



**Press Release**  
**Statement Regarding the Transfer  
of Anti-Personnel Mines to a State Party to the Convention**

**Siem Reap and Geneva 26 November 2024** – The recent announcement of the impending transfer of anti-personnel mines to a State Party has been a worrying development in the life and application of the Convention on the Prohibition of the Use, Stockpiling, Production, and Transfer of Anti-Personnel Mines and on Their Destruction (also known as Mine Ban Treaty or Ottawa Convention).

In the 25 years since the Convention entered into force, this landmark humanitarian disarmament treaty had never faced such a challenge to its integrity.

The announcement by the United States (US) – not a member of the Convention – on the transfer of “non-persistent anti-personnel landmines” (<https://www.state.gov/the-united-states-announces-significant-new-military-assistance-for-ukraine-2/>), is a radical departure from the United States’ 30-year *de facto* “anti-personnel landmine policy”.

Article 1 of the Convention stipulates that “Each State Party undertakes never under any circumstances use, develop, produce, otherwise acquire, stockpile, retain or transfer to anyone, directly or indirectly, anti-personnel mines; or assist, encourage or induce, in any way, anyone to engage in any activity prohibited to a State Party under this Convention.”

Article 2 establishes that “an anti-personnel mine [is] one designed to be exploded by the presence, proximity or contact of a person and that will incapacitate, injure or kill one or more persons.”

In its understanding and application, the Convention does not distinguish on the nature of the weapon, whether it is improvised or self-deactivates. The States Parties have agreed that if it fits the definition of an anti-personnel mine as stipulated in Article 2 it is considered an anti-personnel mine and therefore prohibited to a State Party.

Receipt of a prohibited weapon would be a direct violation of the treaty by a State Party.

On this, some delegations have expressed their concern, noting that it does not matter how they are produced or why they are used (as there are no exceptions on their use) – any use or transfer by States not party to the Convention does not diminish or revoke the obligation of a State Party to uphold its commitments and obligations under the treaty.

All States that have joined have accepted to be bound by these conditions – no exceptions.

While the Ukraine President has acknowledged that Ukraine will receive “essential mines”, the Ukrainian delegation attending the *Siem Reap-Angkor Summit on a Mine-Free World* has not yet informed on this development (<https://x.com/ZelenskyyUa/status/1859313020641366485>). Ukraine has consistently expressed its commitment to the Convention’s norms, even in the face of unprecedented challenges posed by ongoing conflict.

The Convention has helped establish a strong norm against the use of these weapons – this is reflected by a number of States not party routinely voting in favour of the UN Resolution for the implementation of the Convention. Therefore, any action that challenges this norm is being and should be addressed by the States

Parties at the Summit, which is a critical forum to reaffirm commitments to the principles and objectives of this instrument of international humanitarian law.

The *Convention community* must remain united in its resolve to uphold the Convention's norms and principles. This means working collaboratively to address compliance, reaffirming commitments to mine clearance, victim assistance, and mine risk education, and strengthening efforts to universalize the treaty and its norm at the Summit and beyond.

It is important to recall that any use of anti-personnel mines today – anywhere in the world and under any circumstances – will perpetuate suffering for generations and decades to come, killing and maiming civilians – a majority of which are children - who will bear the brunt for their rest of their lives. Farmers, children, and other civilians will pay the heaviest price.

New use of anti-personnel mines undermines efforts to achieve peace, stability, safe return of displaced populations, and development in affected regions. It will also require substantial resources to address their removal and assist its victims. It will inherently place other lives at risks: those who stay behind or that will have to carry out the dangerous job to remove them from the ground.

In the words of one of the Convention's greatest champions – Dr Cornelio Sommaruga, the then-President of the International Committee of the Red Cross who died earlier this year,

**“World’s governments must now prepare for the ‘long road ahead’, as the daunting challenges of mine clearance and the provision of adequate assistance to all mine victims still have to be addressed. **We have learned from the case of landmines that it is both easier and faster to distribute arms than to teach the principles of humanitarian law to those who possess them. If we fail to learn from our mistakes, we are doomed to repeat them**”.** (Ottawa, 3 December 1997)