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



Towards a mine free Pacific: regional workshop

Kerry Brinkert

Manager of the AP Mine Ban Convention Implementation Support Unit

Geneva International Centre for Humanitarian Demining

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BOOBY TRAPS UXO / AXO; munitions ANTI-PERSONNEL ANTI-VEHICLE potentially to become AND MINES **MINES UXO / AXO problems OTHER DEVICES AP Mine: A munition designed** Booby Trap: Any device or to be placed under, on or near material which is designed, the ground or other surface constructed or adapted to kill area and to be exploded by the or injure, and which functions presence, proximity or contact unexpectedly when a person of a person and that will disturbs or approaches an **UXO:** Explosive ordnance that incapacitate, injure or kill one apparently harmless object or has been primed, fused, armed, or more persons. performs an apparently safe or otherwise prepared for use act. and used in an armed conflict. It **AV Mine: A munition designed Other Device: Manually** may have been fired, dropped, to be placed under, on or near emplaced munitions and launched or projected and the ground or other surface devices including improvised should have exploded but failed area and to be exploded by the explosive devices designed to to do so. presence, proximity or contact kill, injure or damage and which of a vehicle. **AXO Explosive ordnance that** are actuated manually, by has not been used during an remote control or automatically armed conflict, that has been left after a lapse of time. behind or dumped by a party to an armed conflict, and which is no longer under control of the party that left it behind or dumped it.



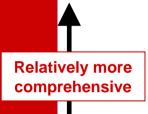


Relatively less comprehensive



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





Relatively less comprehensive



ANTI-PERSONNEL MINES	ANTI-VEHICLE MINES	BOOBY TRAPS AND OTHER DEVICES	UXO / AXO; munitions potentially to become UXO / AXO problems
 Ottawa Convention: Prohitions Framework to end existing / potential impact 			
CCW Amended Protocol II Restrictions Measures to limit impacts	CCW Amended Protocol II Restrictions Measures to limit impacts	CCW Amended Protocol II Restrictions Measures to limit impacts	
CCW Protocol II Limited restrictions Limited measures to limit impacts	CCW Protocol II Limited restrictions Limited measures to limit impacts	CCW Protocol II Limited restrictions Limited measures to limit impacts	CCW Protocol V Measures primarily to limit future impacts



Relatively more comprehensive

Relatively less comprehensive



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



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.