



ICRC

International Committee of the Red Cross (ICRC) Statement on Cooperative Compliance

Anti-Personnel Mine Ban Convention 17th Meeting of States Parties

Geneva, 26-30 November 2018

Thank you Mr Chair,

As was outlined in the opening speech of the ICRC Direct-General on Monday, any use of anti-personnel mines is unacceptable. States Parties should never be complacent about their use given the indiscriminate nature of these weapons and their devastating impact on civilians.

The ICRC is very concerned about reports that anti-personnel mines, including improvised mines, are being used in a number of countries and territories, including in the territories of States Parties. We urge those actors who continue to use anti-personnel mines to immediately end the use of these weapons. We also appeal to those in a position to use their leverage over such actors to ensure that AP mines are no longer used and that all laid mines are located and removed.

The ICRC would like to commend the Committee on Cooperative Compliance for its work over the past year. It has provided an opportunity for dialogue and follow-up on allegations of anti-personnel mine use in the territory of several States Parties and this dialogue has provided some useful clarifications.

It is essential that States Parties investigate when there are allegations of anti-personnel mine use in their territory. This helps ensure compliance with the Convention and discourage possible future violations. It is also essential to have in place the necessary laws and regulations so as to allow for the prosecution of violations and the imposition of criminal penalties if an investigation concludes that such action is warranted. The obligation to have such measures in place are stated in Article 9 of the Convention and are recalled in the Maputo Action Plan. In this regard, the ICRC stands ready to provide technical support to those States that do not yet have national legislation in place.

Finally, we would also like to take this opportunity to highlight a few additional compliance issues that the ICRC is concerned about. With regard to Article 4 obligations, although some progress has been made, two States have still not met the requirement to destroy their AP mine stockpiles. There are also concerns about the amount of mines retained for training purposes and which seems to be excessive to the minimum number absolutely necessary for those purposes. With regard to Article 7 obligations, several States are overdue for filing their Article 7 transparency reports, some for several years. As some of these issues will be discussed in later sessions of this meeting, we hope that progress can be made in these areas as well.

Thank you.