

Tenth Meeting of the States Parties

29 November -

3 December 2010

Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction





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1. WHAT IS THE AP MINE BAN CONVENTION?

What is the AP Mine Ban Convention?

The AP Mine Ban Convention is a short reference to the 1997 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.

The Convention is the international community's comprehensive response to the humanitarian problems caused by anti-personnel mines, weapons that are indiscriminate and that last 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 at a ceremony that featured the participation of dozens of world leaders.

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.

The Convention's second five-year review, the *Cartagena Summit on a Mine-Free World*, was held in Cartagena, Colombia from 30 November to 4 December 2009. At that event, the Cartagena Action Plan 2010-2014 was adopted at a high political level.

What is the purpose of the Convention?

The purpose of the Convention is "to put an end to the suffering and casualties caused by anti-personnel (AP) mines" through the pursuit of four core aims:

- > universal acceptance of a ban on AP mines
- > destruction of stockpiled AP mines
- > clearance of mined areas
- > providing assistance to mine victims.

How many countries have joined?

156 States have ratified or have acceded to the Convention. They include:

- > most of the States that at one time used, stockpiled, produced or transferred AP mines
- > the vast majority of States that are or have been affected by AP mines
- > every State in the Americas, except Cuba and the United States
- > every State in Sub-Saharan Africa, except Somalia
- > every Member State of the European Union, except Finland and Poland.

1. WHAT IS THE AP MINE BAN CONVENTION?

What has been the impact of the Convention?

Use of anti-personnel mines has decreased dramatically – 156 countries have agreed to not use AP mines by ratifying or acceding to the Convention. Most States not parties adhere to the Convention's norms.

Production has decreased significantly – 34 States of 50 that previously manufactured AP mines are now bound by the Convention's ban on production. Most States not parties have place moratoria on production and / or transfers of mines.

Destruction of stockpiled mines is one of the Convention's great success stories – almost 44 million mines have been destroyed by the States Parties. 152 States Parties now no longer hold stocks.

Demining has resulted in millions of square metres of once dangerous land being released for normal human activity. 16 of 54 States Parties that originally reported mined areas have completed the task of clearing all such areas. Annual casualty rates have fallen in many countries.

Survivors' needs are being taken seriously. The Convention is the first arms control / disarmament convention that takes their needs into account. Many of the States Parties responsible for significant numbers of survivors have developed objectives and / or a plan of action to meet the needs and guarantee the rights of landmine survivors and other persons with disabilities.



Convention signing ceremony | Ottawa | 3 December 1997

2. WHAT IS THE TENTH MEETING OF THE STATES PARTIES?

- > The Tenth Meeting of the States Parties (10MSP) is a formal diplomatic meeting of the 156 States that have accepted the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction.
- > The 10MSP will be the first time the international community has gathered formally to discuss the problems caused by anti-personnel mines since the landmark 2009 *Cartagena Summit on a Mine-Free World*, where the States Parties adopted the *Cartagena Action Plan 2010-2014*.
- > At the 10MSP, approximately 700 delegates representing over 100 States and dozens of international and non-governmental organisations will discuss the draft *Geneva Progress Report 2009-2010*. This report documents progress made during the first year of the application of the *Cartagena Action Plan*, in the pursuit of a mine-free world.
- > The States Parties will also develop solutions to challenges faced in implementing the Convention, including challenges related to clearing mined areas, destroying stockpiled mines and ensuring sustained support for landmine survivors. A key area of interest at the 10MSP will be enhancing international cooperation and assistance.
- > In addition, the 10MSP will consider requests for extensions on States' ten year deadlines for clearing mined areas. Requests have been submitted by Chad, Colombia, Denmark, Guinea-Bissau, Mauritania and Zimbabwe.
- > Also at the 10MSP, the States Parties will assess the Convention's implementation machinery, including consideration of the outcomes of an evaluation of the Implementation Support Unit and a review of the Intersessional Work Programme.



International Federation of the Red Cross and Red Crescent Societies delegates | Cartagena, Colombia | 4 December 2009

3. WHAT WILL HAPPEN AT THE 10MSP?

- > The 10MSP will be preceded by an opening ceremony at 10:00 on Monday 29 November in the Salle des Assemblées at the Palais des Nations. This will feature addresses by:
 - > Micheline Calmy-Rey | Minister of Foreign Affairs of Switzerland
 - > Edmond Haxhinasto | Minister of Foreign Affairs of Albania
 - > Jakob Kellenberger | President of the International Committee of the Red Cross



Micheline Calmy-Rey | Minister
of Foreign Affairs of Switzerland



Edmond Haxhinasto | Minister
of Foreign Affairs of Albania



Gazmend Turdiu | Secretary
General of the Ministry
of Foreign Affairs
of the Republic of Albania

- > At the beginning of the 10MSP, the States Parties are expected to elect Gazmend Turdiu, Secretary General of the Ministry of Foreign Affairs of the Republic of Albania, as President of the 10MSP.
- > Following a brief general exchange of views, the States Parties will hold an informal discussion on six States Parties' requests for extensions of deadlines for clearing mined areas. (Each State Party reporting anti-personnel mines in mined areas must destroy all such mines in a ten year period. If States Parties believe that they will be unable to do so in ten years, they may request extra time.)
- > On 30 November, the 10MSP will feature a special session on enhancing international cooperation and assistance in the context of the Convention.

3. WHAT WILL HAPPEN AT THE 10MSP?

- > On 1-2 December, the meeting will focus on assessing progress in pursuing the States Parties core aims: assisting the victims, clearing mined areas, destroying stockpiled anti-personnel mines and universalising the Convention and its norms. This will feature the States Parties finalising the *Geneva Progress Report 2009-2010*, a comprehensive assessment of progress made since the 2009 *Cartagena Summit on a Mine-Free World*.
- > On 3 December, the States Parties will consider recommendations of the “ISU Task Force”, which has been overseeing the effort to evaluate the Convention’s Implementation Support Unit.
- > Also on 3 December, the States Parties will take formal decisions on the six States Parties’ requests for extensions of deadlines for clearing mined areas.
- > In addition, on 3 December, the States Parties will consider adjustments to the Convention’s Intersessional Work Programme and follow up on the offer, by Cambodia, to host and preside over the Eleventh Meeting of the States Parties from 28 November to 2 December 2011 in Phnom Penh.
- > Throughout the week of 29 November to 3 December, a wide variety of side events will take place at the Palais des Nations and at other locations in Geneva.

4. HOW CAN DELEGATIONS PREPARE FOR THE 10MSP?

General exchange of views

- > In keeping with the practices used at previous meetings, and given the need for ample time to be made available to discuss Article 5 extension requests and the ISU evaluation, the 10MSP President-Designate has discouraged delegations from delivering statements of a general nature. In lieu of delivering general oral statements, delegations, may if they wish, distribute written statements.

Article 5 extension requests

- > Requesting States Parties should prepare presentations on the key aspects of their extension requests. These presentations will be followed by the President of the Second Review Conference presenting an analysis of each request.
- > All delegations will have a chance to ask questions and make comments on the requests. (The actual formal consideration of the requests will take place on Friday 3 December.) To prepare for this item, delegations may wish to review the requests that have been submitted.



Second Review Conference President Susan Eckey of Norway will present analyses of requests for extensions of mine clearance deadlines

4. HOW CAN DELEGATIONS PREPARE FOR THE 10MSP?

International cooperation and assistance

- > The 10MSP will feature a discussion in follow up to the 25 June 2010 Special Session on International Cooperation and Assistance.
- > To prepare for this item, delegations may wish to review the background papers that were prepared for the June session, the relevant portions of the draft *Geneva Progress Report 2009-2010*, and any additional papers that may be prepared on this matter in advance of the 10MSP.

Assisting the victims

- > States Parties, that have indicated that they are responsible for significant numbers of landmine survivors, may wish to consider providing brief updates on steps they have taken to apply actions #23 through #33 of the *Cartagena Action Plan*.
- > All delegations may wish to review the relevant portions of the draft *Geneva Progress Report 2009-2010*.



In August 2010, Uganda acted upon its Cartagena Action Plan commitments by convening a national workshop to ensure that its Comprehensive Plan of Action on Victim Assistance is consistent with its obligations under the Convention on the Rights of Persons with Disabilities

Clearing mined areas

- > States Parties, that have been granted an extension to their initial mine clearance deadlines, may wish to provide brief updates on how they are proceeding with implementation, in accordance with the commitments made in their extension requests and the decisions taken on their requests.
- > All States Parties, that are continuing to implement Article 5 of the Convention, may wish to provide brief updates on steps they have taken to apply actions #14 through #20 of the *Cartagena Action Plan*.
- > All delegations may wish to review the relevant portions of the draft *Geneva Progress Report 2009-2010*.

4. HOW CAN DELEGATIONS PREPARE FOR THE 10MSP?

Destroying stockpiled anti-personnel mines

- > States Parties, that have missed their deadlines for completion of stockpile destruction obligations under Article 4, of the Convention may wish to provide brief updates on steps they have taken to apply actions #7 through #9 of the *Cartagena Action Plan*.
- > All delegations may wish to review the relevant portions of the draft *Geneva Progress Report 2009-2010*.

Universalising the Convention

- > States not parties may wish to provide updates on steps they are taking towards accession to the Convention.
- > States Parties and others may wish to provide brief updates on steps they have taken to apply actions #1 through #6 of the *Cartagena Action Plan*.



The President's Special Envoy on the Universalisation of the Convention, His Royal Highness Prince Mired of Jordan, will report to the 10MSP on his activities

Evaluation of the Implementation Support Unit

- > States Parties may wish to review the outcomes of the work of the ISU Task Force and the final report of the independent consultant engaged to evaluate the ISU.

5. WHICH STATES HAVE JOINED THE CONVENTION?

Progress made

- > 156 States have ratified or have acceded to the Convention.
- > Every State in the Americas, except Cuba and the United States, has joined the Convention, as have most European States.
- > Every State in Sub-Saharan Africa, except Somalia, has joined the Convention.

Challenges that remain

- > 39 States have not yet ratified or acceded to the Convention.
- > The rate of adherence remains low in Asia, the Middle East and amongst the members of the Commonwealth of Independent States.
- > Among these States are several which could have a significant impact on the goals of the Convention.
- > Combined, six of these States – China, India, the Republic of Korea, Pakistan, Russia and the United States – may hold tens of millions of stockpiled anti-personnel mines.



States Parties to the AP Mine Ban Convention

A

Afghanistan
Albania
Algeria
Andorra
Angola
Antigua and Barbuda
Argentina
Australia
Austria

B

Bahamas
Bangladesh
Barbados
Belarus
Belgium
Belize
Benin
Bhutan
Bolivia
Bosnia and Herzegovina
Botswana
Brazil
Brunei Darussalam
Bulgaria
Burkina Faso
Burundi

C

Cambodia
Cameroon
Canada
Cape Verde
Central African Republic
Chad
Chile
Colombia
Comoros
Congo, Republic of
Cook Islands
Costa Rica
Côte d'Ivoire
Croatia
Cyprus
Czech Republic

D

Dem. Republic of the Congo
Denmark
Djibouti
Dominica
Dominican Republic

E

Ecuador
El Salvador
Equatorial Guinea
Eritrea
Estonia
Ethiopia

F

Fiji
France

G

Gabon
Gambia
Germany
Ghana
Greece
Grenada
Guatemala
Guinea
Guinea-Bissau
Guyana

H

Haiti
Holy See
Honduras
Hungary

I

Iceland
Indonesia
Iraq
Ireland
Italy

J

Jamaica
Japan
Jordan

K

Kenya
Kiribati
Kuwait

L

Latvia
Lesotho
Liberia
Liechtenstein
Lithuania
Luxembourg

M

Madagascar
Malawi
Malaysia
Maldives
Mali
Malta
Mauritania
Mauritius
Mexico
Moldova, Republic of
Monaco
Montenegro
Mozambique

N

Namibia
Nauru
Netherlands
New Zealand
Nicaragua
Niger
Nigeria
Niue
Norway

P

Palau
Panama
Papua New Guinea
Paraguay
Peru
Philippines
Portugal

Q

Qatar

R

Romania
Rwanda

S

Saint Kitts and Nevis
Saint Lucia
Saint Vincent and the Grenadines
Samoa
San Marino
Sao Tome and Principe
Senegal
Serbia
Seychelles
Sierra Leone
Slovakia
Slovenia
Solomon Islands
South Africa
Spain
Sudan
Suriname
Swaziland
Sweden
Switzerland

T

Tajikistan
Tanzania, United Republic of
Thailand
The Former Yugoslav
Republic of Macedonia
Togo
Trinidad and Tobago
Tunisia
Turkey
Turkmenistan

U

Uganda
Ukraine
United Kingdom
Uruguay

V

Vanuatu
Venezuela

Y

Yemen

Z

Zambia
Zimbabwe

6. BANNING USE, PRODUCTION AND TRANSFERS

What the Convention says

- > Each State Party undertakes **never under any circumstances**:
 - > To **use** anti-personnel mines;
 - > To **develop, produce, otherwise acquire, stockpile, retain or transfer** to anyone, directly or indirectly, anti-personnel mines;
 - > To **assist, encourage or induce**, in any way, anyone to engage in any activity prohibited to a State Party under this Convention.
- > “The Articles of this Convention **shall not be subject to reservations.**”

Progress made

- > The use of anti-personnel mines has decreased dramatically. The Convention’s prohibition on the **use** of AP mines binds its 156 parties and this norm has enjoyed widespread acceptance by other States.
- > By having joined the Convention, 156 of the world’s States have accepted a legally binding prohibition on **transfers** of AP mines. Even for most other States this has become the accepted norm.
- > The **production** of AP mines has decreased significantly: of the 50 States that at one time produced AP mines, 34 are now parties to the Convention.

Challenges that remain

- > While new emplacements of anti-personnel mines are now rare, several States not parties may still perceive that they derive utility from previously emplaced anti-personnel mines.
- > As long as States not parties possess stockpiled anti-personnel mines and have not indicated an intention to destroy them, it must be assumed that they remain ready to make new use of these mines.
- > Universal acceptance of the Convention’s norms is impeded by some armed non-State actors that continue to use, stockpile, and produce anti-personnel mines.

7. DESTROYING STOCKPILED MINES

What the Convention says

- > 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.”
- > States Parties **may retain** “a number of anti-personnel mines **for the development of and training in mine detection, mine clearance, or mine destruction techniques.**” This number “shall not exceed the minimum number absolutely necessary” for these purposes.

Progress made

- > 152 States Parties now no longer hold stockpiled anti-personnel mines.
- > Together the States Parties have destroyed almost 44 million mines.

Challenges that remain

- > 4 States Parties are still in the process of destroying their stockpiled anti-personnel mines.
- > Combined, these 4 States Parties must destroy several million mines.
- > Destroying a particular type of mine – the Soviet-era “PFM-1” mine – is extremely hazardous and poses serious technical difficulties.

Deadlines for the destruction of stockpiled anti-personnel mines

State Party	2007	2008	2009	2010	2011	2012
Belarus	1 March 2008					
Greece	1 March 2008					
Turkey	1 March 2008					
Ukraine	1 June 2010					

8. CLEARING MINED AREAS

What the Convention says

- > Each State Party must make “every effort to **identify all areas** under its jurisdiction or control in which anti-personnel mines are known or suspected to be emplaced.”
- > Each State Party must “as soon as possible” **ensure that these mined areas “are perimeter marked, monitored and protected** by fencing or other means, to ensure the effective exclusion of civilians, until all anti-personnel mines contained there in have been destroyed.”
- > Each State Party must “**destroy or ensure the destruction of all anti-personnel mines in mined areas** (...) as soon as possible but not later than 10 years after the entry into force of this Convention for that State Party.”
- > If a State Party believes it is unable to destroy or ensure the destruction of all anti-personnel mines in mined areas within 10 years, it may **request an extension**.

Progress made

- > 54 States Parties have reported mined areas under their jurisdiction or control. Of these 16 have indicated that they have fulfilled their clearance obligations:

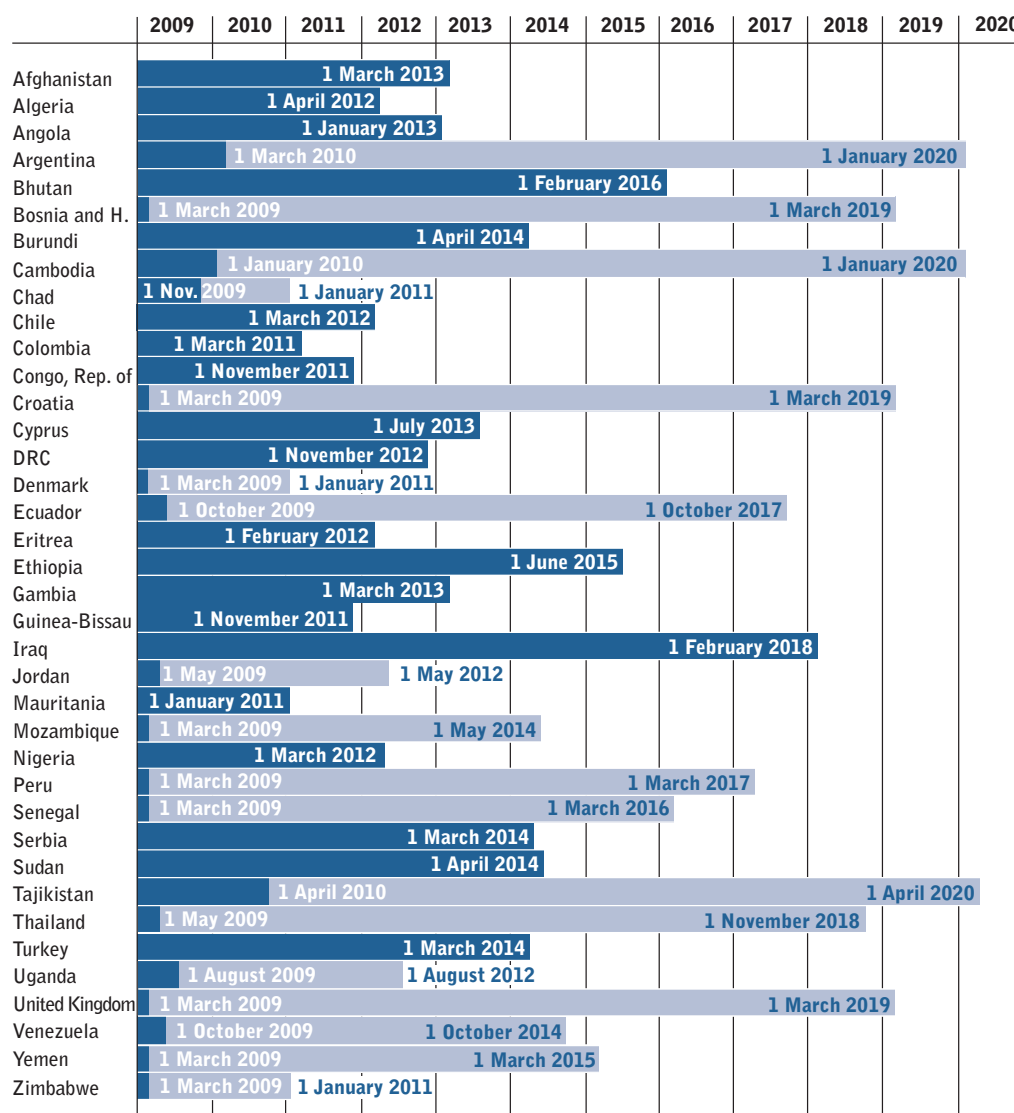
Albania	Greece	Suriname
Bulgaria	Guatemala	Swaziland
Costa Rica	Honduras	The Former Yugoslav Republic of Macedonia
Djibouti	Malawi	Tunisia
France	Nicaragua	Zambia
	Rwanda	

- > Demining activities and risk reduction efforts have led to a reduction in the annual casualty rates in most countries.

Challenges that remain

- > It will take some States Parties several more years to fulfil their mine clearance obligations: 18 of the 19 States Parties that have been granted extensions of their deadlines for clearing mined areas are still in the process of fulfilling their mine clearance obligations.
- > Fulfilling obligations will require effective use of the full range of methods to release suspected mined areas, including non-technical survey, technical survey and manual/mechanical clearance.
- > Many States Parties must still undertake or complete the task of making every effort to identify all areas in which anti-personnel mines are known or suspected to be emplaced.

Deadlines for the clearance of mined areas



Each State Party must destroy or ensure the destruction of all anti-personnel mines in mined areas as soon as possible but not later than 10 years after entry into force of the Convention for a State Party. These 10 year deadlines are represented by dark blue bars in the table above. If a State Party believes it will be unable to destroy or ensure the destruction of all anti-personnel mines in mined areas within 10 years, it may request an extension. 18 of the 19 States Parties that have been granted extensions are still in the process of fulfilling their obligations. These extended deadlines are represented by the light blue bars in the table above.

9. ASSISTING THE VICTIMS

What the Convention says and what the States Parties understand

- > Each State Party, in a position to do so, is obliged to provide assistance for the care and rehabilitation, and social and economic reintegration of mine victims.
- > The States Parties have defined a “landmine victim” broadly, to include individuals, families and communities – those who, either individually or collectively, have suffered physical or psychological injury, economic loss or substantial impairment of their fundamental rights through acts or omissions related to mine utilisation.
- > The States Parties understand “victim assistance” as a process that involves an age- and gender-sensitive, rights based, and holistic approach. It includes the following components: emergency and continuing medical care, physical rehabilitation, psychological support, and social and economic reintegration / inclusion.
- > The States Parties understand the place of victim assistance within the broader context of disability, healthcare, social services, rehabilitation, reintegration, employment, development, human rights and gender equality. They recognise that their efforts should promote the development of services, infrastructure, and policies to address the rights and needs of all women, men, boys and girls with disabilities, regardless of the cause of the disability.

Progress made

- > For the first time, a disarmament/arms control convention contains measures to assist the victims of the weapons in question.
- > The Convention has drawn attention to the plight of landmine survivors – and hence the challenges of all persons with disabilities – in some of the world’s poorest countries.
- > Efforts taken in the context of the Convention to enhance health care, rehabilitation and other services have benefited, not only landmine survivors but also, broader communities.
- > Specialised organisations, such as the ICRC and Handicap International, have generated over US\$ 200 million since the 2004 *Nairobi Summit on a Mine-Free World* in support of emergency medical care, physical rehabilitation and other assistance.
- > There are 26 States Parties that have reported a responsibility for significant numbers of landmine survivors. Many of these have developed measurable victim assistance objectives and are implementing plans of action to meet the needs, and guarantee the rights of, landmine survivors and other persons with disabilities.
- > The Convention’s practices in responding to the needs of mine victims have served as the model for other instruments of international humanitarian law, including the 2008 Convention on Cluster Munitions.

Challenges that remain

- > The States Parties that are responsible for significant numbers of landmine survivors include some of the poorest countries on earth. Achieving progress is complicated by the broader set of complex challenges that most developing countries face.
- > States Parties will need to continue to deepen their sense of responsibility to provide for the care and rehabilitation and social and economic reintegration of mine victims, particularly as the needs of victims will remain long after mined areas have been cleared.
- > While the most identifiable gains since the 2004 *Nairobi Summit on a Mine-Free World* have been process-related, there remains a significant challenge in translating increased understanding on victim assistance into tangible improvements and a sustainable difference in the daily lives of mine victims.



States Parties with significant numbers of landmine survivors

A Afghanistan Albania Angola	E El Salvador Eritrea Ethiopia	P Peru
B Bosnia and Herzegovina Burundi	G Guinea-Bissau	S Senegal Serbia Sudan
C Cambodia Chad Colombia Croatia	I Iraq	T Tajikistan Thailand
D Dem. Rep. of the Congo	J Jordan	U Uganda
	M Mozambique	Y Yemen
	N Nicaragua	

10. OTHER IMPORTANT MATTERS FOR ACHIEVING THE AIM OF THE CONVENTION

What the Convention says

- > **Cooperation** Each State Party has the right to seek and receive assistance. Each State Party in a position to do so is obliged to provide assistance.
- > **Transparency** Each State Party must provide an initial transparency report within 180 days of the Convention entering into force for it, and hence update this report annually.
- > **Compliance** The primary responsibility for ensuring compliance with the Convention rests with each individual State Party through the legal and other measures it is obliged to take to prevent and suppress prohibited acts.

Progress made

- > **Cooperation** Global funding levels for activities consistent with the aims of the Convention remain high with approximately US\$ 2.0 billion having been generated since the 2004 *Nairobi Summit on a Mine-Free World*.
- > **Transparency** With the exception of one, all States Parties have complied with their requirement to submit an initial transparency report.
- > **Compliance** There are now 59 States Parties that have reported that they have adopted legislation to prevent and suppress prohibited acts. In addition, 33 States Parties have indicated that they consider existing laws to be sufficient.

Challenges that remain

- > **Cooperation** A dilemma exists in that while a great deal of funding continues to be generated in general terms for “mine action”, this is not addressing the specific needs of some States Parties that are in the process of implementing the Convention.
- > **Transparency** Several States Parties, including some for which the Convention entered into force several years ago, have not yet provided clarity pursuant to their obligation to report on “the location of all mined areas that contain or are suspected to contain anti-personnel mines.”
- > **Compliance** There are 64 States Parties that have not yet indicated that they have legislation sufficient to prevent and suppress prohibited acts.

Implementation Support

- > When the Convention was established, a conscious decision was taken not to establish a traditional secretariat for the Convention. In lieu of a traditional secretariat, the States Parties in 2001 mandated the establishment of the *Anti-Personnel Mine Ban Convention Implementation Support Unit* at the Geneva International Centre for Humanitarian Demining.
- > *The Implementation Support Unit* is a cost-effective and innovative means to provide the necessary support to States Parties that are elected to positions of responsibility and to service the needs of all other States Parties. It is funded on a voluntary basis by States Parties.
- > *The Implementation Support Unit* is the authoritative information source on matters concerning the Convention and its implementation. All interested actors, including journalists, diplomats and academics, are welcome to contact the Unit.

11. IMPORTANT DATES | 2011

March 1, 2011

- > Twelfth anniversary of the entry into force of the Convention.

March 31, 2011

- > Suggested deadline for States Parties with Article 5 deadlines in 2012 to submit requests for extensions.

April 30, 2011

- > Deadline for States Parties to submit Article 7 transparency reports covering calendar year 2010.

June 20-24, 2011*

- > Meetings of the Standing Committees established by the States Parties to the Convention, Geneva.

November 28 - December 2, 2011*

- > Eleventh Meeting of the States Parties, Phnom Penh.



Cambodia has proposed that H.E. Prak Sokhonn, Minister Attached to Prime Minister and Vice-Chair of Cambodian Mine Action and Victim Assistance Authority, be designated President of the 11MSP

* Dates subject to confirmation.

12. 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 non-governmental 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:

Banning AP mines...



clearing mined areas,

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, anti-personnel 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.

destroying stockpiles,

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.



assisting mine victims.

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

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 anti-personnel mines are known or suspected to be emplaced and shall ensure as soon as possible that all anti-personnel 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 anti-personnel 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, anti-personnel 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 anti-personnel 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.

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

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 fulfillment 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.

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

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.

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

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.

13. CARTAGENA ACTION PLAN 2010-2014: ENDING THE SUFFERING CAUSED BY ANTI-PERSONNEL MINES

Introduction

1. Reaffirming the fundamental goals of preventing mine casualties and promoting and protecting the human rights of mine survivors, and addressing the needs of mine victims, including survivors, their affected families and communities,
2. Reaffirming their unconditional commitment to the universalization and the full and effective implementation of the Convention,
3. Guided by the knowledge that collectively they are responsible for promoting compliance with the Convention,
4. Building on the Nairobi Action Plan and the accomplishments made in its application as well as the conclusions on implementation as reflected in the documents adopted at the Nairobi Summit on a Mine-Free World,
5. Affirming the importance of new international humanitarian and human rights instruments that, inter alia, reflects enhanced understanding of victim assistance since the Nairobi Summit on a Mine-Free World,
6. Recognizing the special partnerships in the universalization and implementation of the Convention with the United Nations, the International Committee of the Red Cross and the International Campaign to Ban Landmines,
7. Pursuing a gender-sensitive, age-appropriate, inclusive, coherent and coordinated approach to the development and implementation of relevant national policies, plans, legal frameworks and instruments of international law,
8. Pledging to translate this action plan into sustainable progress while acknowledging their respective local, national and regional circumstances in its practical implementation.



Handover ceremony of the Cartagena Declaration | Cartagena, Colombia | 4 December 2009

13. CARTAGENA ACTION PLAN 2010-2014: ENDING THE SUFFERING CAUSED BY ANTI-PERSONNEL MINES

The States Parties agree to undertake the following actions in the period 2010 – 2014, in support of enhanced implementation and promotion of the Convention:

I. UNIVERSALIZING THE CONVENTION

9. States Parties are resolved to achieve universal adherence to the Convention and its norms in order to realize the goal of a world free of anti-personnel mines. To this end:

All States Parties will:

Action #1

Seize every opportunity to promote ratification of and accession to the Convention, in particular in regions with low adherence to the Convention.

Action #2

Encourage and support the universalization efforts of all relevant partners, including international organizations, regional organizations, international and national non-governmental organizations as well as the formal and informal mechanisms of the Convention.

Action #3

Seize every opportunity to promote and encourage adherence to the norms of the Convention.

Action #4

Continue promoting universal observance of the Conventions' norms, by condemning, and taking appropriate steps to end the use, stockpiling, production and transfer of anti-personnel mines by armed non-state actors.

Action #5

Condemn and continue to discourage in every possible way any production, transfer and use of anti-personnel mines by any actor.

Action #6

Encourage States not Parties, particularly those that have professed support for the humanitarian objectives of the Convention, to participate in the work of the Convention.

II. DESTROYING STOCKPILED ANTI-PERSONNEL MINES

10. States Parties are resolved to ensure the expeditious and timely destruction of all stockpiled anti-personnel mines in accordance with Article 4, limit to the absolute minimum necessary the number of anti-personnel mines retained under Article 3, prevent further cases of non-compliance, and report as required by Article 7 and in line with the recommendations made by the Ninth Meeting of the States Parties. To this end:

States Parties that have missed their deadlines for completion of obligations under Article 4, and thus remain non-compliant with the Convention, will:

Action #7

Comply, without delay, with Article 4, by destroying all stockpiles of anti-personnel mines.

Action #8

Immediately communicate, to all States Parties, the reasons, which should be cases of force majeure, for failing to comply.

Action #9

Provide a plan to ensure compliance as soon as possible and in strict conformity with relevant safety and environmental standards, including for this purpose relevant legislative measures taken, structures established, committed national resources, assistance needed and committed, and an expected completion date.



All States Parties yet to complete their obligations under Article 4 will:

Action #10

Take all necessary steps to comply with Article 4 as soon as possible, develop necessary national policies, plans, legal frameworks and destruction capacity, prepare plans to implement Article 4 by their deadlines within the first year of becoming a State Party and to begin destroying stockpiles within two years of joining the Convention.

Action #11

Report on the progress of implementation of Article 4, including steps taken at national level, anticipated particular technical and operational challenges, resources allocated and number of anti-personnel mines destroyed, to other States Parties through annual transparency reports, at every meeting of the Standing Committee on Stockpile Destruction and at every Meeting of the States Parties or Review Conference.

All States Parties will:

Action #12

When previously unknown stockpiles are discovered after stockpile destruction deadlines have passed, report such discoveries in accordance with their obligations under Article 7, and in addition take advantage of other informal means to share such information as soon as possible and destroy these anti-personnel mines as a matter of urgent priority.

III. CLEARING MINED AREAS

- 11.** States Parties are resolved to ensure the expeditious identification of all mined areas under their jurisdiction or control and to ensure the clearance and release of these areas as soon as possible, even if an extension has been granted. The speed and manner of mine clearance will have crucial implications for development and human security - the safety and well-being of affected individuals and their communities. To this end:

The States Parties that have been granted an extension to their initial Article 5 deadline will:

Action #13

Complete implementation of Article 5 as soon as possible but not later than their extended deadlines, ensure progress toward completion proceeds in accordance with the commitments made in their extension requests and the decisions taken on their requests, and report regularly on such progress to the meetings of the Standing Committee on Mine Clearance, Mine Risk Education and Mine Action Technologies, Meetings of the States Parties and Review Conferences.

States Parties that have reported mined areas under their jurisdiction or control, will do their utmost to:

Action #14

Identify, if they have not yet done so, the precise perimeters and locations, to the extent possible, of all areas under their jurisdiction or control in which anti-personnel mines are known or are suspected to be emplaced, report this information as required by Article 7, no later than the Tenth Meeting of the States Parties, and incorporate the information into national action plans and relevant broader development and reconstruction plans.

Action #15

Ensure that all available methods for the full and expedient implementation of Article 5 (1), as recommended by States Parties at the Ninth Meeting of the States Parties, are applied where and as relevant, by developing and implementing applicable national standards, policies and procedures for releasing land through technical and non-technical means that are accountable and acceptable to local communities, including through the involvement of women and men in the acceptance process.



13. CARTAGENA ACTION PLAN 2010-2014: ENDING THE SUFFERING CAUSED BY ANTI-PERSONNEL MINES

Action #16

Take full national ownership of their Article 5 obligations by developing, implementing and regularly reviewing national mine action strategies and associated policies, plans, budget policies and legal frameworks, and inform the Standing Committee on Mine Clearance, Mine Risk Education and Mine Action Technologies on their implementation.

Action #17

Provide annually, in accordance with Article 7, precise information on the number, location and size of mined areas, anticipated particular technical or operational challenges, plans to clear or otherwise release these areas and information on the areas already released, disaggregated by release through clearance, technical survey and non-technical survey.

Action #18

Provide access to all mined border areas where access may be difficult or contested, without prejudice to potential border delineation, to ensure that clearance can proceed as soon as possible, making use of the good offices of Presidents of Meetings of the States Parties or Review Conferences or other third parties as appropriate.

Action #19

Provide mine risk reduction and education programmes, as part of broader risk assessment and reduction activities targeting the most at-risk populations, which are 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, in particular data gathering, clearance and victim assistance as appropriate.

Action #20

Ensure that all relevant mine action actors inform and actively involve affected local communities and survivors in the assessment of needs, planning and prioritization of activities, and handover of cleared land, by utilising community liaison or other similar means to ensure meaningful participation of all stakeholders.

States Parties that have reported mined areas under their jurisdiction or control but due to exceptional circumstances need to request an extension to their 10-year deadline, will:

Action #21

Inform the States Parties of these exceptional circumstances in due time, develop the extension request in line with the recommendations made by the Seventh Meeting of the States Parties and utilise the opportunity for informal dialogue with the group mandated to analyze the extension request.

All States Parties will:

Action #22

When previously unknown mined areas are discovered after reporting compliance with Article 5 (1), report such discoveries in accordance with their obligations under Article 7, take advantage of other informal means to share such information and destroy the anti-personnel mines in these areas as a matter of urgent priority.

IV. ASSISTING THE VICTIMS

12. States Parties are resolved to provide adequate age- and gender-sensitive assistance to mine victims, through a holistic and integrated approach that includes emergency and continuing medical care, physical rehabilitation, psychological support, and social and economic inclusion in accordance with applicable international humanitarian and human rights law, with the aim of ensuring their full and effective participation and inclusion in the social, cultural, economic and political life of their communities.
13. Victim assistance should be integrated into broader national policies, plans and legal frameworks related to disability, health, education, employment, development and poverty reduction, while placing particular emphasis on ensuring that mine victims have access to specialised services when needed and can access on an equal basis services available to the wider population.
14. States Parties are resolved not to discriminate against or among mine victims, or between mine survivors and other persons with disabilities, and to ensure that differences in treatment should only be based on medical, rehabilitative, psychological or socio-economic needs of the victims.
15. Victim assistance shall be made available, affordable, accessible and sustainable.
16. The principles of equality and non-discrimination, full inclusion and participation, openness, accountability and transparency shall guide victim assistance efforts.

To this end, States Parties, particularly those accountable to and responsible for the well-being of significant numbers of mine victims, will reinforce their efforts and will do their utmost to:

Action #23

Ensure the inclusion and full and active participation of mine victims and their representative organisations as well as other relevant stakeholders in victim assistance related activities, in particular as regards the national action plan, legal frameworks and policies, implementation mechanisms, monitoring and evaluation.

Action #24

Establish, if they have not yet done so, an inter-ministerial/inter-sectoral coordination mechanism for the development, implementation, monitoring and evaluation of relevant national policies, plans and legal frameworks, and ensure that this focal entity has the authority and resources to carry out its task.

Action #25

Collect all necessary data, disaggregated by sex and age, in order to develop, implement, monitor and evaluate adequate national policies, plans and legal frameworks including by assessing the needs and priorities of mine victims and the availability and quality of relevant services, make such data available to all relevant stakeholders and ensure that such efforts contribute to national injury surveillance and other relevant data collection systems for use in programme planning.

Action #26

Develop, or review and modify if necessary, implement, monitor and evaluate national policies, plans and legal frameworks with a view to meet the needs and human rights of mine victims.

Action #27

Develop and implement, if they have not yet done so, a comprehensive plan of action and budget that addresses the rights and needs of mine victims through objectives that are specific, measurable, achievable, relevant and time bound, ensuring that such a plan is integrated into broader relevant national policies, plans, and legal frameworks.

Action #28

Monitor and evaluate progress regarding victim assistance within broader national policies, plans and legal frameworks on an ongoing basis, encourage relevant States Parties to report on the progress made, including resources allocated to implementation and challenges in achieving their objectives, and encourage States Parties in a position to do so to also report on how they are responding to efforts to address the rights and needs of mine victims.

13. CARTAGENA ACTION PLAN 2010-2014: ENDING THE SUFFERING CAUSED BY ANTI-PERSONNEL MINES

Action #29

Ensure the continued involvement and effective contribution in all relevant convention related activities by health, rehabilitation, social services, education, employment, gender and disability rights experts, including mine survivors, inter alia by supporting the inclusion of such expertise in their delegations.

Action #30

Strengthen national ownership as well as develop and implement capacity building and training plans to promote and enhance the capacity of the women, men and associations of victims, other organisations and national institutions charged with delivering services and implementing relevant national policies, plans and legal frameworks.

Action #31

Increase availability of and accessibility to appropriate services for female and male mine victims, by removing physical, social, cultural, economic, political and other barriers, including by expanding quality services in rural and remote areas and paying particular attention to vulnerable groups.

Action #32

Ensure that appropriate services are accessible through the development, dissemination and application of existing relevant standards, accessibility guidelines and of good practices to enhance victim assistance efforts.

Action #33

Raise awareness among mine victims about their rights and available services, as well as within government authorities, service providers and the general public to foster respect for the rights and dignity of persons with disabilities including mine survivors.

V. INTERNATIONAL COOPERATION AND ASSISTANCE FOR ACHIEVING THE CONVENTION'S AIMS

17. States Parties recognize that fulfilling their obligations will require sustained substantial political, financial and material commitments, provided both through national commitments and international, regional and bilateral cooperation and assistance, in accordance with the obligations under Article 6.

To this end, States Parties with obligations to destroy stockpiled anti-personnel mines, identify and clear mined areas, and assist mine victims, will:

Action #34

Without delay, and no later than the Tenth Meeting of the States Parties, develop or update national plans as well as map the national resources available to meet their obligations and the needs for international cooperation and assistance.

Action #35

Make their needs known to other States Parties and relevant organisations if they require financial, technical or other forms of international cooperation and assistance to meet obligations under the Convention, and identify these activities as a priority in relevant development goals and strategies.

Action #36

Promote technical cooperation, information exchange on good practices and other forms of mutual assistance with other affected States Parties to take advantage of the knowledge and expertise acquired in the course of fulfilling their obligations.



States Parties in a position to do so will:

Action #37

Promptly assist States Parties that have communicated needs for support for stockpile destruction, mine clearance, mine risk education and victim assistance, responding to the priorities for assistance as articulated by mine-affected States Parties themselves in their national plans and ensuring the continuity and sustainability of resource commitments.

Action #38

Support specialised mine action programmes, providing where possible multi-year funding to facilitate long-term planning of mine action programmes, under national management and ownership, paying particular attention to the specific needs and circumstances of the least developed States Parties, and ensuring that mine action remains a high priority, including in broader humanitarian, development assistance, disarmament and security programmes.

Action #39

Support the national efforts of those States Parties with clearly demonstrated needs to develop their capacities to provide assistance to mine victims and other persons with disabilities by providing where possible multi-year financial, material or technical assistance in response to the priorities of the affected State to facilitate long-term planning, implementation and monitoring of victim assistance-related activities.

Action #40

In the spirit of the Convention's aims, endeavour to continue supporting States Parties that have completed their Article 5 obligations in their efforts to address the humanitarian consequences resulting from mine and explosive remnants of war contamination.

Action #41

Ensure that international cooperation and assistance, including development cooperation, is age-appropriate and gender-sensitive and inclusive of, and accessible to, persons with disabilities, including mine survivors.

Action #42

Support the further investigation and development of technical solutions to overcome the particular challenges associated with destroying PFM mines.

Action #43

Continue to support, as appropriate, mine action to assist populations in areas where armed non-state actors operate including by facilitating access for humanitarian organizations.

All States Parties will:

Action #44

Ensure that mine action activities of the United Nations, national and international non-governmental organizations and other actors, where relevant, are incorporated into national mine action planning frameworks and are consistent with national priorities and international obligations.

Action #45

Develop and promote regional cooperation in sharing and effectively using national experiences and good practices, resources, technology and expertise in stockpile destruction and mine clearance, to implement the Convention and to engage the cooperation of regional organizations.



13. CARTAGENA ACTION PLAN 2010-2014: ENDING THE SUFFERING CAUSED BY ANTI-PERSONNEL MINES

Action #46

Develop and promote regional and bilateral cooperation in sharing and effectively using national experiences and good practices, resources, technology and expertise in addressing the rights and needs of mine victims and other persons with disabilities, to implement the Convention and to engage the cooperation of regional organizations.

Action #47

Strengthen the partnerships between affected and non-affected States Parties and among affected States Parties to identify and mobilise new technical, material and financial sources of support for activities to implement the Convention.

Action #48

Ensure that the Convention and its informal mechanisms include and provide a specific and effective framework for identifying needs and mobilising national and international resources to meet these needs.

Action #49

Contribute to further development of the International Mine Action Standards to be used as a frame of reference to establish national standards and operational procedures for addressing all aspects of mine and other explosive ordnance contamination.

Action #50

In recognition of the pivotal role of mine action in meeting the UN Millennium Development Goals, continue to promote the inclusion of mine action activities into ongoing development programmes, bearing in mind the international aid effectiveness agenda, and to promote the identification of mine action as a priority in local, national and international development actions, in cooperation with regional and international organizations and the international financial institutions.

Action #51

Ensure cooperation among all relevant actors to improve national and international policies and development strategies, enhance effectiveness in mine action and reduce the need to rely on international personnel.

Action #52

Ensure that assistance in mine action is based on appropriate surveys, needs analysis, age-appropriate and gender-sensitive strategies and cost-effective approaches.

VI. ADDITIONAL ACTIONS ESSENTIAL TO ACHIEVING THE CONVENTION'S AIMS

Compliance

Action #53

All States Parties will, in case of alleged or known non-compliance with the Convention, work together with the States Parties concerned to resolve the matter expeditiously in a manner consistent with Article 8 (1).

Reporting and transparency

States Parties that have not submitted their initial Article 7 report will:

Action #54

Immediately fulfil their obligation to initially submit and annually update Article 7 transparency reports.

All States Parties will:

Action #55

Maximise and take full advantage of the flexibility of the Article 7 reporting process as a tool to assist in implementation, including through the reporting format “Form J” to provide information on matters which may assist in the implementation process and in resource mobilization, such as information on international cooperation and assistance, victim assistance efforts and needs and information on measures being taken to ensure gender sensitization in all aspects of mine action.

States Parties that have retained anti-personnel mines under Article 3 of the Convention will:

Action #56

Regularly review the number of anti-personnel mines retained to ensure that they constitute the minimum number absolutely necessary for the purposes permitted by the Convention and destroy all those exceeding that number and where appropriate explore available alternatives to using live anti-personnel mines for training and research activities.

Action #57

Annually report, on a voluntary basis, on the plans for and actual use of anti-personnel mines retained, explain any increase or decrease in the number of retained anti-personnel mines.

All States Parties will:

Action #58

Encourage States Parties that have maintained, under the provisions of Article 3, the same number of anti-personnel mines over periods of years, and have not reported on the use of such mines for permitted purposes or on concrete plans for their use, to report on such use and such plans and to review whether these anti-personnel mines are needed and constitute the minimum number absolutely necessary for permitted purposes and to destroy those that are in excess of this number.

Accountability

States Parties that have not developed national implementation measures will:

Action #59

As a matter of urgency, develop and adopt legislative, administrative and other measures in accordance with Article 9, to fulfil their obligations under this Article and thereby contributing to full compliance with the Convention.

All States Parties will:

Action #60

Share information on implementing legislation and its application through reports made in accordance with Article 7 and the Intersessional Work Programme.

Action #61

Recognize that when armed non-state actors operate under State Parties’ jurisdiction or control, such non-state actors will be held responsible for acts prohibited to States Parties under the Convention, in accordance with national measures taken under Article 9.

13. CARTAGENA ACTION PLAN 2010-2014: ENDING THE SUFFERING CAUSED BY ANTI-PERSONNEL MINES

Implementation partnerships and support

All States Parties will:

Action #62

Recognize and further encourage the full participation in and contribution to the implementation of the Convention by the International Campaign to Ban Landmines, the International Committee of the Red Cross, national Red Cross and Red Crescent societies and their International Federation, the United Nations, the Geneva International Centre for Humanitarian Demining, international and regional organizations, mine survivors and their organizations, and other civil society organizations.

Action #63

Support the efforts of the President and the Coordinating Committee to ensure effective and transparent preparations and conduct of meetings of the Convention.

Action #64

Recognize the essential role of the Implementation Support Unit, hosted by the Geneva International Centre for Humanitarian Demining, in implementing the Convention, including by preparing the meetings of the Standing Committees, the Meetings of the States Parties and Review Conferences, supporting the President and the Coordinating Committee, providing advisory services to the States Parties and by administering the Sponsorship Programme.

Action #65

Make use of synergies with other relevant instruments of international humanitarian and human rights law.

States Parties in a position to do so will:

Action #66

Provide necessary financial resources for the effective operation of the Implementation Support Unit.

Action #67

Contribute to the Sponsorship Programme thereby permitting widespread representation at meetings of the Convention, particularly by mine-affected developing States Parties.



NOTES



This document was prepared by the Anti-Personnel Mine Ban Convention Implementation Support Unit to assist delegates participating in and journalists covering the Tenth Meeting of the States Parties.

The Implementation Support Unit is the standing support to the Convention and the States Parties, having been established at the Geneva International Centre for Humanitarian Demining pursuant to a 2001 formal decision of the States Parties.

The Implementation Support Unit is a cost-effective and innovative means to service the needs of the States Parties and through its mandate has been authorised to communicate about the Convention and its implementation. It is funded on a voluntary basis by States Parties to the Convention.



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