

## LANDMINES AND THE CCW REVIEW CONFERENCE

Every year, more than 25,000 people are killed or injured by anti-personnel mines ("APM"), ninety percent of them are civilians. Many are killed or wounded decades after the conflict in which the mines were planted is over. An estimated 110 million APM currently planted in 70 countries. The areas most severely affected by mines include Angola, Afghanistan, Cambodia, and Mozambique.

### **a) Landmines and the CCW Review Conference**

In response to this urgent humanitarian crisis, in December 1993, the UN General Assembly adopted by consensus resolution 48/79 which requested the Secretary General to convene a conference to review the Convention on Certain Conventional Weapons (CCW). The CCW Review Conference was held in Vienna in September 1995. During the course of the 3 week meeting, the Review Conference adopted a fourth protocol for the CCW which prohibits the use and transfer of blinding laser weapons, but was unable to reach agreement upon changes to Protocol II which covers mines, booby-traps and other devices.

Following an intercessional meeting and extensive consultations, a revised Protocol II was adopted on May 3, 1996 in Geneva. This protocol will place new prohibitions and restrictions on the use of land mines, in particular, the revised Protocol will: apply to non-international armed conflicts; establish minimum technical standards to make all APM detectable and to eliminate the use of "dumb" mines outside of marked and monitored areas; and will place restrictions and prohibitions on the transfer and export of APM. Further, progress toward meeting these new standards will be reviewed on an annual basis at a meeting of states parties.

The negotiations during the CCW Review Conference were very difficult and the changes to Protocol II were not as significant as many states and international and non-governmental organizations wanted. This lack of progress was due primarily to the positions taken by the major mine producing states parties to the CCW which continue to produce and export APM. These states agreed to the prohibition on non-detectable mines and the technical specification for self-destruction and self-deactivation mechanisms for APM on the condition that states were able to defer these requirements for a period of nine years from the entry into force of the amended Protocol II.