Statement by Pakistan
CCW Meeting of Experts on Mines Other than Anti Personnel Mines (MOTAPM)
2nd April 2012

Mr. Friend of the Chair,

We join other delegations in extending our cooperation to you during our deliberations in this meeting.

The 4th CCW Review Conference provided the mandate for the Meeting of Experts on MOTAPM. The mandate required this meeting to discuss further the implementation of international humanitarian law with regard to mines other than anti-personnel mines, and to submit a report to the 2012 Meeting of the High Contracting Parties to the Convention. We realize that fulfillment of the mandate of this meeting, in its entirety, would be important when the 2012 Annual Meeting of the CCW is convened in November this year. Therefore, we are ready to engage positively with all delegations, and extend our full support to the Chairperson of the 2012 meetings of the CCW, in realizing the mandate and goals of this meeting.

During the course of our discussions in this 3-day Meeting of Experts, we would elaborate our position according to the Programme of Work. However, at this juncture, let me briefly outline Pakistan’s position on the subject of MOTAPM.

- In our view, MOTAPM is too broad a term, which does not have any definition in military manuals. Our colleague from Belarus has already elaborated this issue in detail.
- As regards the Anti-Vehicle Mines (AVMs), they are legitimate and purely defensive weapons, which deter aggression and avert war, especially in situations where there is conventional military imbalance.
- Humanitarian concerns arise from the “irresponsible use” of these AVMs by non-state actors, as their use by States Parties is already regulated by existing instruments of International Humanitarian Law (IHL).
- As important tools of IHL, the provisions of Amended Protocol-II of the CCW aptly address humanitarian concerns arising from the use of MOTAPM. Moreover, implementation of Protocol V of the CCW also has an indirect, yet positive effect on such concerns. It is therefore important to expand universalization of these instruments as well as to ensure their full implementation.
- Neither detection nor technological improvements of the AVMs is the correct approach to address humanitarian concerns, as detection undercuts the utility of AVMs, while
technological improvements, without their sharing and transfer, create imbalance. Any discussion on technology-based improvements must accompany the modalities of assistance and cooperation, both in terms of technology and financial investment. In any case, such proposals should not become vehicles to promote commercial interests.

In recent years we have seen new initiatives in the field of conventional arms control and disarmament that have sought ambitious goals in proscribing a few categories of conventional weapons. While these ambitions have resulted in development of some instruments outside the framework of the CCW, it is worthwhile to note that some of these new instruments and initiatives were only negotiated after a fundamental change of the security situation in Europe following the end of the cold war. However, other regions, like our own, have not seen such dramatic transformation in the regional security situation.

Every state has the fundamental right to defend itself under the UN Charter. Any proposal or solution that seeks to undercut the defensive utility of AVMs would be tantamount to depriving a state from its legal right to defend itself. Such proposals would not take us in the right direction. Our efforts in this meeting should, therefore, be geared towards finding ways that provide tangible and practical solutions to actual problems.

In our view, while ensuring a balance between military and humanitarian considerations, all or some of the following approaches can be considered by the Meeting of Experts to address humanitarian concerns related to MOTAPM:

1) Ensuring full and effective implementation of the CCW Amended Protocol-II and Protocol V, as well as making efforts to secure their universalization.
2) Discussing measures to prevent non-state actors from accessing the AVMs
3) Investing resources in development of modern yet affordable mine detectors and sharing them through an agreed mechanism of assistance and cooperation.
4) Focusing on developing a framework of assistance and cooperation, on a long-term basis, to address humanitarian concerns. One such method could be to initiate, within the UN Framework, a “Trust Fund for assistance and cooperation”, the mandate of which should include risk education and awareness building for civilian populations, victim assistance and rehabilitation programs.

Thank you