

This issue first arose at UNGA 48 when the USA, in response to a bill sponsored by Senator Leahy (D-Vermont), presented a resolution calling on all countries to impose unilaterally a moratorium on the export of land mines. In the first three CCW Experts Group meetings, there was general agreement in the Western Group that we should do something to control the international transfer of land mines. There was also some discussion over whether such a desire should be reflected in Protocol II. In the first three meetings, however, efforts in this regard generally lacked focus and tended to reflect domestic political pressures to be seen to be doing something rather than to make serious proposals. (eg: the Mexican view was that either we ban all land mines and their transfer or we do nothing about controlling their use at all.)

There are now two proposals on the table to control the international transfer of land mines. First, the USA-UK proposal, which arises from earlier American calls for unilateral moratoria on exports and would take the form of a suppliers regime outside the CCW; and second, a Dutch proposal for a new clause in the CCW (which Canada supports). The USA-UK proposal is the evolution of a USA proposal that was first presented in September 1994 (ie immediately after the third Experts Group meeting) and the Dutch proposal was first shared with the Western countries in the lead up to the fourth Experts Group meeting and presented officially there. The substance of the two proposals is the same, the key difference is over whether or not we put these controls in the CCW.

As a large number of exporting states joined the USA led moratoria, delegations started to look more seriously at how the idea could be incorporated into the CCW. The result was the Dutch proposal which was introduced at the fourth Experts Group meeting. The Dutch and the Americans have now been working on a compromise - eg a strong hortatory clause in the CCW.

(c) Detectability

This is one of the humanitarian law elements of the treaty. This should be straight forward - it is not. All that is sought is that land mines be required to contain a minimum amount of metal to render them detectable to standard metal detectors. The principle of this (even the technical details) have been agreed to by all parties - East, West and NAM, almost.

Austria, Finland and Italy want this requirement applied only to anti-personnel mines (ie not to anti-vehicle mines), because they use anti-vehicle mines extensively in their defence strategies. The debate here is strictly an internal Western Group one, and exists largely within the EU. We favour applying this provision to all mines.

This issue has gained a lot of public attention. It is seen as a quick and simple way to aid demining activities and therefore is favoured by the NGOs.