ICBL Statement on Compliance 21MSP Mine Ban Treaty

Geneva, 20-24 November 2023



Thank you, Mr. President,

We very much appreciate the good work of the Committee on so many fronts.

We enthusiastically congratulate Eritrea for submitting a clearance extension request, and thereby coming into formal compliance with the Mine Ban Treaty.

The ICBL is glad to hear that Ukraine's promised investigation into reports of use of antipersonnel mines by Ukrainian forces is continuing. At the same time, we are very concerned that Ukraine has offered no details, and, indeed, that the investigation has not yet yielded results, six months later.

Based on the compelling evidence, including on-the-ground-research, presented by ICBL member Human Rights Watch, there should be no doubt that use of antipersonnel mines by Ukrainian forces has occurred. This is without question one of the most serious violations of the Mine Ban Treaty by a State Party ever. All States Parties should hold Ukraine accountable, strongly and publicly.

Transparency and accepting responsibility are absolutely critical in a situation such as this, involving use by a State Party. As States Parties to the Mine Ban Treaty have stressed many times over many years, use of antipersonnel mines is prohibited at all times, by all actors, in all circumstances.

This Meeting of distinguished delegates need not be reminded that under international law, the means and methods of warfare are not unlimited. Banned weapons cannot be used, including chemical weapons, biological weapons, blinding laser weapons, cluster munitions, and of course, antipersonnel mines.

If Ukraine is transparent and accountable, and if it declares that it will never use antipersonnel mines again, it will be seen as a member in good standing of the Mine Ban Treaty and the mine ban community.

In addition to Ukraine, there are other serious compliance concerns, as States Parties recognized in the Oslo Action Plan. In light of time constraints, I will only take note of some of these.

Greece and Ukraine are in violation of the Treaty for having missed their stockpile destruction deadlines long ago. We were encouraged in June to hear Greece indicate progress on

destruction and we look forward to hearing further updates from Greece on its destruction efforts and completion date during the next session. As for Ukraine, it is important Ukraine is taking concrete steps to ensure its stockpiled mines will not make their way to the battlefield while awaiting destruction.

There are compliance concerns with respect to Article 3 on mines inappropriately retained for training and research, Article 5 on delayed action or non-action on mine clearance, Article 7 on the low rate of transparency reporting, and Article 9 on lack of national implementation measures. We note the ICRC also addressed these issues, as did the President, calling for better compliance.

The norm against antipersonnel mines must also be protected. Russia, which has correctly been condemned my many delegations, is making a mockery of the norm, using antipersonnel mines and banned booby-traps on a scale unseen for many years. In addition, the government forces of Myanmar are continuing to use antipersonnel mines, keeping up a more than two-decade record. All States Parties should condemn these and all instances of use by anyone, anywhere, under any circumstances.

These various compliance concerns are now long-standing, and demand dedicated and sustained attention from the President, the Committee on Cooperative Compliance, and all States Parties to address these concerns effectively.

Thank you.