Thank you Colonel Burke, we welcome your appointment by the Chair-designate and offer you our full support in your task.

Australia welcomes the opportunity to discuss the implementation of international humanitarian law (IHL) with regard to mines other than anti-personnel mines (MOTAPM). As you pointed out Mr Chair, useful discussions have been held on this topic during the negotiations on amending CCW Protocol II in the mid-1990s, and in the Group of Governmental Experts in the years leading up to the Third Review Conference.

However, we do not consider that work as complete or the current situation satisfactory. Australia was among many States disappointed that a new protocol with clear strong standards on MOTAPM could not be adopted in 2006. Australia was pleased to join with other States in 2006 in adopting a declaration on the limited ways we would use MOTAPM – but the significant limitations of this declaration are that it is not binding and not applicable to many States.

The simple fact remains that IHL rules on the use and design of MOTAPM are tremendously underdeveloped. What limited rules currently exist, both from customary IHL and the provisions of Amended Protocol II itself, are not always adhered to. MOTAPM which are non-detectable and do not have adequate technical safeguards such as self-destruct and self-neutralisation features continue to be used. MOTAPM often are not within perimeter-marked and monitored mine fields, and many mine fields are not cleared after the end of active hostilities. There are very few restrictions on the transfer of MOTAPM.

As a consequence, MOTAPM have significant humanitarian impacts. The vast majority of victims of incidents with anti-vehicle mines are civilians. The incidents often take place years after the conflict in which the mines were used. MOTAPM have the potential to cause a large number of casualties such as when a bus or truck may strike one. MOTAPM restrict movement and block humanitarian access to communities in need, they hamper development and remain as persistent threats to individuals and communities for many years.
This meeting of experts offers an opportunity for the CCW to reflect on what current practices are, what the humanitarian impact is and can be, and how we might collectively work to address the harm. This should cover existing mine fields, current doctrine and potential future use. The CCW is the right forum for this discussion.

Conscious of the years of detailed and sometimes difficult discussions which have previously occurred on this topic, Australia does not enter these discussions with a singular objective in mind. We certainly do not seek or expect to ban all anti-vehicle mines. Six years have passed since the Third Review Conference and it is timely to consider developments, challenges and potential solutions. We are guided by a desire to explore meaningfully the current state of IHL and how humanitarian impacts might be best addressed.

We look forward to our discussions over the next three days.

Thank you.