

**NPA Statement on
Agenda Item 8. General exchange of views
Anti-Personnel Mine Ban Convention 21 Meeting of States Parties
Geneva, 24 November 2023**

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Thank you, Mr. President,

The APMBC is one of the strongest and most successful humanitarian disarmament treaties, and its success lies in its ability to gather a great number of states, operators and the civil society to work together towards the commitments made to implement the Treaty provisions. The Treaty established a strong global norm against anti-personnel mines; by stigmatizing and delegitimizing these weapons and it obliges States Parties to comply with all of its provisions, without exception. It is thus imperative that States Parties remain committed to *all* legal obligations they signed onto, *all* provisions, and *all* articles. Currently the integrity of the treaty norm is under threat as never before in its history.

It is of course much easier to abide by the Treaty in peace time, but this legal instrument was also made in order to regulate the use of force by States in armed conflicts. The overriding aim is to ensure that civilians (and also combatants) do not suffer from weapons that cause unnecessary and indiscriminate harm, meaning its true test arises during conflict. The stigma and norm against using anti-personnel mines as a weapon of choice is so strong that no actor should ever under any circumstances use these weapons, and for States Parties the provisions of the Convention are unequivocally binding under international law. These legal obligations are clear and categorical and cannot allow for exceptions or tolerances, as that creates a dangerous precedent that there can be an acceptable exception to the rule. If this were to happen, the most fundamental norm of the Convention and its very object and purpose would be weakened irreparably. We cannot pick and choose which article to implement when and how but must in turn make every effort to protect the Treaty and all its provisions, from Article 1 to Article 22.

Mr. President, the very first article of this Convention, Article 1.a) unequivocally states that “Each State Party undertakes never under any circumstances to use anti-personnel mines.” While anti-personnel mines should never be used by anyone, anywhere, under any circumstances, for States Parties, Article 1 is legally binding, and States Parties have to hold each other to account when there is evidence of use by a fellow State Party.

NPA strongly condemns the illegal Russian invasion of Ukraine, and we stand in full solidarity with the people of Ukraine, remaining firm in our resolve to protect civilians from these indiscriminate weapons. We further condemn the use of anti-personnel mines by Russia. The devastating amount of AP mine contamination in Ukraine is a grave humanitarian concern. NPA will continue to support Ukraine to rid itself of these indiscriminate weapons through our clearance operations and work in country. But not even Russia’s aggression allows Ukraine to use anti-personnel mines.

NPA is gravely concerned by the lack of clear, robust response from the States Parties to the use of anti-personnel mines by State Party Ukraine. This threatens to weaken the international norm against use of anti-personnel mines and undermines this Treaty. We welcome the statements made

by Ireland, Belgium, Mexico, Switzerland, ICRC, and ICBL, and also Mine Action Review earlier in the week, and their commitment to preservation of this crucial treaty.

Five months ago, at the Intersessional meeting in June, the Ukrainian government pledged to investigate the reports of its military's use of banned anti-personnel mines. We welcome the statement made by Ukraine under Cooperative Compliance agenda item and their stated willingness to remain committed to fulfilling all obligations of the Convention. However, we were disappointed not to hear more details on Ukraine's investigation into the use of AP mines by its armed forces, based on the presented documented evidence of use. We urge Ukraine to continue its investigations and to come to the 2024 Intersessional meetings with comprehensive details of how the investigation was carried out and what the results were. Action 48 of the Oslo Action Plan requires Ukraine to "provide information on the situation to all States Parties in the most expeditious, comprehensive and transparent manner possible."

The Convention's long-lasting success must be guarded to continue its purpose for future generations; compliance with its norms being ensured at all times and under all circumstances.

We welcome that Eritrea has withdrawn its decision to withdraw from the APMBC, and that it has reengaged with the APMBC this week in Geneva and has submitted an interim Article 5 extension request which will bring it back into compliance with Article 5, while it prepares a more detailed extension request for next year.

Mr. President, Distinguished Delegates, the APMBC saves lives not only in conflict but for decades after a conflict is over. We absolutely have to uphold what we worked so hard to have. There are certain types of weapons which cause unacceptable harm to civilians, AP mines are one of those weapons, there is no argument with that. You all as States Parties have a responsibility that transcends place and time, posing a question of *What world do we want to leave behind?* And the only answer must remain *a world that protects the existing humanitarian disarmament frameworks and ensures civilians are protected at all times and under all circumstances.*

Thank you.