

# **Landmines and other explosive remnants of war: The international legal framework**

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**Towards a mine free Pacific: regional workshop**

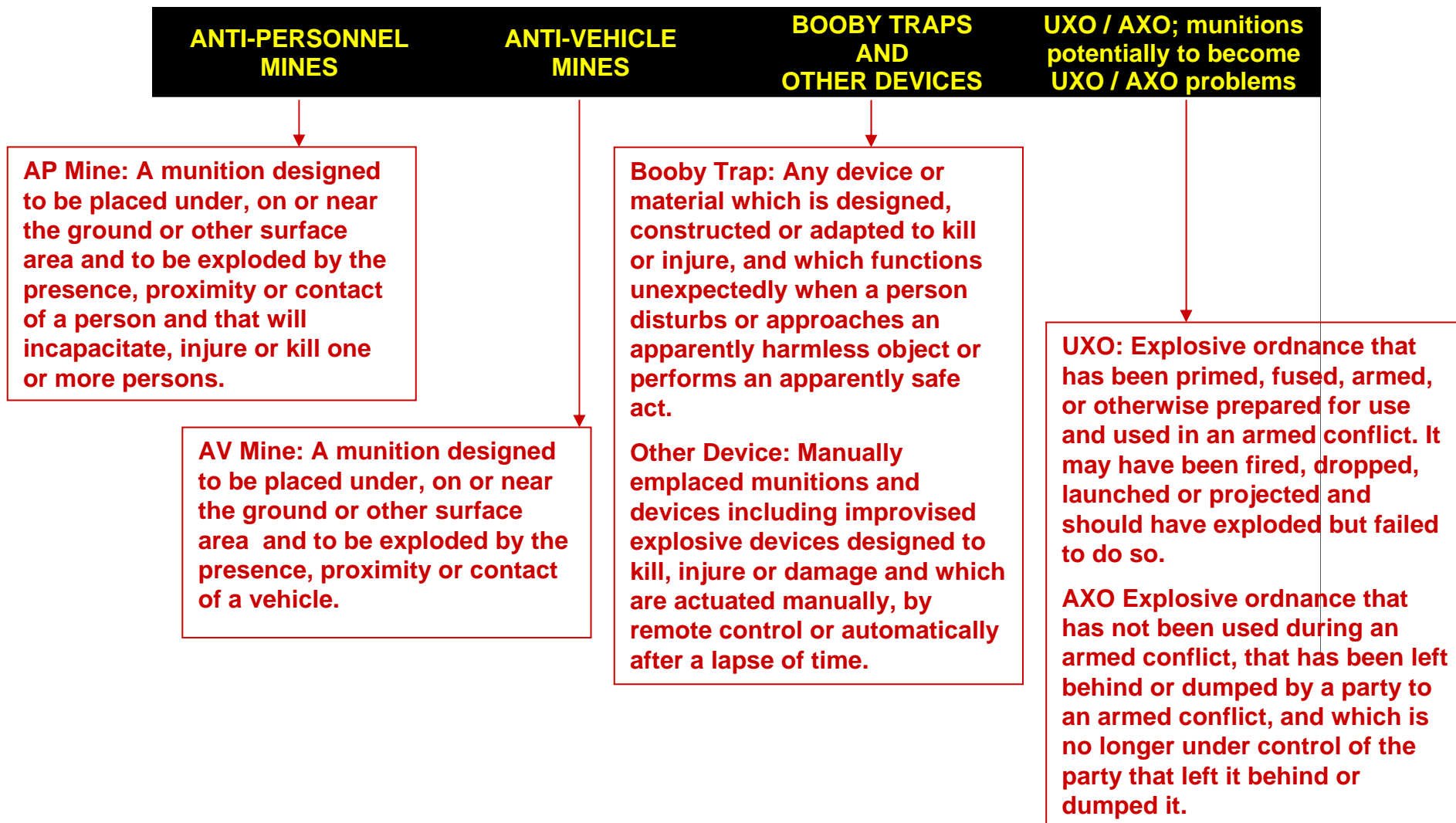
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# Landmines and other ERW: The international legal framework





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<b>ANTI-PERSONNEL MINES</b>	<b>ANTI-VEHICLE MINES</b>	<b>BOOBY TRAPS AND OTHER DEVICES</b>	<b>UXO / AXO; munitions potentially to become UXO / AXO problems</b>
<b>1997 Anti-Personnel Mine Ban Convention ("Ottawa Convention")</b>			
<b>1996 Amended Protocol II to the Convention on Certain Convention Weapons</b>	<b>1996 Amended Protocol II to the Convention on Certain Convention Weapons</b>	<b>1996 Amended Protocol II to the Convention on Certain Convention Weapons</b>	
<b>1980 Protocol II to the Convention on Certain Convention Weapons</b>	<b>1980 Protocol II to the Convention on Certain Convention Weapons</b>	<b>1980 Protocol II to the Convention on Certain Convention Weapons</b>	<b>2003 Protocol V to the Convention on Certain Convention Weapons</b>

Relatively more  
comprehensive

Relatively less  
comprehensive



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<b>ANTI-PERSONNEL MINES</b>	<b>ANTI-VEHICLE MINES</b>	<b>BOOBY TRAPS AND OTHER DEVICES</b>	<b>UXO / AXO; munitions potentially to become UXO / AXO problems</b>
<b>Ottawa Convention:</b> <ul style="list-style-type: none"> <li>▪ Prohibitions</li> <li>▪ Framework to end existing / potential impact</li> </ul>			
<b>CCW Amended Protocol II</b> <ul style="list-style-type: none"> <li>▪ Restrictions</li> <li>▪ Measures to limit impacts</li> </ul>	<b>CCW Amended Protocol II</b> <ul style="list-style-type: none"> <li>▪ Restrictions</li> <li>▪ Measures to limit impacts</li> </ul>	<b>CCW Amended Protocol II</b> <ul style="list-style-type: none"> <li>▪ Restrictions</li> <li>▪ Measures to limit impacts</li> </ul>	
<b>CCW Protocol II</b> <ul style="list-style-type: none"> <li>▪ Limited restrictions</li> <li>▪ Limited measures to limit impacts</li> </ul>	<b>CCW Protocol II</b> <ul style="list-style-type: none"> <li>▪ Limited restrictions</li> <li>▪ Limited measures to limit impacts</li> </ul>	<b>CCW Protocol II</b> <ul style="list-style-type: none"> <li>▪ Limited restrictions</li> <li>▪ Limited measures to limit impacts</li> </ul>	<b>CCW Protocol V</b> <ul style="list-style-type: none"> <li>▪ Measures primarily to limit future impacts</li> </ul>

Relatively more comprehensive

Relatively less comprehensive



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<b>ANTI-PERSONNEL MINES</b>	<b>ANTI-VEHICLE MINES</b>	<b>BOOBY TRAPS AND OTHER DEVICES</b>	<b>UXO / AXO; munitions potentially to become UXO / AXO problems</b>
<b>Ottawa Convention: 153 parties</b>			
<b>CCW Amended Protocol II  87 parties (including 75 parties to the Ottawa Convention)</b>	<b>CCW Amended Protocol II  87 parties (including 75 parties to the Ottawa Convention)</b>	<b>CCW Amended Protocol II  87 parties (including 75 parties to the Ottawa Convention)</b>	
<b>CCW Protocol II  13 parties (including 8 parties to the Ottawa Convention)</b>	<b>CCW Protocol II  13 parties (including 8 parties to the Ottawa Convention)</b>	<b>CCW Protocol II  13 parties (including 8 parties to the Ottawa Convention)</b>	<b>CCW Protocol V  31 parties (including 30 parties to the Ottawa Convention)</b>

Relatively more  
comprehensive

Relatively less  
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## Observations:

- ❑ One may think that the less comprehensive an international instrument the easier it would be to achieve universal acceptance. With conventional weapons, the opposite has been true.
- ❑ Even though Amended Protocol II to the CCW has less comprehensive provisions concerning AP mines than the AP Ban Convention, it still makes sense for parties to the latter to accede to the former.
- ❑ It is possible that a State may face problems with respect to the totality of ERW – AP mines, AV mines, UXO, AXO, etc. “Mine action” seeks to address the complete range of these problems.
- ❑ Some States (e.g., perhaps Vanuatu) may face problems caused by AXO, not AP mines. If so, it is advisable to clarify that the State in question does not consider that it has obligations under Articles 4 & 5 of the AP Mine Ban Convention.
- ❑ Regardless of the nature of the challenge faced (AP or AV mines, UXO, AXO, etc.) States may need assistance and there are others in a position to provide it.