

## **21st Meeting of the States Parties to the Anti-Personnel Mine Ban Convention**

**Geneva, 20-24 November 2023**

### **Statement of the International Committee of the Red Cross (ICRC)**

[Agenda item 10d – Preventing and suppressing prohibited activities and facilitating compliance]

Thank you, Mr President.

The ICRC commends the **Committee on Cooperative Compliance** for its diligent efforts, including to address allegations of use of anti-personnel mines in violation of the Convention.

The ICRC is deeply concerned about **reports that anti-personnel mines continue to be used** in ongoing armed conflicts, including in the territories of state parties. It is essential that states parties **investigate all credible allegations of such use in their territory**.

Concerned state parties are also expected to provide information on the situation “in the most expeditious, comprehensive and transparent manner possible”, in line with Action 48 of the Oslo Action Plan. [... ..]

To prevent and suppress violations and give full effect to the Convention’s provisions, it is critical that States parties adopt appropriate legal, administrative and other measures at the national level, as required by **Article 9**. This includes the adoption of legislation to impose penal sanctions for violations of the prohibitions under Article 1 of the Convention. It also includes adapting military doctrine and manuals where needed to make it clear that anti-personnel mines may never be used, especially if the state party in question envisages or practices the use of other types of landmines.

We are happy to see that 118 States Parties have reported that they have fulfilled Article 9. We urge the remaining 46 states parties to follow suit without further delay, in line with Action 50 of the Oslo Action Plan. The **ICRC’s Advisory Service on IHL** stands ready to support states in such efforts and looks forward to strengthening cooperation with the Committee and the ISU in this regard.

The ICRC also stands ready to support **Eritrea** in its efforts to realize the Convention’s humanitarian objectives, including under Article 5. We welcome Eritrea’s decision to re-commit to the Convention and look forward to learning about progress made and detailed plans in the forthcoming extension request it has committed to submit in spring.

More generally, the ICRC remains concerned about the adverse humanitarian impact of the **high and growing number of extensions that have been requested and granted under Article 5**. Delayed clearance comes at a dire human cost, putting people at the risk of death and injury for many years. There is a pressing humanitarian imperative to clear mined areas “as soon as possible”, as required by Article 5. **Whenever and wherever practicable, therefore, clearance activities must be urgently undertaken and no effort spared to protect civilians against the indiscriminate effects of anti-personnel mines**.

With regard to **Article 4 obligations on stockpile destruction**, we urge both state parties that have failed to complete stockpile destruction by their four-year deadline to complete destruction swiftly in order to affect a return to compliance with Article 4. [... ..]

Relatedly, we continue to be concerned about the **amount of mines retained by many states parties under Article 3.1 which appears to be excessive** to the minimum number absolutely necessary for the purposes permitted under the Convention. We call on each State Party that retains anti-personnel mines to review its requirements and destroy all excess mines in line with Action 16 of the Oslo Action Plan, to report on retained mines and actively explore alternatives to using live mines for training and other permitted purposes.

Mr President,

The ICRC and the wider Red Cross and Red Crescent Movement continue to work actively for the faithful implementation of the Convention. Earlier this year, we held a **consultation with National Red Cross and Red Crescent Societies in Africa** to strengthen the implementation of our Movement Strategy on Landmines, Cluster Munitions and other Explosive Remnants of War.

The **ICRC** has developed various tools to promote the faithful implementation of the Convention, including a model law, a checklist, factsheets and a national international humanitarian law (IHL) implementation database.

We also continue hold bilateral discussions with government authorities and with **National IHL Committees** and to organize national and regional IHL trainings and events. For example, the ICRC is has been working with the authorities in **Nigeria** since last year on a draft domestic legislation to implement the Convention. We will continue to support this process.

Mr President,

This landmark humanitarian instrument has contributed to curtailing the production and use of anti-personnel mines, including beyond the circle of States Parties. Ensuring respect for its provisions is key to upholding and promoting the live-saving norms enshrined in the Convention. **There can be no circumstances that would justify a departure from these norms.**

We are encouraged that so many states parties and other stakeholders continue to unequivocally condemn any use of APM by any actor under any circumstances. As the ICRC's Vice-President underlined in his opening remarks: "It is essential that we honour the commitment made to affected populations [...]. [K]eeping the Convention strong [...] is a shared responsibility."

Thank you.