

Statement of the International Committee of the Red Cross on Article 2 of the Ottawa Convention

Fourth Meeting of the States Parties, Geneva 16-20 September 2002

The ICRC has, in the past, expressed its view on this agenda item. We continue to maintain the view that the Convention bans all mines designed to be exploded by the presence, proximity or contact of a person (regardless of the mine being labeled an "anti-tank" or "anti-vehicle" mine).

We are encouraged that a growing number of States Parties have already adopted the kind of best practices identified in the report of the March 2001 ICRC expert meeting on this subject.

For example, Canada has destroyed its stock of tilt-rod equipped antitank mines and has stated in the past that "anti-vehicle mines with fusing devices which cause mines to function as anti-personnel mines, fall under Article 2 of the Convention and are thus prohibited".

South Africa also informed participants at the last intersessional meetings in May that its draft legislation to implement the Convention includes a definition of an antipersonnel mine which covers anti-vehicle mines that can be detonated by the presence, proximity or contact of a person. More specifically, the South African Bill bans mines equipped with tripwires, break-wires or with sensitive fuses which can be unintentionally activated by the presence, proximity or contact of a person.

In addition, the ICRC was pleased to hear yesterday that the Czech Republic "has decided to withdraw from its equipment old-fashioned anti-vehicle mines and replace them by newer, less dangerous devices". We also welcome the important statement of Germany on this issue yesterday and its call to States Parties to reach a common understanding.

Minimizing the risk to civilians from certain anti-vehicle mines which function as anti-personnel mines, should be the main objective of this discussion. Any progress on this issue is a step forward which will help ensure the integrity of the Convention.

The ICRC encourages all States Parties to review their stocks with a view of eliminating mines which are designed to be detonated by the presence, proximity or contact of a person. We also urge States Parties to continue to work on this subject with a view to achieving a common understanding by the 2004 Review Conference.

Finally, with respect to anti-handling devices, although these devices are allowed, it is on the only condition that they are activated by tampering or intentional disturbance and not by unintentional contact.

Thank you.