Mr Friend of the Chair,

As a State Party to the CCW and all its five Protocols, Brazil supports initiatives to ensure that the fundamental rules of International Humanitarian Law are respected by all parties in situations of armed conflict. We understand that humanitarian concerns and military needs should be addressed in a balanced manner.

Since 2001, we have had exhaustive discussion on the issue of mines other than anti-personnel mines (MOTAPM). A number of ideas and proposals have been put forward but so far we have been unable to overcome the divergence of views on certain aspects of this issue.

Brazil believes that anti-vehicle mines (AVMs) are a valid and relevant element of a country's defense strategy. We agree that all efforts should be undertaken to prevent unnecessary suffering to both civilians and combatants, as well as damage to property, arising from the use of AVMs.

However, we strongly believe that the adoption of any new obligations with respect to AVMs must not imply additional costs in terms of financial and technological requirements, which would impact developing countries disproportionately. This is particularly true regarding the key issues of detectability and active life span of MOTAPM. We do not favor the adoption of any requirements that would entail the need of adapting or even replacing existing stocks of AVMs at excessive financial and operational costs.

Regarding the current status of International Humanitarian Law on MOTAPM, Brazil understands that the principles of military necessity, distinction, discrimination and proportionality are pertinent to their use. Precautions taken before and during an attack, such as warning to civilians, marking the mined areas, strict control on use authorization of MOTAPM, monitoring their exact location, as well as their types and quantities, and their removal after conflict are all measures that adequately address the humanitarian aspect of the issue.

We also believe that the rules laid down in the Convention on Certain Conventional Weapons cover the technical and use-related aspects of MOTAPM
with thoroughness and rigor, duly addressing humanitarian concerns which these weapons may raise.

This is why the Brazilian Armed Forces have adapted field manuals and military doctrines to reflect the principles, prohibitions and restrictions of the CCW and International Humanitarian Law. The Brazilian Army has specific dispositions on MOTAPM in its Manual of International Law applied to Armed Conflict, as well as in its Military Instruction Program, which aim to guarantee the observance of humanitarian norms. The Army Command Field Manual on Mines and traps was adapted in accordance with relevant international Treaties and Protocols and the new means of launching, detention, removal and destruction of mines. The knowledge of IHL principles is part of the planning of military instruction in all levels.

Brazil looks forward to participating actively in the GGE. We are confident that the constructive atmosphere that has always prevailed at our meetings will continue to be strengthened and that the outcome of our deliberations will reflect each delegation’s main concerns. My delegation will adopt a positive and flexible approach.