do so will effectively use all possible avenues to support States Parties seeking to receive assistance in mine clearance; mine risk education; stockpile destruction; adopting appropriate national implementation measures; as well as meeting victims' needs and guaranteeing their rights. As concerns victim assistance, this includes providing targeted assistance and supporting broader efforts to enhance frameworks related to the rights of persons with disabilities, health, education, employment, development and poverty reduction.
- **Action 21.** States Parties in a position to provide assistance and those seeking to receive assistance, where relevant and to the extent possible, will enter into partnerships for completion, with partners specifying their responsibilities to each other, articulating age- and gender-sensitive time-bound objectives and targets, making financial or other commitments, if possible on a multi-year basis, and engaging regularly in a dialogue on progress and challenges in meeting goals.
- **Action 22.** States Parties in a position to provide assistance will support plans and programmes that are informed by relevant and accurate information on contamination and the socio-economic impact of anti-personnel mines – including information which is collected from affected women, girls, boys and men, and is analysed from a gender perspective – and that promote and encourage gender mainstreaming.
- **Action 23.** All States Parties will develop and promote bilateral, regional and international cooperation, including through South-South cooperation and by sharing national experiences and good practices, resources, technology and expertise to implement the Convention.
- **Action 24.** All States Parties will contribute, as they deem useful, to the information exchange tool 'Platform for Partnerships' and will provide new or updated information on their needs for assistance or on assistance which they are in a position to offer, when feasible, with a view to further enhancing partnerships and to supporting the full implementation of the Convention.

VI. TRANSPARENCY AND THE EXCHANGE OF INFORMATION

The States Parties recognise that transparency and the open exchange of information, through both formal mechanisms under the Convention and other informal means, are essential to achieving the Convention's aims. The States Parties also recognise that dialogue informed by accurate and high quality information can support cooperation and assistance and accelerate the Convention's implementation. To this end, the States Parties will take the following actions:

- **Action 25.** All States Parties will provide high quality and updated information annually, as required by the Convention, and provide additional information in a voluntary manner. Where applicable, those States Parties without implementation obligations will make use of the simplified tools for fulfilling their Article 7 obligations.
- **Action 26.** The States Parties will draw on information provided as required and on a voluntary basis to engage in cooperative dialogue with a view to enhancing cooperation and assistance efforts, as well as the overall implementation of the Convention. This will contribute to making the exchange of information an effective management tool in support of the implementation of all the Convention's obligations.
- **Action 27.** Each State Party that has retained anti-personnel mines for reasons permitted by the Convention will regularly review the number of retained anti-personnel mines to ensure that they constitute the minimum number absolutely necessary for permitted purposes, destroy all those exceeding that number, where appropriate explore available alternatives to using live anti-personnel mines for training and research activities. States Parties will annually report, on a voluntary basis, on the plans for and actual use of retained anti-personnel mines explaining any increase or decrease in the number of retained anti-personnel mines.

VII. MEASURES TO ENSURE COMPLIANCE

During the period 2014-2019, States Parties will continue to be guided by the knowledge that collective cooperation will help facilitate and assist each State

Party's ongoing compliance with the Convention. To this end, the States Parties will take the following actions:

- **Action 28.** In case of alleged or known non-compliance with the Convention's prohibitions, the State Party concerned will provide information on the situation to all States Parties in the most expeditious, comprehensive and transparent manner possible and work together with other States Parties in a spirit of cooperation to resolve the matter in an expeditious and effective manner, in accordance with Article 8.
- **Action 29.** Each State Party that has not yet done so, will, as soon as possible and no later than by the Fourth Review Conference, take all appropriate legal, administrative and other measures to prevent and suppress any activity that is prohibited the Convention undertaken by persons or on territory under its jurisdiction or control. States Parties will report on such measures as required by the Convention and thereafter inform the States Parties of the use of such measures to respond to cases of alleged or known non-compliance with the Convention's prohibitions.

VIII. IMPLEMENTATION SUPPORT

The States Parties have developed innovative mechanisms for the implementation of the Convention and have shown great flexibility in adjusting this machinery to ensure that it matches evolving needs. The States Parties have made it clear that they retain full ownership over the mechanisms they have established, including by remaining committed to oversee and finance this machinery. To this end, the States Parties will take the following actions:

- **Action 30.** All States Parties in a position to do so will provide necessary financial resources for the effective operation of the Implementation Support Unit and take responsibility for the mechanisms they have established.
- **Action 31.** The States Parties will make use of synergies with other relevant instruments of international humanitarian and human rights law.

Adopted 27 June 2014

MAPUTO +15 DECLARATION

Since we first gathered fifteen years ago, tremendous progress has been achieved, but more needs to be done:

- 1. Fifteen years have passed since the international community first gathered in Maputo to begin the historic effort to fulfil the promise made by the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction. In 1997, States, both mine-affected and others, the International Red Cross and Red Crescent Movement, the International Campaign to Ban Landmines and numerous other non-governmental organizations around the world came together in an unprecedented partnership to ban anti-personnel landmines. Both proud of our accomplishments and mindful of what work remains, we have returned to this once mine-ravaged country, committed to complete the task of ending the suffering and casualties caused by anti-personnel mines, for all people for all time.
- 2. In May of 1999, there were but 45 parties to the Convention and Mozambique was one of only 18 States in Africa that had committed to this Convention. There are now 161 States that are bound by this Convention and there is virtually universal acceptance of the Convention in Africa. There is widespread agreement that the use of anti-personnel mines is unacceptable and that its disastrous humanitarian and socio-economic consequences should be ended once for ever. For this reason, we will spare no effort to continue promoting universal adherence to the Convention and observance of its norms.
- 3. When we first gathered in Maputo, the clearance of all mined areas was a distant prospect and perhaps, to some, unachievable. Today, almost 30 States have completed this effort, which proves completion of our mine clearance obligations is within reach. We remain deeply concerned that emplaced mines still continue to cause death and suffering around the world. Therefore our efforts to demine must be carried out in the most efficient and expedient manner.
- 4. In Maputo in 1999, the international community first expressed that a comprehensive approach to victim assistance is required with our efforts being part of broader approaches to health care, rehabilitation, human rights and other domains. The Convention has made a difference and we remain very much aware of our enduring obligations to mine victims. Acting



within broader national and international policies and frameworks related to disability, health, education, employment, development and poverty reduction will help ensure further progress towards the full, equal and effective participation of mine victims in society.

We will continue our efforts based on a unique spirit of cooperation and partnership:

- 5. In Maputo in 1999, we created innovative mechanisms to address circumstances specific to that time. Returning today to where international efforts to implement to the Convention all began, we embrace the opportunity to adapt in order to meet the challenges of this day and beyond. The success of the Convention is based on the combination of national ownership and international cooperation. As sovereign States, we are individually responsible for compliance with, and implementation of, the Convention in all areas under our respective jurisdiction or control. As a community of States, we know that partnerships, including those between affected and other States, the United Nations and other international organisations, the International Red Cross and Red Crescent Movement and civil society, will accelerate the ending of the suffering and casualties caused by anti-personnel mines. Fifteen years after our first high-level gathering in Maputo, it is clearer than ever that maintaining this Convention's unique strong spirit of cooperation is essential to overcome remaining challenges.

We are committed to comply and complete:

- 6. The sense of optimism prevalent in Maputo in 1999 has been matched

by the reality that ending the era of anti-personnel mines is indeed possible. We reaffirm our commitment to the Convention's norms. We affirm our ambition to ensure that there are no new mine victims in areas under our jurisdiction or control, to see that survivors participate in their societies on an equal basis to others, and to intensify our efforts to complete our respective time-bound obligations with the urgency that the completion work requires. In this connection, we aspire to meet these goals to the fullest extent possible by 2025.

- 7. Determined to put an end to the suffering and casualties caused by anti-personnel mines, we will:
 - » Fulfil our obligations to destroy all stockpiled anti-personnel mines and clear all mined areas as soon as possible, mindful that cooperation will accelerate completion of these tasks.
 - » Ensure compliance with the Convention's comprehensive prohibitions on the use, stockpiling, production and transfer of anti-personnel mines, and facilitate compliance with our obligations under this Convention, by working together in the Convention's unique spirit of cooperation.
 - » Continue to promote universal observance of the Convention's norms, condemn the use of anti-personnel mines by any actor, including by armed non-state actors, work to prevent any future use, and appeal to the world to join us.
 - » Increase our efforts to address the needs of mine victims in a concrete manner with the aim of achieving their full, equal and effective participation in society.
 - » Ensure the involvement of mine victims in our efforts, which will be done in a gender- and age-appropriate manner. The dignity and well-being of survivors, their families and communities will be at the core of our efforts.
 - » Strengthen national ownership and capacity, enhance cooperation, and establish partnerships for completion.
 - » Stay focused and spare no efforts until the main object and purpose of the Convention are fully materialised.
- 8. Having returned to Mozambique, we are committed to realise this ambition, guided by the Maputo Action Plan during the period 2014 to 2019.

Adopted 27 June 2014



THE PURPOSE, MANDATE, MEMBERSHIP AND WORKING METHODS OF THE STATES PARTIES' IMPLEMENTATION MACHINERY

4

I. COMMITTEE ON ARTICLE 5 IMPLEMENTATION

Purpose

- 1. The purpose of the Committee on Article 5 Implementation is to intensify efforts, particularly those outlined in the Maputo Action Plan, to ensure that Article 5 is fully implemented as soon as possible, while acknowledging local, national and regional circumstances in its practical implementation.
- 2. The Committee will fulfil its purpose by providing feedback to States Parties having submitted information on "the location of all mined areas that contain, or are suspected to contain, anti-personnel mines" and on mine clearance programmes as well as their results. Furthermore, the Committee will ensure, as agreed to by the States Parties, that "a cooperative engagement of Article 5 implementing States Parties continues after requests have been granted."

Mandate

- 3. The mandate of the Committee on Article 5 Implementation is to carry out the following:
 - » a. Review relevant information on Article 5 implementation submitted by States Parties, including in the context of Article 7 obligations and on efforts undertaken under Article 6 on international cooperation and assistance, seek clarity when required and provide advice and support in a cooperative manner to States Parties on the fulfilment of their obligations to report on Article 5 implementation. The Committee will present preliminary observations at intersessional meetings if need be, and final annual conclusions and recommendations at Meetings of the States Parties or Review Conferences.
 - » b. Prepare and submit to the States Parties in advance of Meetings of the States Parties or Review Conferences an analysis of each request for an Article 5 extended deadline, taking into account, as relevant, the decisions on the analysis process as agreed to by the Seventh and the Twelfth Meetings of the States Parties.
 - » c. Engaging relevant States Parties, after any extension requests have been granted, on the implementation of their commitments as contained in requests and related decisions on their requests and. The Committee will present preliminary observations at intersessional meetings if need be, and conclusions and recommendations at Meetings of the States Parties or Review Conferences.
 - » d. Remain transparent and accountable, including by reporting on activities at both intersessional meetings and Meetings of the States Parties or Review Conferences.

Membership

- 4. The Committee on Article 5 Implementation will be composed of a representative group of four States Parties serving overlapping two-year terms, including at least one State either in the process of implementing Article 5 or having completed implementation of Article 5 after carrying out mine clearance activities.
- 5. Each year, the Committee on Article 5 Implementation will select a chair among the States Parties serving the second year of their two-year terms. The Chair will be responsible for convening and chairing meetings, issuing communications on behalf of the Committee and directing the Implementation Support Unit to assist the work of the Committee.

Working methods

- 6. The Committee on Article 5 Implementation may draw from the working methods established in 2008 by the Article 5 Analysing Group, including by placing a heavy emphasis on cooperation with States Parties in the process of implementing Article 5 and by drawing upon expert input as required. The Committee will strive to reach general agreement in all aspects of its work.

II. COMMITTEE ON COOPERATIVE COMPLIANCE

Purpose

- 7. The purpose of the Committee on Cooperative Compliance is to assist the States Parties in acting upon their commitment under Article 8.1 of the Convention to work together in a spirit of cooperation to facilitate compliance in a supportive and amicable manner.
- 8. The Committee on Cooperative Compliance will improve the management of the work of the Convention in a highly cooperative manner. Its establishment will not supersede the provisions of Article 8 or amend the Convention, and its status and prerogatives will be identical to that of other elements of the Convention's machinery.

Mandate

- 9. The mandate of the Committee on Cooperative Compliance is to carry out the following:
 - » a. Objectively and informally consider whether a concern about compliance with the Convention's prohibitions contained in Article 1.1 of the Convention is potentially credible and, if so, to consider any follow up that might be appropriate for States Parties to better understand the situation.
 - » b. When appropriate, in close consultation with the States Parties concerned, clarify the situation, and if as a result it assesses that the concern is credible, make suggestions on steps that the States Parties concerned could take to ensure that the Convention remains strong and effective.
 - » c. For cases where the concern is credible, present preliminary observations at intersessional meetings if need be, and conclusions

and recommendations at Meetings of the States Parties or Review Conferences.

- » d. Remain transparent and accountable, including by reporting on activities at both intersessional and Meetings of the States Parties or Review Conferences.

Membership

- 10. The Committee on Cooperative Compliance will be composed of the President, who will chair the committee, and a representative group of four States Parties serving overlapping two-year terms as committee members. The Chair will be responsible for convening and chairing meetings, issuing communications on behalf of the Committee and directing the Implementation Support Unit to assist the work of the Committee.

Working methods

- 11. The Committee on Cooperative Compliance will strive to reach general agreement in all aspects of its work. The Committee may draw upon expert input as required.

III. COMMITTEE ON VICTIM ASSISTANCE

Purpose

- 12. Building upon the solid foundation the States Parties have constructed on the issue of victim assistance, the purpose of the Committee on Victim Assistance is to support States Parties in their national efforts to strengthen and advance victim assistance, in particular in States Parties with mine victims in areas under their jurisdiction or control.
- 13. In doing so, the Committee will ensure balance between ongoing discussions on pertinent aspects of victim assistance within the framework of the Convention itself, and taking the discussion on meeting the needs and guaranteeing the rights of mine victims to other fora where relevant and related issues are debated.

Mandate

- 14. The mandate of the Committee on Victim Assistance is to carry out the following:

- » a. Provide advice and support in a cooperative manner to States Parties in the fulfillment of their commitments under the Maputo Action Plan, draw observations in consultation with the States Parties concerned and assist these States Parties in making their needs known.
- » b. Present conclusions and recommendations, following consultations with the States Parties concerned, at intersessional meetings if need be, Meetings of the States Parties or Review Conferences, including on progress, achievements and challenges, in order to strengthen victim assistance.
- » c. Take other relevant initiatives to facilitate discussion on ways and means of enhancing victim assistance and to ensure the wellbeing of mine victims.
- » d. Raise awareness, in relevant fora, of the importance of addressing the needs and guaranteeing the rights of mine victims in broader domains such as health care, disability and human rights, development, poverty reduction, and employment, drawing from the breadth of understandings agreed to by the States Parties on victim assistance.
- » e. Remain transparent and accountable, including by reporting on activities at both intersessional meetings and Meetings of the States Parties or Review Conferences.

Membership

- 15. The Committee on Victim Assistance will be composed of a representative group of four States Parties, serving overlapping two-year terms. Each year, the Committee will select a chair among the States Parties serving the second year of their two-year terms. The Chair of the Committee will be responsible for convening and chairing meetings, issuing communications on behalf of the Committee and directing the Implementation Support Unit to assist the work of the Committee.

Working methods

- 16. The Committee will draw on the expertise of the ICBL and ICRC and involve them in its work, as observers, as well as invite other States Parties, the United Nations and other relevant international and non-governmental organisations to participate on an ad hoc basis. The Committee will strive to reach general agreement in all aspects of its work.

IV. THE COMMITTEE ON THE ENHANCEMENT OF COOPERATION AND ASSISTANCE

Purpose

- 17. The purpose of the Committee on the Enhancement of Cooperation and Assistance is to assist the States Parties in the full implementation of Article 6 of the Convention, in line with their reaffirmation that ending the suffering and casualties caused by anti-personnel mines is a shared commitment.

Mandate

- 18. The Committee on the Enhancement of Cooperation and Assistance is mandated to carry out the following:
 - » a. Promote cooperation and assistance under the Convention, including by organizing or encouraging the organization of multilateral, regional or national dialogues on cooperation and assistance, in Geneva or elsewhere.
 - » b. Facilitate the fostering of partnerships between States Parties seeking to receive assistance and those in a position to provide such assistance, including through the use of information exchange tools (e.g. "Platform for Partnerships").
 - » c. Coordinate with other implementation mechanisms established by the States Parties in order to facilitate and accelerate the full implementation of the Convention.
 - » d. Present preliminary observations at intersessional meetings if need be, and conclusions and recommendations, if relevant, at Meetings of the States Parties or Review Conferences.
 - » e. Remain transparent and accountable, including by reporting on activities at both intersessional meetings and Meetings of the States Parties or Review Conferences.

Membership

- 19. The Committee on the Enhancement of Cooperation and Assistance will be composed of a representative group of four States Parties serving overlapping two-year terms, including an affected State Party and a State Party that is a provider of support or assistance. Each year, the Committee will select a chair among the States Parties serving the second year of their two-year terms. The Chair will be responsible for convening and chairing meetings, issuing communications on behalf of the Committee and directing the Implementation Support Unit to assist the work of the Committee.

Working methods

- 20. The Committee on the Enhancement of Cooperation and Assistance may draw on the expert input of the ICBL and ICRC and involve them in its work, as well as invite other States Parties, the United Nations and other relevant international and non-governmental organisations to participate on an ad hoc basis. The Committee will strive to reach general agreement in all aspects of its work.

V. COORDINATING COMMITTEE

Purpose and mandate

- 21. The Coordinating Committee is a coordinating body and does not have substantive decision-making capacity. Its mandate is to coordinate the work flowing from and related to formal and informal meetings of the States Parties. The Committee will also fulfil responsibilities related to Implementation Support Unit accountability as agreed to at the Tenth Meeting of the States Parties.

Membership

- 22. The Coordinating Committee will be composed of the President, the President-designate during the year prior to his/her presidency, the members of the Committee on Article 5 Implementation, the members of the Committee on Cooperative Compliance, the members of the Committee on Victim Assistance, and the members of the Committee on the Enhancement of Cooperation and Assistance.

Working methods

- 23. In keeping with past practice, the Coordinating Committee will invite the United Nations, ICRC, ICBL and GICHD as observers. The Committee will strive to reach general agreement in all aspects of its work.

VI. THE PRESIDENT OF MEETINGS OF THE STATES PARTIES OR REVIEW CONFERENCES

- 24. The mandate of the President is to carry out the following:
 - » a. Chair the Meeting of the States Parties or Review Conference.

- » b. Chair intersessional meetings.
- » c. Chair the Committee on Cooperative Compliance.
- » d. Chair the Coordinating Committee.
- » e. Take the lead, in consultation with the Coordinating Committee, with respect to any issue related to the pursuit of the Convention's aims other than those related to the mandates of the above-mentioned committees, including matters related to stockpile destruction under Article 4 and transparency regarding the exceptions contained in Article 3 of the Convention.
- » f. Promote the implementation and universalization of the Convention and its norms, including in relevant multilateral and regional fora, as well as at the national level.
- » g. Lead efforts to mobilise sufficient resources to fund the operations of the Implementation Support Unit.
- » h. Promote coordination amongst all structures established by the States Parties.
- » i. Propose a set of new office-holders for agreement by the forthcoming Meeting of the States Parties. The proposed set of office-holders shall be balanced regionally as well as between States Parties in the process of implementing key obligations of the Convention, those in a position to provide financial or other assistance, and other States Parties.
- » j. Present a preliminary report on activities at intersessional meetings if need be, as well as use intersessional meetings, when relevant, as a forum for addressing specific topics of interest.
- » k. Present a final report on activities, as well as conclusions and recommendations if relevant, at Meetings of the States Parties or Review Conferences.
- » l. Any other relevant matters.

II. MEETINGS OF THE STATES PARTIES OR REVIEW CONFERENCE

- 25. In addition to the provisions of the Convention, the Conference agreed that, keeping with the mandate for Meetings of the States Parties "to consider any matter with regard to the application or implementation of this Convention," these Meetings of the States Parties could inter alia consider:
 - » a. Conclusions and recommendations of the Committee on Article 5 implementation.

- » b. Requests for extended mine clearance deadlines.
- » c. If any, conclusions and recommendations of the Committee on Cooperative Compliance.
- » d. Conclusions and recommendations of the Committee on Victim Assistance.
- » e. Conclusions and recommendations of the Committee on the Enhancement of Cooperation and Assistance.
- » f. Any other relevant matters.
- » g. The Implementation Support Unit report, audited statement and work plan/budget, pursuant to the 2010 Directive of the States Parties to the Implementation Support Unit.
- 26. The Conference agreed that Meetings of the States Parties will continue to be a forum where States Parties with obligations under the Convention report on their progress in their implementation of these, and other States Parties as well as other Convention actors, including the United Nations, the ICRC, the ICBL and the GICHD, have an opportunity to provide comments and views during these meetings.

VIII. INTERSESSIONAL MEETINGS

- 27. The intersessional meetings are informal meetings that need not be more than two days long, permitting them to be scheduled during the same week as the meetings of other Conventions or activities.
- 28. The intersessional meetings could comprise a thematic segment and a preparatory segment:
 - » a. The thematic segment would provide for an interactive discussion on current issues and challenges as proposed by the President.
 - » b. The preparatory segment will address any issue pertaining to the preparation of the Meeting of States Parties upon proposal of the President.
- 29. States Parties as well as other Convention actors, including the United Nations, the ICRC, the ICBL and the GICHD, have an opportunity to provide comments and views during these meetings.



This publication was prepared by

**THE ANTI-PERSONNEL MINE BAN CONVENTION
IMPLEMENTATION SUPPORT UNIT**

thanks to support provided by the
European Union

The Implementation Support Unit (ISU) is the secretariat to the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction. The ISU is mandated to support the States Parties to the Convention, in particular by doing the following:

- Supporting the Convention's implementation machinery and office holders,
- Providing advice and technical support to individual States Parties on the implementation and universalization of the Convention,
- Communicating and providing information about the Convention,
- Keeping records of formal and informal meetings under the Convention, and
- Liaising and coordinating with relevant international organisations that participate in the work of the Convention.

The ISU is directly accountable to the States Parties while being hosted by the Geneva International Centre for Humanitarian Demining. The ISU is funded on a voluntary basis by States Parties to the Convention.