

Convention on Certain Conventional Weapons (CCW)  
**2020 Amended Protocol II (APII) Group of Experts**  
29 – 30 September 2020

Tuesday, 29 September 2020, 10AM-1PM  
Agenda item 4. Improvised Explosive Devices

**Statement by Canada on behalf of the Committee on Article 5 Implementation of the  
Anti-Personnel Mine Ban Convention**

I have the honour to speak on behalf of the Anti-Personnel Mine Ban Convention (APMBC) Committee on Article 5 Implementation, which is chaired by Canada and also includes Austria, Norway and Zambia. The Committee's purpose is to intensify efforts to implement Article 5 of the Convention, which addresses the destruction of anti-personnel mines in mined areas.

At the outset, let us congratulate Ambassador Almojuela on her appointment as President-Designate of APII, and thank Colombia and France for coordinating on the issue of improvised explosive devices and for the leadership on this important topic.

Improvised explosive devices, or IEDs, are central to the AP Mine Ban Convention and the APII alike. A significant number of States Parties have ratified both instruments. In recent years, the number of new victims from explosive ordnance globally has increased due primarily to the new use of anti-personnel mines of an improvised nature in states in conflict situations. We would therefore like to make the following two points:

Firstly, improvised anti-personnel mines fall under the purview of the AP Mine Ban Convention. Article 2.1 of the Convention defines an anti-personnel mine as "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". The key here is that the mine is "victim-activated". Victim-activated IEDs that can incapacitate, injure or kill one or more persons, even if they are meant to target a vehicle, do fall under the scope of the AP Mine Ban Convention. It does not matter whether they are home-made or industrially manufactured.

Secondly, the APII and APMBC both cover IEDs, but not to the same extent. While both cover improvised anti-personnel mines, the APII also covers IEDs that are not victim-activated and devices that cannot be activated by a person.

The Committee would like to underscore the importance of States Parties to the AP Mine Ban Convention reporting on improvised anti-personnel mines specifically, even if they are party to the APII. The Conventions are complementary indeed, but they also impose different obligations on the States Parties.

The Convention's Fourth Review Conference, which took place in November 2019, reviewed five years of implementation of the Convention and decided to ensure that the issue of anti-personnel mines of an improvised nature would remain high on the Convention's agenda, by addressing it within the 5-year Oslo Action Plan. In this regard, it is imperative that States Parties affected by these weapons address contamination within the framework of the Convention.

For example, the Oslo Action Plan stresses that States Parties affected by anti-personnel mines of an improvised nature are obliged to:

- carry out survey to identify areas that are suspected or known to contain anti-personnel mines;
- carry out efforts to ensure the effective exclusion of civilians from these areas until the threat has been addressed. This is done through a number of measures, including context-specific mine risk education and reduction; and
- affected States Parties are obliged to address these areas as soon as possible, within their respective deadlines.

The States Parties have also taken decisions on what to do in situations where newly contaminated areas are discovered, either by States Parties that have declared completion, or by those that were not affected by mines when they ratified the Convention. This is in fact the situation we are currently witnessing in a number of countries.

Therefore, it is of course critical that States Parties report on contamination related to all anti-personnel mines, including those of an improvised nature.

For States Parties to correctly deliver on their reporting and other obligations under both the APII and the APMBC, the Committee would like to underline the importance of clear and disaggregate reporting and information management of devices that are found, so that we understand exactly what kind of device we deal with (especially whether victim-activated or not, and improvised or not). This is essential to planning an adequate response and fulfilling all obligations in an adequate manner.

This concludes the joint statement.

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Madam Coordinator, Mr. Coordinator,

In addition to this joint statement, and in its national capacity, Canada would like to invite all States not party to the Anti-Personnel Mine Ban Convention to move towards accession to this Convention, and thus contribute to its goal of putting an end to the suffering and casualties caused by anti-personnel mines.