

**Zimbabwe’s Intervention on the Standing Committee on the General
Status and Operations of the Convention: Article 1**

Thank you Co-Chair for affording us the opportunity to share with you Zimbabwe’s interpretation of some terms contained in the Convention and our domestic law. I will only dwell on three terms that we feel tend to create some confusion in some quarters in as far as Zimbabwe is concerned. These are joint operations, assist and active participation.

Zimbabwe’s understanding of the term **joint operations** in the context of the Mine Ban Treaty and especially in situations where the other ally or allies are not States Parties to the Convention, is that troops from different countries always operate under command of their own commanders. In Zimbabwe’s case, our troops are always under command of Zimbabwean commanders and have separate spheres and areas of operations. Our troops therefore remain bound by our domestic laws even if they are operating beyond our borders. Our troops will therefore not in any way be directly or otherwise be involved in any activity banned by the Convention wherever they are operating.

We therefore in our view, believe that the term **assist** should be interpreted, relating directly to the activity in question and should not be applied liberally or given too wide a definition. This may lead to confusion, accusations and counter accusations. We would like to remind the meeting about Articles 31 & 32 of the Vienna Convention of 1967 on the Law of Treaties, which stipulate that the terms of a treaty must be given their ordinary meaning in their context and in light of the treaty’s object and purpose.

Zimbabwe’s Antipersonnel (Prohibition) Act, contains a clause that offers possible legal protection to a person acting in the course of operations, exercises or other military activities with armed forces of a state that is not party to the Convention. But only if that person’s conduct does not amount to active participation in any conduct banned by the Convention.

Active participation in Zimbabwe’s context is when reference is made to a prohibited activity and includes providing finance to such activities with full knowledge that such finance is to be used to procure, manufacture, training in the use of, and or distribution of APMs. Active participation also means actively participating in the carrying, laying and training in the use, manufacture, distribution, encouraging and or inducing someone in the use of APMs. It is therefore our humble submission that the term assist and active participation in the context of Article 1 means **knowingly and intentionally** participating directly and or rendering assistance on the use, transfer and or production of APMs. Zimbabwe would therefore like to urge all States Parties and other players to be careful about the interpretation and application of these and other terms in the Convention to avoid misunderstandings

Thank you
