

Standing Committee on the General Status and Operation of the Convention

11 May 2001

Italy statement on article 1 and 2

Italy agrees that "best practices" could be a solution for the time being. Member States should abstain themselves, report on their compliance, encourage other states to respect - on voluntary basis - a strict interpretation of article 2. We have a very strict interpretation of article 2. Actually we exclude, by internal law, any anti-handling device. Let me read article 2 of Italian Law :

"an antipersonnel mine is any device which may be placed above, beneath, within or beside any surface, designed or capable of being adapted by specific measures to cause it to explode, or to cause an explosion or release disabling substances as a consequence of the presence, proximity or contact of a person." (Law No. 374 of 29 October 1997, Section 2 (definition))

So Italy would have- per se- no problem even to revisit article 2 of the Convention and modify it in order to clarify a very stringent obligation. BUT, for general consideration, we would not recommend that strategy at this stage. We want to assure in fact the universalization of the Convention, and not to begin a modification of article 2 before accession of major partners to our Convention.