

**ZIMBABWE`S INTERVENTION ON NATIONAL
IMPLEMENTATION MEASURES (LEGISLATION) ON THE
MINE BAN TREATY**

THANK YOU MR CHAIR FOR AFFORDING ME THIS OPPORTUNITY TO UPDATE THIS COMMITTEE ON ZIMBABWE`S CURRENT POSITION IN REGARDS TO ZIMBABWE`S LEGISLATION MEASURES.

THE ZIMBABWE PARLIAMENT PASSED THE ANTI-PERSONNEL MINE (PROHIBITION) BILL 2000 IN NOVEMBER 2000 AND IT WILL BECOME LAW ONCE THE HEAD OF STATE HAS SIGNED IT. A COPY WILL BE SUBMITTED TO THE UN SECRETARY GENERAL TOGETHER WITH OUR ANNUAL REPORT LATER THIS MONTH. A FEW HIGHLIGHTS OF THE BILL ARE AS FOLLOWS.

CLAUSE 5 MAKES IT AN OFFENCE FOR ANY PERSON TO DEVELOP, PRODUCE, ACQUIRE, POSSESS, TRANSFER, OR PLACE DIRECTLY OR INDIRECTLY AN ANTI-PERSONNEL MINE IN ANY POSITION WITH THE INTENTION OF CAUSING THE MINE TO BE EXPLODED BY CONTACT WITH A PERSON OR MOVING OBJECT. THE BILL ALSO MAKES IT AN OFFENCE FOR ANY PERSON TO ASSIST, ENCOURAGE OR INDUCE IN ANY WAY, ANOTHER PERSON TO ENGAGE IN ANY ACTIVITY PROHIBITED BY THE CONVENTION.

ANY SUCH OFFENCE IS PUNISHABLE BY A FINE NOT EXCEEDING ONE HUNDRED THOUSAND ZIMBABWE DOLLARS OR IMPRISONMENT FOR A PERIOD NOT EXCEEDING TEN YEARS OR BOTH FINE AND IMPRISONMENT.

THE BILL ALSO MAKES IT AN OFFENCE FOR ANY PERSON TO RETAIN IN HIS POSSESSION INFORMATION RELEVANT TO THE ENFORCEMENT OF THE ACT. IT ALSO PROVIDES FOR THE CARRYING OUT OF INSPECTIONS FOR THE PURPOSES OF ENFORCING THE PROVISIONS OF THE CONVENTION.

THE INSPECTIONS CAN BE CARRIED OUT BY MEMBERS OF A FACT FINDING MISSION ESTABLISHED FOR THAT PURPOSE.

THE MISSION WILL HAVE THE POWER TO ENTER AND INSPECT ANY PLACE IN ZIMBABWE THAT HAS OR MAY HAVE A CAPACITY TO DEVELOP, PRODUCE OR STOCKPILE ANTI-PERSONNEL MINES.

DURING THE DRAFTING AND SUBSEQUENT PARLIAMENTARY DEBATES, A NUMBER OF ISSUES CAME UP BUT MOST IMPORTANT WAS THAT OF STANDARDISATION OF THESE REGULATIONS. I THINK THIS MEETING MAY WANT TO DISCUSS FURTHER THIS ISSUE.

AGREEABLY, STATES PARTIES HAVE DIFFERENT LEGAL SYSTEMS THUS HAVING STANDARD REGULATIONS MIGHT BE DIFFICULT. BUT SINCE THESE PARTICULAR REGULATIONS ARE CENTERED ON THE SAME TREATY, IT MAY BE POSSIBLE FOR STATES PARTIES TO SHARE IDEAS OR AT LEAST HAVE ONE DRAFT MODEL SET OF REGULATIONS TO USE WHEN DRAWING UP THEIR OWN LEGISLATIONS. IF THE REGULATIONS CANNOT BE UNIVERSALISED, THEN REGIONAL ORGANISATIONS CAN AGREE AND ADOPT A GENERAL DRAFT SET OF REGULATIONS.

HOPEFULLY, THIS WOULD ALSO STANDARDIZE THE PENALTIES FOR CONTRAVENING SUCH REGULATIONS IN EACH REGION.

WE BELIEVE THESE AND OTHER ISSUES PERTAINING TO IMPLEMENTATION MEASURES SHOULD BE REVISED BY THIS COMMITTEE SO THAT THE CONVENTION CAN BE COMPLIED WITH EFFECTIVELY.

I THANK YOU !!!