

## **Thematic discussion: New use of anti-personnel mines and national reporting 23 May**

The increasing use of anti-personnel mines of an improvised nature (“improvised mines”) in particular by non-state actors in recent conflicts has resulted in a rising number of civilian casualties in many contexts and represents a real protection challenge. While improvised mines themselves are not a new concept, the scale of the problem is.

As reaffirmed by the States Parties at the 16 and 17MSP ‘the definition contained in Article 2(1) makes no distinction between an anti-personnel mine that has been “manufactured” and one that has been “improvised”. The clear implication of this is that States Parties affected by improvised mines must address these as part of their fulfilment of obligations under Articles 5 and 7 of the Convention and that other provisions of the Convention (for example regarding cooperation and assistance, mine risk education and victim assistance) equally apply.

Article 2.1 of the APMBC 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. (...)”. Pursuant to Article 2(2) of the Convention, the term “mine” refers to “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.”

The States Parties and the HMA sector have developed a comprehensive set of standards (IMAS), methods and tools that are also applicable for mines of an improvised nature. Nevertheless, there are strong indications that new contamination where the mines are of an improvised nature is currently not being adequately reported under the Convention (through Art. 7 reports) and is therefore not being addressed within the established structures of the Convention as of today.

### Format and purpose

The thematic discussions intend to inform and provide impetus towards the development of a strong Oslo Action Plan. Each thematic discussion will be chaired by the President and will rely on a panel of presenters to frame the issue from their perspective through short presentations. The floor will then be open for all participants to share their views and ideas for the development of the Oslo Action

### **Speakers:**

Committee on Article 5 implementation

ICRC

GICHD

Norwegian People’s Aid

### **Questions for discussion**

- How can new use of and contamination by improvised mines and the civilian casualties they cause be addressed under the Convention framework?
- What are the challenges to reporting and clearing improvised mines in line with Art. 5 and 7 of the Convention in practice? How can such challenges be overcome? Which stakeholders are most relevant to support States Parties in doing so?
- How can we ensure that new contamination is addressed by effective mine-action, while at the same time not deflecting resources from legacy contamination?
- Could cooperation and assistance under the Convention help support reporting and clearance of new contamination of improvised mines more effectively than today? How?
- How should the Oslo Action Plan address the issue of improvised mines?