



Regional Conference on Addressing the Humanitarian Impact of Improvised Anti-Personnel Mines

Accra, Ghana

13 February 2024

Anti-Personnel Mine Ban Convention

Convention on the prohibition of the use, stockpiling, production
and transfer of anti-personnel mines and on their destruction

www.apminebanconvention.org

Article 2 - Definitions

Article 2.1:

"Anti-personnel mine" means a mine designed to be exploded by the presence, proximity or contact of a person and that will incapacitate, injure or kill one or more persons.

Reflections on Article 5 Implementation (2017):

Obligations under Article 5 are independent of the type of anti-personnel mines emplaced (e.g. manufactured or of an improvised nature).

Oslo Action Plan (2019):

States Parties affected by anti-personnel mines of an improvised nature will ensure that they apply all provisions and obligations under the Convention....



Impact on Individuals

Individual

Persons killed / Injured

Life-long care

Rights impaired

Social and economic exclusion

Psychological harm

Economic disadvantage



Impact on communities

Community

Return of displaced impeded

Delivery of aid hindered

Reconstruction delayed

Economic development impaired

Investment deterred

Social costs increase



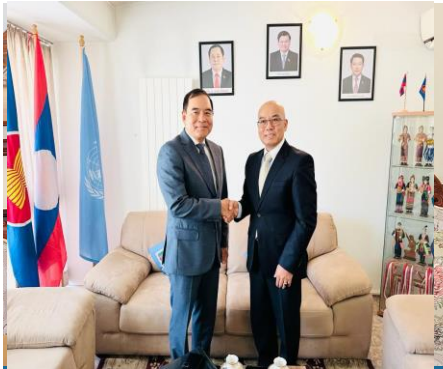
The landmine issue

- Disarmament
- Development
- Human Rights
- Health
- Humanitarian
- Environmental
- Good governance



The Anti-Personnel Mine Ban Convention

Determined to put an end to the suffering and casualties caused by anti-personnel mines



Universalization



Stockpile Destruction



Victim Assistance



Mine Clearance



Coop. and Assist.



National Implementation



Transparency



Implementation Support



Article 5 Implementation

Article 5.1

- “shall make every effort to identify all areas under its jurisdiction or control in which anti-personnel mines are known or suspected to be emplaced.”
- “shall as soon as possible ensure that these mined areas “are perimeter marked, monitored and protected by fencing or other means, to ensure the effective exclusion of civilians, until all anti-personnel mines contained therein have been destroyed.”
- “undertakes to destroy or ensure the destruction of all anti-personnel mines in mined areas under its jurisdiction or control, as soon as possible but not later than ten years after the entry into force of this Convention for that State Party.”



Understandings of the States Parties

- All areas falling under the definition of a "mined area" and containing "anti-personnel mines" must be addressed in order to meet the obligations under Article 5 of the Convention
- This obligation is independent of type of anti-personnel mines emplaced (e.g. manufactured or of an improvised nature)
- The requirement to "make every effort to identify all areas", as found in Article 5.2, is understood by States Parties as an obligation to carry out evidence-based assessments and surveys defined and elaborated in national standards based on International Mine Action Standards (IMAS)
- An evidence-based approach is critical when designating an area as a "suspected hazardous area" or "confirmed hazardous area".
- States Parties have committed to undertaking evidence-based non-technical surveys, technical surveys and clearance in their implementation of Article 5. These actions are to be elaborated in national standards, based on IMAS, which aim for the full, efficient and expedient survey and clearance of mined areas.



Implementation of Article 5



❖ Any likeness to a State Party is purely coincidental

States Parties with Article 5 Commitments

States Parties with Article 5 obligations		
Afghanistan	Eritrea	Serbia
Angola	Ethiopia	Somalia
Argentina	Guinea Bissau	South Sudan
Bosnia and Herzegovina	Iraq	Sri Lanka
Cambodia	Mauritania	Sudan
Chad	Niger	Tajikistan
Colombia	Nigeria	Thailand
Croatia	Oman	Türkiye
Cyprus	Palestine, State of	Ukraine
DRC	Peru	Yemen
Ecuador	Senegal	Zimbabwe

★ Mozambique



Article 5 – National context



Article 5 Implementation

If a State Party believes that it will be unable to destroy or ensure the destruction of all anti-personnel mines within 10 years, it may submit an extension request for a period of up to ten years.

Each request should contain:

- a) The duration of the proposed extension;
- b) A detailed explanation of the reasons for the proposed extension, including:
 - (i) The preparation and status of work conducted under national demining programs;
 - (ii) The financial and technical means available to the State Party for the destruction of all the anti-personnel mines; and
 - (iii) Circumstances which impede the ability of the State Party to destroy all the anti-personnel mines in mined areas;
- c) The humanitarian, social, economic, and environmental implications of the extension; and
- d) Any other information relevant to the request for the proposed extension.



Rational Response – previous unknown areas

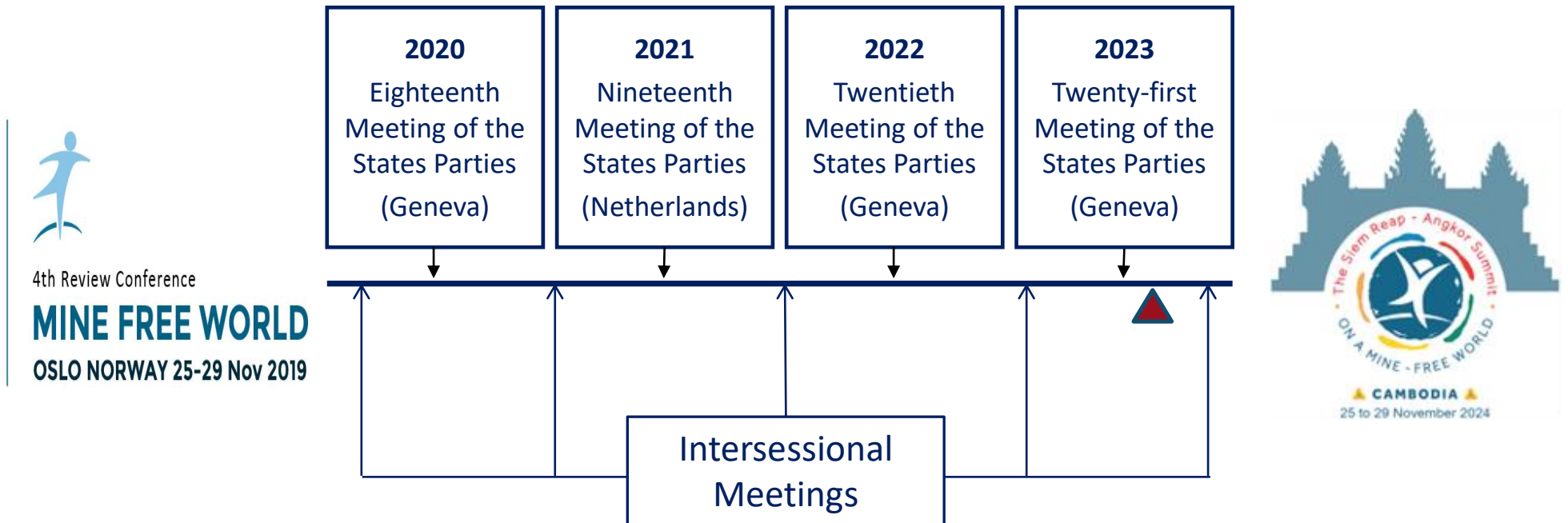
12MSP - Proposed rational response to discovery of previously unknown mined areas after deadlines have passed:

...the States Parties made the following commitments:

- a. State Party should immediately inform all States Parties of such a discovery and shall undertake to destroy or ensure the destruction of all anti-personnel mines in the mined area as soon as possible.
- b. If the State Party believes that it will be unable to destroy or ensure the destruction of all anti-personnel mines in the mined area before the next Meeting of the States Parties or Review Conference (whichever falls earlier), it should submit a request for an extended deadline.
- c. States Parties concerned by this decision shall continue to fulfil their reporting obligations under Article 7 of the Convention, including the obligation to report on the location of all mined areas that contain or are suspected to contain anti-personnel mines under their jurisdiction or control and on the status of programs for their destruction. Each State Party should also continue to provide updates relative to these and other commitments at meetings of the Standing Committees, Meetings of the States Parties and Review Conferences



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