

Art. 3

Thank you Mr. Co-Chair,

Firstly, I would like to thank New Zealand for the very interesting presentation. This further underlines the notion that mine-clearance training can be carried out in a very effective and sophisticated manner without the need of retaining live mines. Austria shares this position and therefore has not retained anti-personnel mines for training and/or research purposes under Art. 3(1). We think that states parties should not retain any APLs at all.

We recognise, that Art. 3 gives the option to states parties to, in principle, retain a certain number of mines for training and research purposes. This exception from the interdiction of Art. 1 is, however, clearly limited to „the minimum number absolutely necessary“. This is not further specified, but it is clear that the number cannot be so high that the commitment of a state party to comply with the core treaty obligation can be put into doubt. That commitment can indeed be questioned, if a state party keeps so many mines that they could still be used in a conflict. In the last few years, we have discussed this issue at length and the understanding has emerged, that the commitment of a state party would not be put into question as long as the number of retained mines would be in the hundreds or thousands but not in the tens of thousands. Austria strongly supports this understanding.

Now we have learned that one state party has decided to retain 70.000 mines under Art. 3 (1). We would like to state that this number is clearly not a „minimum number absolutely necessary“. This cannot be accepted as state practice, as it would severely undermine the integrity of the Convention. We will seek to discuss this issue with the state party in question.