Statement of the Inter-Agency Coordination Group on Mine Action to the Open-ended meeting of experts to discuss further the implementation of international humanitarian law with regard to mines other than anti-personnel mines

Geneva, 2-4 April 2012

Mr. Chairperson-designate,

On behalf of the Inter-Agency Coordination Group on Mine Action, which comprises 14 partners across the United Nations system and is informally known as the United Nations Mine Action Team (UNMAT), we congratulate you on your designation as Chairperson of the 2012 Meeting of the High Contracting Parties to the Convention on certain conventional weapons. We would like to commend, in particular, the decision to nominate Lt. Col. Jim Burke as Friend of the Chair on MOTAPM.

The UN partners in mine action welcome the decision by the Fourth Review Conference of the Convention to convene an open-ended meeting of experts to discuss further the implementation of international humanitarian law with regard to mines other than anti-personnel mines, sometimes also referred to as anti-vehicle mines.

We welcome also that in committing to this discussion the High Contracting Parties have acknowledged the call made by the United Nations Secretary-General at last year’s Review Conference with regard to these weapons.

In his message, the Secretary-General noted that anti-vehicle mines continue to cause casualties, increasingly among civilians, as well as restrict the movement of people and humanitarian aid, render land unsuitable for cultivation, and deny communities access to water, food, education, healthcare, other basic services and trade.

The Secretary-General’s message to the 13th Annual Conference of High Contracting Parties to Amended Protocol II to the CCW Convention also referred to the need to strengthen international rules applicable to mines other than anti-personnel mines, based on past evidence and humanitarian impact on the ground.

These same messages were echoed and reinforced at last year’s Review Conference by a broad range of United Nations and other actors involved in humanitarian action.

Expectations are that this open-ended Meeting of Experts will present an opportunity for participants to provide and share current information on the grave humanitarian and socio-economic impact caused of anti-vehicle mines and to identify appropriate solutions to address these concerns.

In 2004, based on our extensive field presence and experience, the Inter-Agency Coordination Group on Mine Action (IACG) developed and shared with High Contracting Parties its common position on MOTAPM. This position, contained in document CCW/GGE/VII/WG.2/WP.3, is currently under review by members of the
IACG. We intend to make available our position at the 2012 Meeting of the CCW High Contracting Parties.

While some of the concerns generated by the use anti-vehicle mines, would be addressed by the effective implementation of the provisions contained in Amended Protocol II, those provisions are not sufficiently comprehensive in scope. For example, there is no norm of international humanitarian law requiring mines other than anti-personnel mines to be detectable or to contain features that effectively limit their lifespan, in particular when used outside perimeter-marked areas which are protected and monitored by military personnel.

However, eight years following last discussions, our concerns cannot be limited to issues of detectability or to the active life of mines other than anti-personnel mines but extend to victim assistance and a broader concern over the humanitarian and socio-economic impact of these weapons.

Ladies and Gentlemen,

Similar to anti-personnel mines, MOTAPM are indiscriminate weapons and have indiscriminate effects. They cannot tell the difference between combatants and civilians. They cannot distinguish between a tank or a truck or a school bus. Their use has a direct impact on civilian populations and their pattern of harm multiplies the impact in terms of deaths and casualties per incident.

The humanitarian impact of these weapons that remain active for decades is further exacerbated by their sometimes extensive use on roads and, in particular, because areas contaminated with anti-vehicle mines frequently have not been marked, fenced, monitored or even mapped. Routes that are suspected or known to be mined hamper the ability to provide humanitarian aid to populations in need, as well as the return of refugees and internally displaced people and the free circulation of peoples and goods.

MOTAPM also render humanitarian mine clearance operations more dangerous, difficult, time-consuming and expensive.

Moreover, unlike victims of anti-personnel mines, explosive remnants of war and cluster munitions, assistance to victims of MOTAPM is not provided for in any existing mine action-related treaty. Ensuring that the needs and rights of victims of anti-vehicle mines are effectively addressed must be central to our discussions and should be a priority for States, international organizations and civil society.

We, therefore, urge all concerned to address the ongoing concerns at the humanitarian suffering caused by MOTAPM and to prevent their indiscriminate effects on civilians, including by limiting the active life of these mines, making them detectable through commonly available metal detectors, banning the use of anti-handling devices or sensitive fuses, and by ensuring that the needs and rights of all victims are adequately addressed.

The members of the United Nations Mine Action Team stand ready to participate actively throughout these discussions and remain fully available to support the Chair in this process.

Thank you,