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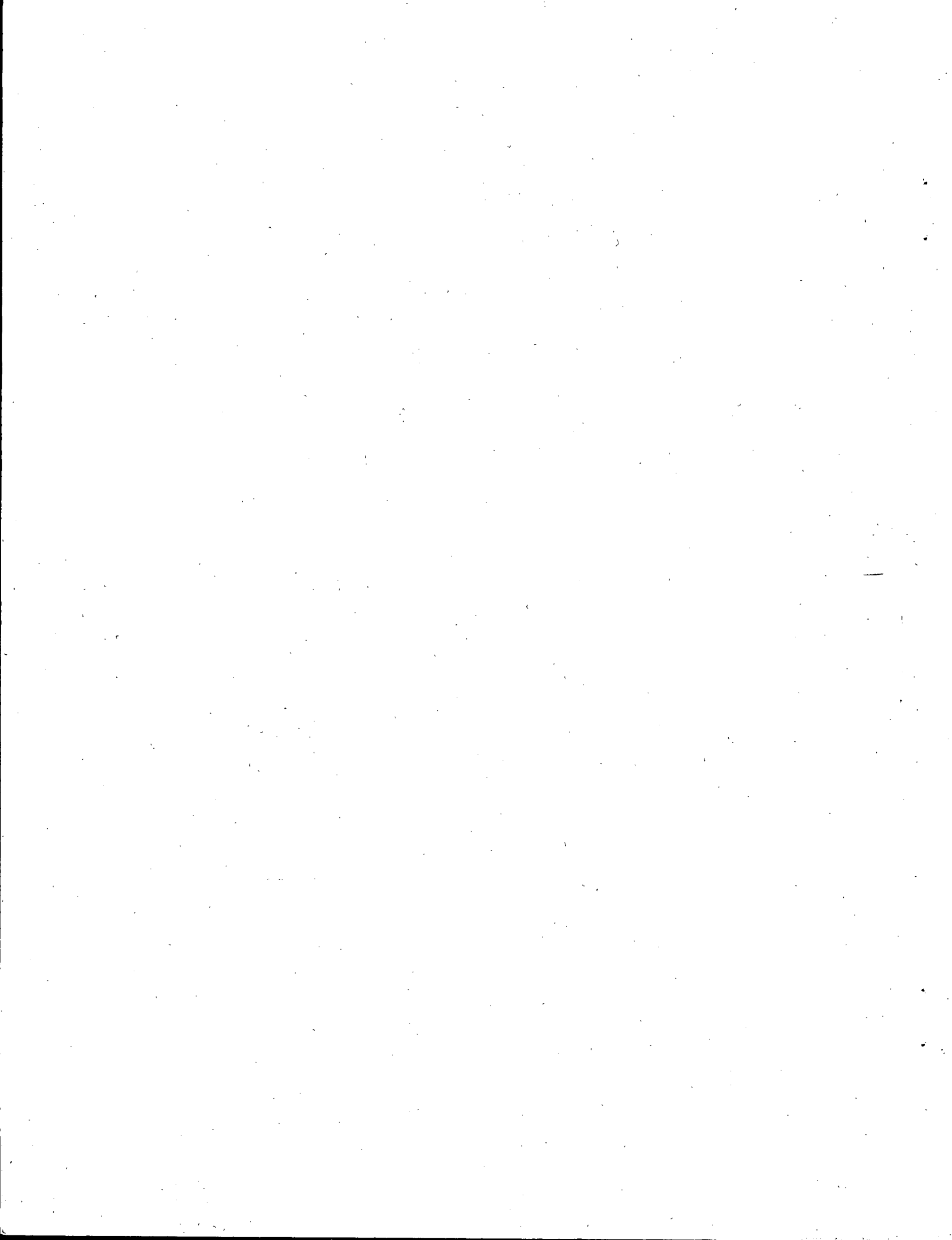
**CANADA**



**ANTI-PERSONNEL LAND MINES:  
AN ANNOTATED BIBLIOGRAPHY  
UPDATE**



**DECEMBER 1997**



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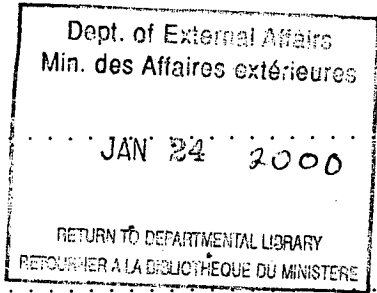
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## PREFACE

In its continuing efforts to address the anti-personnel mines crisis, Canada distributed Anti-Personnel Land Mines: An Annotated Bibliography at the International Strategy Conference held in Ottawa in October of 1996. This publication covered more than 120 English submissions, including reports and resolutions from International Organizations, scholarly publications and internet resources.

The following report updates the Bibliography provided in 1996. The Update includes over 100 new entries from the period of 1993-1997.

The views contained in this Bibliography and its annotations are those of the authors and do not necessarily represent those of the Department of Foreign Affairs and International Trade or of the Government of Canada.

Department of Foreign Affairs and  
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# INTRODUCTION

## Scope:

This document is an annotated bibliography of publicly available material on the subject of the control of anti-personnel land mines (APMs).

The material selected for inclusion adheres to a broad definition of "control" that corresponds to the general nature of the policy prescriptions advanced in the literature. One body of work summarized in the *Bibliography* concentrates on preventing further deployment of anti-personnel mines by prohibiting their production, stockpile, use and/or transfer. Another branch of the literature has a more immediate focus, concentrating on controlling the impact of these weapons today. This literature, for example, includes suggestions in terms of the provision of enhanced mine clearance and mine awareness programs, as well as increased victim/community assistance programs in the social, economic, and medical fields.

## Organization:

The bibliography is divided into seven parts as follows.

**Part A. Reports of International Organizations:** This part consists of annotations of relevant reports and resolutions produced by selected international organizations: the United Nations, European Union, and Organization of African Unity.

**Part B. Scholarly Publications:** This part includes a series of annotations of scholarly publications which address substantively the issue of efforts to control anti-personnel land mines as defined above. These entries consist of books, articles, and reports which provide substantive analysis and assessment, as well as statistical information. Each annotation describes the scope of the source document and summarizes its major arguments and conclusions. For ease of reference, Part B is divided into sub-sections denoting the main issue areas which characterize the literature on land mines:

- 1) Overviews comprises sources that examine all or most of the issue areas relating to the control of land mines in some depth;
- 2) Socio-economic and health care implications, as described primarily in country reports and case studies, and journal articles; and

3) Military and technological dimensions including the question of the military utility of land mines and the implications for attempts to control them (rather than land mine warfare *per se*), the issue of making de-mining more effective and efficient, and the issue of victim assistance and rehabilitation.

**Part C. Internet Resources:** This section provides descriptions of selected land mine web sites currently available on the Internet. Those included were chosen for their comprehensiveness, abundance of information, and links to other land mine sites.

**Part D. News Media Articles:** This section includes major articles from the news media. The selections are primarily Canadian, but also include important citations from the international community.

**Part E. Government Publications:** A selection of primary government publications on the issue of anti-personnel land mines.

**Part F. Government Speeches:** Select speeches given by government officials in public fora, addressing the anti-personnel land mine issue.

**Part G. Annex:** The full text of *The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction* to be opened for signature in Ottawa, Canada on December 2, 1997.

## PART A

### REPORTS OF INTERNATIONAL ORGANIZATIONS

#### Part A.1 United Nations

**A.100** "Humanitarian Demining." Terminology Bulletin No. 349. Office of Conference and Support Services, Translation and Editorial Division, Documentation, Reference and Terminology Section. United Nations, New York, 1997.

This is a glossary that deals with land mines and humanitarian mine clearance, as well as military mine clearance where appropriate, the organizations and offices active in this field, and the medical rehabilitation of landmine victims, especially with the use of prostheses. Intended primarily for translators at the United Nations, the glossary is also designed to facilitate communication between people of different nationalities working in the field.

The terms included have been gathered from United Nations documents on mine clearance assistance, training manuals, and mine clearance contracts used by the United Nations, as well as from articles and works published by outside authors, especially those describing the Organization's work in the field of mine clearance.

**A.101** "Disarmament: Ending Reliance on Nuclear and Conventional Arms." United Nations Centre for Disarmament Affairs. Edited transcripts of the Disarmament Week Symposium held from 25 to 27 October 1994 at the United Nations, sponsored by the United Nations Centre for Disarmament Affairs, the United Nations Department of Public Information and the NGO Committee on Disarmament, and of the panel discussion on the land mines crisis, sponsored by the NGO committee on Disarmament and held on 16 November 1994 at the United Nations. United Nations, New York, 1995.

This publication includes the record of two important conferences held at the UN in the fall of 1994. The first, a symposium held during *Disarmament Week on Ending Reliance on Nuclear and Conventional Arms*, brought leading experts together in five panel



discussions focused on reducing the role of nuclear and conventional weaponry in international relations. The second, a forum held at the UN on 16 November 1994 on the *Land Mine Crisis*, featured several panelists whose organizations are actively involved in coping with the crisis.

Participants to the discussion include: Ambassador Karl Inderfurth, Special Political Affairs, in the US delegation to the UN; Richard Ekwall, member of the Swedish delegation to the Conference on Disarmament in Geneva; Elinor Hammarskjold, assistant to the Chairman of the Expert Group, which was working on the Review Conference for the 1980 Conventional Weapons Convention; Tore Skedsno, Deputy Demining Expert for the UN Department of Peace-Keeping Operations; Bruno Zimmermann, Deputy Head of the International Committee of the Red Cross UN Delegation; and Jim Wurst, Editor of *The Disarmament Times*. All speakers spoke of the international community's united goal for the eventual elimination of all APM's.

**A.102** "Land Mines and the CCW Review Conference." UNIDIR Newsletter: United Nations Institute for Disarmament Research, No. 28/29, (December 1994/May 1995). Geneva, Switzerland.

This UNIDIR Newsletter was intended to serve as a useful background and reference document for conference delegations and other interested people and organizations.

When considering the problems posed by land mines, a wide range of different factors need to be considered: political, legal, economic, humanitarian, social, technical and military. While striking a balance between military necessities and the protection of non-combatants and civilians is never easy, the fact that the effects of land mines continue to be felt long after a conflict has ceased is a complicating factor when trying to establish new norms. This issue of the UNIDIR Newsletter addresses these different factors and dilemmas. The authors come from very different backgrounds: political, diplomatic, humanitarian, military and non-governmental.

**A.103** United Nations Study on the Impact of Armed Conflict on Children. Chairperson: Graca Machel (in Progress)

The Study on the Impact of Armed Conflict on Children, this first of its kind in the history of the United Nations, seeks to demonstrate to the world community the necessity of adopting effective measures for the promotion of the rights of children who are victims of armed conflicts, and to stimulate much greater international action to this end. It will

establish an important precedent in the general area of human rights, and will also serve to promote in a very substantive manner the terms, provisions and effectiveness of the Convention on the Rights of the Child. The Study makes recommendations for action by the international community in the following four areas

- the relevance and adequacy of existing standards
- the re-enforcement of preventative measures
- the promotion of physical and psychological recovery and social reintegration
- the protection of children in situation of armed conflict, including the indiscriminate use of all weapons of war, especially anti-personnel land mines.

## **Part A.2 European Union**

**A.201** Fehr, Lisbeth, and Georges Clerfayt. "Report on Anti-Personnel Land Mines and the Humanitarian Consequences." Council of Europe, Parliamentary Assembly. 3 September, 1997. ADOC7891.

The use of anti-personnel land mines as weapons of war is a global humanitarian tragedy. The indiscriminate use of these weapons has long-lived consequences and has aroused immense distress throughout the world. This report is aimed at exposing the dimensions of the problems of anti-personnel mines and their humanitarian implications, with a view to reinforcing the call for a global ban on the manufacture, use, stock-piling and transfer of anti-personnel mines. The report tries to demonstrate that mines are no longer indispensable weapons of war, it examines their compatibility with international humanitarian law and describes the numerous national and international efforts to eliminate them.

The Parliamentary Assembly recommends that all member states should condemn the manufacture, use, transfer and stock-piling of anti-personnel mines, declare these activities contrary to the Council of Europe's principles and draw up a list of companies producing mines in member states. It calls upon the member states to subscribe to international commitments aimed at totally banning anti-personnel mines or limiting their use, to adopt national legislation in that respect, to promote the establishment of a mine-free zone in Europe, to support international mine-clearance programmes and to increase aid to mines victims.

### **Part A.3 Organization of African Unity**

**A.301** The Organization for African Unity (OAU) and the South African Government.  
“The First Continental Conference of African Experts on Land Mines. Towards a  
Land Mines Free Africa: The OAU and the Legacy of Anti-Personnel Mines.”  
(Kempton Park, South Africa 19-21 May, 1997).

This report is a summary of the presentations, debates and work of the three workshop groups over the three day period of the Conference. The three areas of focus for the conference and subsequent report are:

- Landmine policy
- Mine clearance
- Victim Assistance

## PART B

### SCHOLARLY PUBLICATIONS

#### Part B.1 Overviews

##### **B.100** *Ban Treaty News*, Issues 1-4 (September 1-September 16), 1997

The *Ban Treaty News* published by the International Campaign to Ban Landmines (ICBL) continues upon the earlier process of monitoring and assessing major international conferences concerning the use, stockpiling, production and trade of anti-personnel landmines. Unlike the *CCW News*, the *Ban Treaty News* is reflecting upon a new multilateral forum for creating a fast-track response to the problem of landmines. Such a response is known as the Ottawa Process. Specifically issues 1-4 are concerned with the international conference held in Oslo, Norway in September of 1997 to reach agreement on the Austrian draft treaty text arrived at through the Brussels Declaration earlier in the same year. Of concern for the ICBL in these issues is the role played by the United States in attempting to secure amendments to the draft treaty designed give it certain exceptions, particularly in the case of Korea.

##### **B.101** Baxter, Laurence. "Towards a Ban on Anti-Personnel Landmines", *Peacekeeping and International Relations*, Vol 26, No. 2, 1997, pp. 14-16

This article, written by an intern at the Pearson Peacekeeping Centre, provides an overview of the efforts of the international community to limit the "epidemic" of landmines. The author addresses the existing international control regimes, as well as the multilateral and unilateral efforts that have attempted to deal with this problem. The failure of the existing international regime directed towards the landmines issue (The Convention on Certain Conventional Weapons, CCW) prompted the formation of the International Campaign to Ban Landmines (ICBL), and subsequently the development of what has come to be known as the Ottawa Process. The author is cautious in his conclusion noting the need for a "concerted effort" by the international community if "an effective accord is to be forged" on the basis of the Ottawa Process.

- B.102** Canadian International Demining Centre. "Development Proposal to Establish an Internationally Recognized Institute to Promote and Implement Global Landmine Eradication". *The Canadian International Demining Centre*, 1996, 37 pp. including appendix.

Articulates the CIDC's goals to attain its objectives, which are: to provide information, education and training into all aspects of landmine utilization and eradication, a ban on the production, stockpiling and deployment of land mines devices, and to undertake a "collaborative efforts with the Government of Canada and organizations such as Mines Action Canada, CARE Canada, Save the Children and many others".

- B.103** Cornish, Paul. "Joint Action, 'The Economic Aspects of Security', and the Regulation of Conventional Arms and Technology Exports from the EU", in Martin Holland, ed., *Common Foreign and Security Policy: The Record and Reforms* (London: Pinter 1997), pp. 73-92.

Paul Cornish provides an overview of the difficulties that the EU has had in implementing an EU policy concerning the regulation of conventional arms exports. The article begins with a discussion of CFSP procedure and its application to EU multilateral arms export controls. Second, it describes the attempts, both successes and failures, by the European Political Cooperation and CFSP to control arms exports from the EU. The chapter continues with an analysis of the EU dual use technology export regime and concludes with future prospects for conventional arms control within the EU.

This article highlights an important issue within the CFSP mechanism; the inability and lack of will that member states have to coordinate arms export policies. Arms exports are considered to remain within the competencies of state governments because it is a question of national security. The Treaty of Rome, in article 223, codifies the exemption of arms transfers from the Commission's mandate. Difficulties in the creation of a common position or policy on conventional arms exports is very relevant to the European reaction to land mines. The fact that the joint action concerning APMs did not include a ban indicates that joint actions continue to fall within the realm of article 223. Thus, the EU was limited in its choice of action.

- B.104** International Campaign to Ban Landmines, *CCW News*, Editions 1-6 (September 27-October 13), 1995; Editions 9-12 (April 9-May 3), 1996

Editions 1-6 of the *CCW News* were published during the Convention on Conventional Weapons (CCW) Review Conference held in Vienna during September of 1995 by the International Campaign to Ban Landmines (ICBL). The six issues chart the course of the conference, focussing on, among other things, national governmental positions vis-a-vis specific anti-personnel landmine proposals, as well as highlighting national anti-personnel landmine campaigns. Issue 6 underlines the impasse in negotiations reached at the end of the conference, and is therefore critical of the CCW process in bringing about a meaningful change in landmine use. Editions nine through 12 of the *CCW News* are again situated around a Review Conference on the CCW, this time in April/May of 1996 in Geneva. The format and specific issues are essentially similar to the early editions of the *CCW News*. Emphasis is placed on the growing international momentum for a total ban on landmines. The total of pro-ban states rises to 34, an increase of 20 since the beginning of the September 1995 Vienna Conference. Once again however, the ICBL must head home and say "No they didn't ban the mines in Geneva", reflecting the failure to ban landmines despite the new Protocol which emerged out of the conference.

**B.105** Ginsberg, Roy H. "The EU's CFSP: The Politics of Procedure", in Martin Holland, ed., *Common Foreign and Security Policy: The Record and Reforms*, (London: Pinter 1997), pp. 12-34.

Roy Ginsberg reviews the CFSP by identifying three themes: the expectations-outcomes gap, the EU as an economic and diplomatic superpower, and marginal changes that may have a greater impact. In order to discuss these themes, Ginsberg draws upon the experiences of the CFSP. The author identifies how the various joint actions, taken under CFSP, have highlighted many of the problems and inefficiencies inherent in CFSP. The joint action on APMs is used to illustrate the complicated nature of interpillar relationships.

**B.106** Lawson, Bob. "Towards a New Multilateralism: Canada and the Land Mine Ban", *Behind the Headlines*, Vol 54, No. 4, Summer 1997, pp. 18-23

This article situates the Ottawa process within a new paradigm of foreign policy in the post-Cold War world. This new multilateral diplomacy is predicated on "[i]nternational public opinion, transnational NGOs, and revolutions in telecommunications and the mass media", all of which "have eroded the traditional boundaries and prerogatives of diplomatic praxis". Lawson, who works in the Arms Control and Disarmament Division of the Department of Foreign Affairs and International Trade, provides a useful chronology of the landmines issue and Canada's intimate role in shaping the Ottawa

Process. The author notes how the Ottawa Process has been driven by the creation of a middle power/civil society coalition in the face of the larger more powerful states. The article concludes by speculating how the Ottawa Process established to meet the specific challenge of landmines, may actually end up setting the standards for future diplomacy in the post-Cold War world. For the contemporary international environment is one which demands innovative 'fast track' public diplomacy to meet the global problems and issues of human security.

**B.107** Peters, Ann "Landmines in the 21<sup>st</sup> Century", *International Relations*, Vol XIII, No. 2, August 1996, pp. 37-50

The article deals with the ultimately failed process of establishing a prohibition on the use of landmines via the Convention on Conventional Weapons (CCW) Review Conferences. The author discusses the evolution towards a comprehensive ban on landmines, one which has moved away from the international fora associated with the CCW, to increasingly unilateral decisions by governments to stop producing, using, and exporting landmines. Peters also notes the Canadian initiative to bring together pro-ban countries and NGOs, though the article stops short of any discussion of the Ottawa Process. The article concludes by calling for an integrated response to the landmines crisis, one which considers national, regional as well as international political efforts to address this issue.

**B.108** *Report on the Review Conference on the Convention on Conventional Weapons (CCW)*, Geneva, April 22-May 3, 1996

A general report covering the activities of the International Campaign to Ban Landmines (ICBL) during the second session of the Review Conference on the 1980 Convention on Conventional Weapons (CCW) held in Geneva, Switzerland from April 22 to May 3, 1996. The report was compiled by the Vietnam Veterans of America Foundation and the Arms Project of Human Rights Watch, two members of the ICBL Steering Committee. The report includes a general assessment of the CCW Review Conference, ICBL media releases, text of the final report of the Review Conference and a list of all participants to the Conference. The report also contains the *CCW News* published during the Conference.

**B.109** Sommruga, Cornelio. "From Global Negotiations to National and Regional Initiatives". *Disarmament*. Vol. 19, No. 2, pp.19-29, 1996

Consists of an appeal from the president of ICRC to outlaw land mines, in light of weak limitations placed on their use at the review conference of Certain Conventional Weapons, held in Geneva, 22 April - 3 May, 1996.

**B.110** Sawatzky, Major Jim. "Canadian Forces Support of Demining Operations in Cambodia." *Strategic Datalink #58: The Canadian Institute of Strategic Studies*. Toronto, Ontario. January 1997.

Since 1991 Canadian Forces personnel have been involved in the UN-led international effort to end the civil war in Cambodia and rebuild the shattered lives of the Khmer people. With the end of the open-armed conflict, international efforts have been directed at removing the deadly legacy of the civil war, namely the millions of land mines that have been scattered throughout the land. This paper examines the scope of the land mine problem in Cambodia, the international effort undertaken to combat it, and most importantly, highlights the achievements of the Canadian soldiers who have participated.

**B.111** Strobel, Warren, "Landmines, cheap and deadly, wreak terror in the Third World", *Insight on the News*, vol. 10, no.39 (26 September 1994), pp. 28-9.

This short article gives a general overview of the landmine problem, citing familiar statistics on such things as the production cost per mine, the cost of removal, and the estimated number of mines currently planted globally. Also included are statistics on the estimated failure rate of self-neutralizing mines, as well as costs to the United States of clearing mines in other countries.

The US position vis-a-vis a global ban is briefly summarized. In this connection, the military utility of landmines is emphasized. However, this position is challenged by the author, who cites anecdotal evidence which would seem to suggest that landmines, even those laid by one's own forces, may just as readily hamper military operations as support them.

**B.112** Wareham, Mary. "Clearing the Fields and Negotiating Controls on Anti-Personnel Land Mines: New Zealand's Role. Presented as a working paper for the Centre for Strategic Studies New Zealand. Masters Thesis: Victoria University. May, 1995. URL: <http://www.vuw.ac.nz/css/Mines/index.html>

In a five period since the end of the Cold War, increasing attention was paid by the international community to the proliferation of anti-personnel land mines (APM). With



one in three countries affected by uncleared APM, alarming statistics regarding civilian casualties caused by these indiscriminate weapons, and approximately 100 companies and government agencies in 48 countries manufacturing over 340 different types of APMs, the challenges posed by the problem were immense. This paper examines the nature of the problem and asks what are the best solutions to solve this problem, operationally and politically. What role has New Zealand played in implementing these solutions? The consistent interplay between pragmatists and idealists, sovereignty and universality and other aspects central to understanding the issue are demonstrated. The different actors and solutions available represent the multifaceted nature of the problem which, even if solved by a total ban, will continue to cause problems for decades to come.

**B.113** Williams, Jody. "Statement to the Closing Plenary of the Oslo Diplomatic Conference on a Treaty to Ban Antipersonnel Landmines", September 18, 1997.  
URL: <http://www.interpost.no/folkehjelp/ngoforum>

This is a text of Jody Williams (the Campaign Coordinator on behalf of the International Campaign to Ban Landmines) statement at the Closing Plenary of the Oslo conference. The ICBL underlines its firm support for the Treaty which was negotiated over the three week period in September 1997. Williams juxtaposes the outcome of the Oslo conference with the negotiations in Vienna two years previously. The outcome of Oslo reflects the validation of the Ottawa Process specifically, and more generally, the "new way of conducting international diplomacy in the post-Cold War world". Williams stresses the importance of rapid ratification of the Treaty after it is signed in Ottawa in December, which ultimately would enter the treaty into force before the year 2000.

## **Part B.2 Legal/Disarmament & Arms Control Aspects**

**B.200** Cooper, Andrew, "Exposing the Source: US Companies and the Production of Antipersonnel Landmines," *Human Rights Watch Arms Project*, vol. 9, no 2 (April, 1997).

This report, prepared for Human Rights Watch, details the involvement of US companies in landmine production. Also included are some hard-to-find US export statistics as well as sales figures for one US firm. An overview of the global landmines crisis is followed by a section dealing with US antipersonnel landmine production, stockpiles and exports. This, in turn, is followed by a section dealing with an investigation into the involvement

of US firms in the production of landmines. Subsequent sections deal with 'recalcitrant producers' and companies which have renounced future involvement in mine production.

General Electric is singled out for particular attention as a company which, Human Rights Watch alleges, is involved in the production of landmines.

The report concludes with a lengthy series of recommendations - variously directed towards the US government, NGOs, other supporters of an international ban on AP mines, and US companies - designed to end the trade in landmines.

Four appendices are included: US Antipersonnel Mine Component Suppliers; US Companies Renouncing Future Involvement in Antipersonnel Mine Production; Human Rights Watch Letter Sent to Forty-Seven US Companies; and, US antipersonnel mine Types.

**B.201** Cooper, Mary H., "Banning Land Mines: Should the US Support a Total Global Ban?" *CQ Researcher*, vol. 7, no. 30 (8 August, 1997), pp 699-716.

This article, which includes a useful chronology and bibliography, provides a reasonable thorough overview of the landmines issue. It is noted that landmines remain as a serious threat to non-combatants even long after a war is over, reaping some 26, 000 casualties annually. It is also noted that in Afghanistan, Angola, Bosnia, Cambodia, and Croatia landmines are the leading cause of death.

A central focus is the treaty banning landmines which will be signed by over 100 countries in December 1997. While the US Congress has indicated its support for a total ban, the Clinton Administration has insisted on exemptions for self-neutralizing mines and for the mines currently deployed between North and South Korea.

**B.202** Human Rights Watch Arms Project Report. "Exposing the Source: U.S. Companies and the Production of Antipersonnel Mines". April 1997, Vol. 9, No.2 (G).

### **Part B.3 Soci-Economic and Health Care Implications**

**B.300** Centres for Disease Control and Prevention, "Landmine-related injuries. 1993-1996", *JAMA, The Journal of the American Medical Association*, vol. 278, no. 8 (27 August 1997), p. 621.

Noting that between 1980 and 1993 the incidence of landmine-related injuries has doubled, this report takes an epidemiological approach to the problem. The report briefly discusses three cases of landmine-related injury suffered by aid workers (one each in Somalia, Zaire, and Afghanistan), pointing out their public health consequences. The potential role for public health workers in the prevention of such injuries is also considered.

The social costs of treating landmine victims and the burden placed on health care infrastructures which are often already inadequate to the tasks of combating disease and malnutrition in developing countries are also highlighted.

**B.301** Meldrum, Andrew. "On Deadly Ground", *Africa Report*, vol. 39, no.4 (July-August 1994), pp. 55-9.

The author notes that, despite the relative peace which has accompanied the October 1992 ceasefire which ended two decades of civil war in Mozambique, roughly ten people per week continue to be killed or disfigured by landmines left over from the war. At the time of writing, more than 2 million landmines remained hidden throughout the country.

UN estimates are cited which put the cost of clearing Mozambique's mines at \$30 million for the first full year of full-scale mine clearance. Moreover, demining the country is expected to be ongoing for at least 20 years.

The projected cost of repairing/replacing infrastructure made unusable by landmines is also discussed. During the civil war, the rebels mined roads, railway tracks, bridges, ports, airstrips, and farming fields. The Frelimo government "defensively" laid mines around vital elements of economic infrastructure, such as electricity pylons, bridges, dams, factories, and water pipelines. In addition, the government laid mines around urban centres and, densely, along the country's borders with South Africa and Malawi.

The controversial awarding of a \$5 million UN demining contract to a consortium of British and South African companies, some of which had designed and manufactured landmines used in the Mozambican conflict, is also discussed.

**B.302** Parlow, Anita, "Banning Land Mines", *Human Rights Quarterly*, vol. 16, no. 4 (November 1994), pp. 715-39.

The author argues for the elimination of landmines under international humanitarian law. While acknowledging that prohibitions on certain modes of conduct under humanitarian law are often ignored in warfare, she notes that where they have been respected it has usually been in response to a sense that a practice is "barbaric and dishonourable" because of its indiscriminate effect on civilian populations. In this context, she notes that most of the victims of landmines are "poor farmers, women, or often children who are collecting firewood, tending cattle, or gathering food in an area that was previously a battleground".

Parlow notes that international humanitarian norms were entrenched at the Nuremberg trials. However, while they have furnished a basis for the legitimate punishment of transgressions, they have been rather less effective as a means by which to prevent them. Accordingly, Parlow calls on the international community, and the US in particular, to move to develop a meaningful prohibition on the use of landmines.

Extensive endnotes may suggest other tangentially useful sources.

In this report, Human Rights Watch- as part of a coordinated national effort to promote a total ban on antipersonnel land mines- identifies forty-seven U.S. companies that have been involved in the manufacture of antipersonnel mines, their components, or delivery systems. This report was to be the basis of the stigmatization campaign by the U.S. Campaign to Ban Land mines (USCBL) to press all companies that have been involved in antipersonnel mine production in the past to renounce any future activities related to antipersonnel mine production.

**B.303** Skolnick, Andrew A., "Physician Group Declares War on Land Mine Injuries", *JAMA, The Journal of the American Medical Association*, vol. 278, no.5 (6 August 1997), pp. 375-6.

This short article focuses primarily on the formation by a group of physicians of Physicians Against Land Mines (PALM). PALM will seek an end to the manufacture and

use of landmines. It is noted that landmines pose a threat to combatants and non-combatants alike in more than 60 countries and kill or disfigure 25, 000 men, women, and children annually. Another of PALM's missions is to support the provision of low-cost artificial limbs and rehabilitation programmes for landmine victims. The article includes an estimate of \$750 million as the worldwide cost of medical care and prosthetic limbs needed due to landmine-related injuries. The group also wants the US to join other countries working towards a global ban on landmines.

**B.304** Cantwell, Pauline (UN representative for Peace Action). "Land Mines: How Much More Will It Take?" Theme of NGOs work at CCW Review Conference. [<http://www.igc.apc.org/habitate/peacecaucus/landmine.html>] pp. 2.

This is an article describing in detail, methods and tactics utilized by NGOs during the conference to review the Protocol on land mines of the 1980 Convention on Conventional Weapons (CCW) in Geneva on 22 April, 1996. The aim of this article is to dramatize the toll on civilians taken by mines in order to appeal to governments to reach an immediate total ban on AP mines.

**B.305** Gruhn, Isebill V. "Land Mines: An African Tragedy". *The Journal of Modern African Studies*, Vol 34, No. 4, December 1996, pp. 787-789

This article examines the subject of land mines in number of African countries (Angola, Mozambique and Ethiopia) and argues that AP mines are one of the major factors that plague these countries economically, socially, politically and ecologically, thereby halting future development. It provides the nature and magnitude of the problem (human cost, health, lost resources, etc.).

The article concludes that a total ban of AP mines can only come about when international organizations and governments of AP mines victims support such a solution.

**B.306** ICRC "The SirUS Project: Towards a Determination of Which Weapons Cause "Superfluous Injury or Unnecessary Suffering", by Robin M. Coupland, ed., Geneva, November 1997, 43pp., ref. 0692.

An important legal concept in laws and treaties relating to the conduct of war is that a weapon should not cause "superfluous or unnecessary suffering" beyond the military advantage of the user. There has never been an objective means of determining what constitutes "superfluous injury or unnecessary suffering"; some weapons have been

deemed “abhorrent” or “inhuman” but exactly what these terms mean has not been defined.

Data from the ICRC database was collated with data from military publications, and certain effects were quantified and used as a determination of what is not “superfluous injury or unnecessary suffering”. A clear and objective distinction is then drawn between the effects of conventional weapons and the effects of all other weapons. This distinction can be expressed in terms of four criteria. The SirUS Project comprises a group of experts who have worked to define the four criteria and who propose them as a means of determining what constitutes “superfluous injury and unnecessary suffering”.

The proposal is that what constitutes “superfluous injury and unnecessary suffering” be determined by design-dependent, foreseeable effects of weapons when they are used against human beings and cause:

**Criterion 1:** specific disease, specific abnormal physiological state, specific abnormal psychological state, specific and permanent disability or specific disfigurement.

**Criterion 2:** field mortality of more than 25% or hospital mortality of more than 5%

**Criterion 3:** Grade 3 wounds as measured by the Red Cross wound classification

**Criterion 4:** Effects for which there is no well-recognized and proven treatment.

The SirUS Project does not propose any new laws. It is not intended as a substitute for arms control and disarmament negotiations; but if endorsed by a significant body of professional opinion it may act as a supplement to those processes.

#### **Part B.4 Military and Technological Dimensions**

**B.400** Aftergood, Steven, "Monitoring Emerging Military Technologies",  
F.A.S.Public Interest Report. *Journal of the Federation of American Scientists*,  
vol.48, no.1 (January/February 1995).

While the focus of this paper is the emergence of new military technologies more generally, some attention is devoted to the issue of landmines. Familiar figures are cited with respect to such things as the cost of producing landmines versus the cost of their removal. However, the most important point made herein seems to be the extent to which

the development of new technologies has been employed to enhance the lethality of landmines, whereas new technologies for demining have been comparatively slow to develop. Thus, the author singles out landmines as constitutive of the threat most clearly in need of "new remedial technologies".

**B.401** Ashley, Steven, "Searching for Land Mines", *Mechanical Engineering-CIME*, vol. 118, no.4 (April 1996), pp. 62-7.

The primary focus of this article is the ongoing effort to develop a technological solution to the problem of mine detection and mine removal. Framing the challenge, Brigadier General Roy E. Beauchamp, Deputy Chief of Staff of Research, Development, and Engineering and the US Army Material Command in Alexandria, Virginia is quoted as saying: "It is the multiplicity of the threat, infinite variety of employment options, and varying environmental conditions that make countermine operations one of the most difficult challenges facing the material development community." The major problem is that, at present, no one technology is suited to detect all types of mines under all kinds of common field conditions.

The author also notes the tremendous costs of demining both to the United Nations and the national budget of the United States. A figure of \$200 million is cited as the total amount spent between 1994 and 1996 by the US Department of Defense on countermine research and development efforts alone.

**B.402** "Political Will and Cash Needed to Speed up Removal of Land Mines."  
*Nature: International Weekly Journal of Science*. Vol. 385, No. 6612, 9 January 1997, p. 101.

This article gives a brief summary of the findings of two reports on land mines. The first report, written by Kosta Tsipis of MIT, denotes the pressing need for a single high-level intergovernmental agency to focus global efforts on implementing new technologies for demining. The second report, "New Technological Approaches to Humanitarian Demining," by Harvard University professor Paul Horowitz, focuses on the new technologies available. It was based on a study conducted by the JASON defence advisory group. The two reports draw attention to the perilous, expensive, and time consuming task of demining.

The report by Tsipis advocates a study of the precise characteristics of land mines in order to make detection easier. A combination of new technologies with this information

could thereby speed up demining activities. Some of these demining devices include the “interdigitated winding magnetometer,” an “air knife” that can dig up mines in seconds, and the explosive lexfoam which also blows up mines.

The JASON study was confined to technology assessment, but the study by Tsipis also addressed political concerns. The need for a central agency was expressed, to coordinate efforts and raise and allocate funds for new technologies.

**B.403** Hollingsworth, Lieutenant General James F. (US Army ret.), Forward, Former I Corps Commander (Republic of Korea/US Army Group 1973-1976)

“Demilitarization for Democratization: Exploding the Land Mine Myth in Korea. Why the United States Can Sign the Ottawa Landmine Treaty at Minimal Risk to US and South Korean Troops”. Research Report. June, 1997.

<http://www.web.apc.org/~pages/Idmo0.html>.

Lieutenant General Hollingsworth (ret.) was responsible for redrawing the US defense plans in 1973-1976 for the Korean border. In this report he states that he is confident that anti-personnel mines (APM's) would only play a minor role in deterring and defeating the North Korean military and as such APM's are not needed to protect US and South Korean troops.



## PART C

### INTERNET RESOURCES

**C.100** The Vietnam Veterans of America Foundation (VVAF)

URL: <http://www.vvaf.org/landmine/>

The Vietnam Veterans of America Foundation is coordinator of the US Campaign to Ban Land Mines, a coalition with about 250 participating organizations. The US Campaign calls on President Clinton to enact an immediate and comprehensive ban on antipersonnel land mines. The VVAF website is host to the online aspects of the International Campaign to Ban Land Mines (ICBL) and includes information on the following aspects of both the international and American campaigns: A comprehensive chronology of the land mines campaign dating from 1991 and extending to the present; a well detailed outline of upcoming events both within the United States and around the world; a useful list of academic and government resources relating to the land mines issue; and an extensive list of useful links to other websites dealing with the international landmine campaign.

**C.102** James Madison university Humanitarian Demining Information Center

URL: <http://www.hdic.jmu.edu/hdic/demining.htm>

**C.103** Landmines

URL: <http://www.peacenet.org/disarm/demining.htm>

**C.104** Norwegian Campaign to Ban Landmines

URL: <http://www.interpost.no/folkehjelp/english/mines/index>

**C.105** Summary of Land Mine WWW Pages

URL: <http://lenti.med.umn.edu/~mwd/landmines.html>

**C.106 United States Senate**

URL: <http://www3.senate.gov/>

This site offers links which provide information on the position of the US on land mines. Conducting a search using keyword "land mines" provides information on various pieces of legislation pertaining to mines, positions of various senators, floor statements, etc. Also includes press releases and information on Senate bills, and a link to the website of Senator Patrick Leahy, a leading anti-mine activist.

**C.107 United States Embassy in Ottawa, Canada.**

URL: <http://www.usis-canada.usia.gov>

This site offers links to the United States Information Service. It is a good source for all government statements on land mines as well as Presidential statements on these weapons.

**C.108 Cambodian Web**

URL: <http://www.sanetech.com/~cblo>

This site is updated monthly and provides a variety of information on land mines including stories and pictures from Cambodia.

**C.109 International Campaign to Ban Land Mines**

URL: <http://www.vvaf.org/landmine/html>

This site is maintained by the Vietnam Veterans of America Foundation. It provides information on the landmine problem, accomplishments and maps, a chronology, as well as websites and a resource list, all of which pertain to land mines.

**C.110 The Landmine Survivors Network**

URL: <http://www.landminenessurvivors.org/index.html>

This site provides information on this organization's goals and accomplishments and lets people know how they can get involved.

**C.111 New Zealand Campaign Against Land Mines**

URL: <http://www.protel.co.nz/calm>

Information on the New Zealand Campaign as well as other landmine information. Includes an article from John Head, founder of the New Zealand Committee for the Campaign Against Land Mines, reviewing the stages his country's policies endured in regard to the land mines issue. The report concludes that the New Zealand government policy on land mines has been reversed in only four years. This has come about by the actions of a number of NGOs, who have kept the issue before the politicians and the people of New Zealand.

**C.112 Pacific Talk Virtual Library - Land Mines**

URL: <http://www.pactok.net.au/docs/landmine/landmine.html>

This site has documents that have been written on land mines.

**C.113 CARE Land Mine Information Centre**

URL: [http://www.care.org.newscenter/land\\_mines/index.html](http://www.care.org.newscenter/land_mines/index.html)

This website posts CARE policy on land mines, recent news articles on land mines, information on their production and use, and provides links to other land mine sites.

**C.114 Doctors Without Borders.**

URL: <http://www.dwb.org/>

This website contains information on the work being done by Doctors Without Borders throughout the world. It gives accessible updates on the mines situation in areas where DWB work, including statistics on the dead and wounded, the lack of available medicine, the geographical location of the land mines, regional and strategic tactical use, and the psychological effects of the weapons on people's lives. It adds its voice to the international movement aimed at banning land mines.

**C.115 Ban Landmines Now: The NGO Forum on Landmines, Oslo, September 1997;**

URL: <http://www.interpost.no/folkehjelf/ngoforum>

This internet site was the official conference site of the NGO forum established alongside the Oslo Diplomatic Conference on an International, Total Ban on Anti-Personnel Landmines. The NGO forum was organised by the Norwegian Campaign to ban Landmines in cooperation with the ICBL and the Norwegian People Aid. The site contains reports from the conference, ICBL press releases, interviews, stories as well as the online version of the *Ban Treaty News* (see below)

**C.116 Safe Lane**

URL: <http://www.mines.gc.ca>

The Government of Canada's official internet source for information on anti-personnel land mines. Safe Lane provides the public with background information on the anti-personnel mine issue, the *Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On Their Destruction*, and the Treaty Signing Conference and Mine Action Forum to be held in Ottawa, Canada from December 2 to December 5, 1997.

## PART D

### NEWS MEDIA ARTICLES

**D.100** Campbell, M. "Global Ban on Land Mines Proposed", *Globe and Mail*, October 4, 1996.

Foreign Minister Lloyd Axworthy says that he is hopeful that a global agreement to ban anti-personnel mines will be in place by 2000. It is noted that the number of countries calling for a ban have risen to 47 since one year prior, when the number was only 14 countries supporting a ban. Mr. Axworthy is quoted as saying, "the world is calling for a ban. There will be a ban, it is only a question of when."

**D.101** Campbell, Murray. "Axworthy Sets Land Mine Treaty Date", *Globe and Mail*, October 7, 1996, p. A8.

This article describes how Foreign Affairs Minister Lloyd Axworthy has side-stepped traditional diplomacy and challenged other countries to sign a treaty next year that would ban antipersonnel land mines.

The article points out that while there was considerable NGO support for this move, "many countries would not have sent delegations to Ottawa if they believed the final declarations was going to include a timetable for establishing a global ban". The article goes on to say that Mr. Axworthy decided on a target date during a meeting the night before with Foreign Affairs officials because "there was a 'critical mass' of countries who support Canada".

**D.102** Cassels, Alan, "Defecating Themselves to Death", *Globe and Mail*, November 1, 1997, p. D6.

This article uses the landmine issue to highlight the lack of leadership in promoting humanitarian, stable development. The author argues that more energies should be spent on much more devastating problems such as easily preventable diseases which kill many more people yearly than land mines.

**D.103** Dunfey, Jack. "Ridding the World of Land Mines", *The Boston Globe*, May 17, 1996

This article criticizes the US policy on land mines by framing the issue in humanitarian terms. The author uses his personal experience in a Red Cross Hospital in Angola to highlight the destructiveness and the impact of the weapon.

**D.104** Dyer, Gwynne. "The Dance of the Dinosaurs", *Telegraph Journal* (St. John, NB), May 19, 1997, p. A8

This article focuses on the role of world public opinion on the process. The central argument is based upon the initiation of the process by NGOs and the fact that the treaty was not pushed by major powers but that its success resides in the actions of smaller countries.

**D.105** Dyer, Gwynne, "Credit the Public for Global Peace Initiatives". *Toronto Star*, October 16, 1997, p. A35.

This article credits the success of the campaign to ban land mines on the phenomenon of world public opinion catalyzed by global media and, in particular, television. Within this context, the author draws parallels between the landmine issue and the fall of the Berlin wall and the end of Apartheid.

**D.106** Evans, Tom, "The Horror of the Land Mines". *The Washington Times*, January 3, 1996, p. A15.

This article highlights the physical and psychological devastation produced by land mines on military personnel. Set within the context of sending US troops to Bosnia, the author, a Vietnam veteran, describes his experiences with land mines to inform the public on the dangers which could befall US troops.

**D.107** Fiorilli, Thierry. "Mines antipersonnel: un petit pas vers la sécurité", *Le Soir*, 4-5 mai, 1996

This article addresses the Geneva review of the landmine protocol in the 1980 CCW as a North-South issue. The author argues that smart mine exemptions highlight the real

debate which is one between poor countries (such as China) which produces and use dumb mines and rich countries whose new stocks are made up of smart mines. The author also highlights the NGO position which is that these types of exemptions legitimate the production and use of land mines.

**D.108** Goar, Carol. "Dedication, Persistence Forged Plan to Ban Mines" *The Toronto Star*, September 6, 1997, p. A18.

Provides an account of events, individual efforts, and NGO campaigns that contributed to the success of what is known as the Ottawa Process to Ban Land Mines.

**D.109** Grenier, Richard. "Why Land Mines? Why Not Just Ban War?" *Washington Times*, October 17, 1997.

This article questions the effectiveness of the treaty to ban land mines by drawing parallels with the Kellogg-Briand pact which banned war as an instrument of national policy in 1928.

**D.110** Gwyn, Richard, "Axworthy's Measured Diplomacy Deserved Nobel," *Toronto Star*, October 12, 1997, p. F3

This article claims that the Nobel committee has made a serious miscalculation in awarding the Nobel Peace Prize to Jody Williams of the ICBL. He believes that the prize should have been shared between the latter and Foreign Affairs Minister Lloyd Axworthy. His arguments focus on basing the success of the process not only on the ICBL, but also on political will and diplomatic contacts which can only be furnished by state actors.

**D.111** Hanevik, Kurt. "Landmine Injuries in Eritrea". URL: <http://www.uib.no/People/mfakh/LM/LMintro.html>.

This independent report is the product of a one month survey of the severe land mine problems in Eritrea. Written from a public health perspective, this report also explores the socio-economic effects of the land mine problem as well as previous and planned efforts in mine clearance.

**D.112** Kampfner, John. "Land Mine Ban Pledge by Labour Party". *Financial Times*, February 14, 1997.

According to Kampfner, Britain's Labour party vows to ban all forms of anti-personnel mines immediately if it succeeds in forming the next government.

**D.113** Kanwal, Gurmeet, "Land Mines Ban: Just a 'Feel Good' Convention?" *Times of India*, October 15, 1997.

This article questions the verifiability of a treaty to ban land mines bringing up arguments related to non-state actors vis-à-vis their usage (terrorists and insurgent groups) and their production (ease of manufacture, manufacturers as non-state actors).

**D.114** Landsberg, Michele. "One Woman's Crusade Against Land Mines". *The Toronto Star*, August 31, 1996, p. L1.

The article highlights the efforts of ICBL coordinator Jody Williams to ban land mines.

**D.115** MacLean, Rick. "Land Mines Have No Place in a Military Operation". *The Telegraph Journal* (Saint John N.B.). September 8, 1997, p. A5.

This article is based on an interview MacLean held with Daniel Kelly, who is in charge of the Canadian Force's mapping, discovery and destruction of 16,000 mine fields in Bosnia. According to MacLean, Kelly has laid mines, removed mines, seen what they can do to innocent civilians, and thus agrees with its total ban.

**D.116** Margolis, Eric, "We Should Ban Infernal Device", *Ottawa Sun*, August 1, 1997.

This article is critical of the US reluctance to ban land mines. The author then proceeds to explain the US position by highlighting how the Pentagon fears a ban could apply to existing and developing weapons systems which form the core of current and future ground warfare technology and which are seen to be vital in stopping enemy armored attacks at long ranges.



**D.117** Masland, Tom and John Barry, "Buried Terror," *Newsweek*, April 8, 1996, pp. 24-27

This article highlights the way in which a new perspective on land mines is evolving in the pentagon which diminishes their perceived utility. The authors argue that the experience in Bosnia with hard-to-detect plastic APMs is changing the Pentagon's view not only in terms of potential casualties but also due to freedom of movement restrictions which could hamper early withdrawal. However, he also highlights how the Pentagon may still be reluctant to change its position due to the possibility that a ban might encourage efforts to limit a new generation of high tech submunitions to protect US forces over the next generation.

**D.118** Matthews, Jessica, "The New, Private Order", *Washington Post*, January 21, 1997, p. A11.

This article uses the landmine issue as an example of the way in which a power shift is taking place whereby NGOs are now framing international policy and law even in issues which were traditionally reserved for state diplomatic practices (in this case arms control). The author explains this shift in terms of the emergence of a transnational civil society which is capable of exerting pressure on recalcitrant governments.

**D.119** McDougall, Barbara. "How Interest Groups are Shaping Foreign Policy". *The Globe and Mail*, August 1, 1997, p. A23.

McDougall, a former Canadian Minister of External Affairs, emphasizes how the influence of NGO's on foreign policy is gaining momentum as technology revolutionizes the ability of individuals to attach themselves to others for very specific purposes.

**D.120** McDougall, Barbara. "How Interest Groups are Shaping Foreign Policy". *Globe and Mail*, August 1, 1997, p. A23.

This article uses the land mine issue to highlight the way in which interest groups are now shaping foreign policy. The author brings up a host of questions regarding the definition of "public interest" and the problems of framing the latter within the context of the specificity and transience of NGO interests. The author also brings up the question of accountability in a world of interest fragmentation.

**D.121** Rees, Matthew. "Without Land Mines, Warfare Prevails." *Ottawa Citizen*, September 6, 1996, p. A17

This article is an attempt to reply to an earlier article which appeared in the *New York Times*, arguing that "the chance to save so many lives should not be further delayed", and therefore, pressuring the Clinton administration to drop its objections to the Canadian-led effort to ban AP mines. Rees dismisses the article as melodramatic and emotional, arguing that "seeking to ban land-mines because they maim or kill people is roughly equivalent to wanting to reduce the speed limit for cars because at higher speeds people are maimed or killed every day". Furthermore, he states that "Iraqi platoons would sometimes surrender without firing a shot upon realizing they had been surrounded by land mines".

**D.122** Ryle, John, "The Invisible Enemy", *The New Yorker*, November 29, 1994.

Focussing on Cambodia and Afghanistan, the article graphically explains the impact of land mines and the political responses to the problem.

**D.123** Sallot, J. "Deadly Stakes in Land Mine Issue". *Globe and Mail*, September 13, 1997, p. A1&A10.

This article provides an overview of the Ottawa Process.

**D.124** Scheer, Robert. "Banning Land Mines Is a No-Brainer," *Los Angeles Times*, October 14, 1997.

This article develops the land mines issue as a humanitarian issue and provides a critique of US policy by focussing on Clinton. The author advises the president to commit to a land mine ban arguing that he could score political points by aligning himself with such notables as Pope John Paul II, Jimmy Carter, Norman Schwarzkopf and the Nobel Peace Prize committee.

**D.125** Sridhar, D. "Walking Over Land Mines, Without U.S.," *India Express*, October 15, 1997.

This article questions the effectiveness of the treaty by arguing that the major powers of the U.S., Russia, China, India and Pakistan are absent. The author believes that this issue would bring a more effective outcome through multilateral negotiations in the CD.

**D.126** Thompson, Allan, "How Canada Hatched Land Mine Ban," *The Toronto Star*, September 16, 1997, p. A23

This article provides an account of the way in which the Canadian government was instrumental in bringing the process to fruition. It primarily focuses on Axworthy's initiative and role in the process.

**D.127** Toyen, Dave. "Letter to the Editor". *The Guardian- Charlottetown*, August 25, 1997.

This letter from Dave Toyen, President of World Vision Canada before the Oslo negotiations is representative of the concerns and the conviction of the NGO community. "World Vision we believe the Ottawa Treaty must be comprehensive, with no exceptions, no reservation and no loopholes."

**D.128** Velin, Jo-Anne, "Land Mine Talks Push Nations to Go One Step Further", *The Christian Science Monitor*, May 8, 1996, p. 6.

This article focuses on the way in which the landmine process has catalyzed changes in the way in which humanitarian law is written and agreed upon. The author argues that for the first time an agreement will apply to intra-state conflict as well as inter-state conflict and that the new rules on landmine use will push beyond traditional arms control and disarmament terrain.

**D.129** Webster, Donovan, "It's the Little Bombs That Kill You," *The New York Times Magazine*, January 23, 1994.

Highly informative article covering mines, demining and political issues.

**D.130** Winslow, Philip C., "Ottawa's Plan on Land Mines Puts Clinton in Corner". *The Gazette*, August 10, 1997, p. D2.

Winslow points out how Canada's effort, which began in January 1996 and has relied on building a consensus among governments and non-governmental organizations, has U.S. officials scrambling to catch up.

**D.131** Editorial, "Towards a Global Ban on Land Mines" *The Globe and Mail*, October 1, 1996, p. A18.

This editorial highlights the near failure of the Convention on Certain Conventional Weapons negotiations. The editorialist notes that Canada is convening a conference on land mines in the first week of October, 1996 because of this near-failure. The purpose of the October conference is to bring together like-minded countries, as well as non-government organizations, in order to establish a plan to ban land mines altogether.

**D.132** Editorial, "Moral Force and Land Mines", *Washington Times*, August 20, 1997.

This article presents a position against the ban via arguments relating to the continued utility of the weapons particularly within the context of shrinking armed forces. The author asserts that Clinton's decision to agree to work on a treaty represents a choice for "feel-good diplomacy" over national security and military effectiveness.

**D.133** Editorial, "A Moratorium on Land Mines," *Boston Sunday Globe*, January 28, 1996, p. A30.

This article sets its context by highlighting that the first US casualty in Bosnia was caused by a land mine. In framing the issue as humanitarian, the author then criticizes the US position on the issue during the Geneva review of the land mine protocol in the 1980 CCW.

## **PART E**

### **GOVERNMENT PUBLICATIONS**

#### **United States**

- E.100** US Department of State, "Hidden Killers: The Global Problem with Uncleared Land Mines", (Washington, DC, United States Department of State, 1993).

This report on international demining was prepared by the United States Department of State Political-Military Affairs Bureau office of International Security Operation. It deals with the nature of the problem of uncleared land mines, mine warfare, demining technology, land mines and refugees, country analyses as well as technical information about demining and demining equipment. (VVAf review)

- E.101** US Department of State, "Hidden Killers: The Global Landmine Crisis", Office of the International Security and Peacekeeping Operations, U.S. State Department Bureau of Political-Military Affairs. US State Dept., PM-ISO, (VVAf review)

1994 Report to the U.S. Congress on the problem with uncleared land mines and the U.S. strategy for demining and landmine control.

#### **Canada**

- E.102** Canadian International Development Agency. "Anti-personnel Land Mines and Development: CIDA's Approach". Canadian International Development Agency, January 1997, 7 pp.

This report provides vital statistics on the availability, use, origin, casualties of AP mines and its impact on development. It argues that the presence of mines is a serious constraint on development in the developing countries.

**E.103** Axworthy, Lloyd “An International Treaty to Ban Anti-Personnel Mines: The Challenge Continues”, Notes for an address by the Honourable Lloyd Axworthy, Minister of Foreign Affairs, to the Standing Committee on Foreign Affairs and International Trade, November 3, 1997

The Honourable Lloyd Axworthy in his address to the Standing Committee urges the members of this committee for their support in the ratification of the *Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction*, the text of which emerged from the conference hosted by the Norwegian government in September. It is the Minister’s hope that this historic Treaty will both be signed and ratified on the very same day by Canada on the 3<sup>rd</sup> of December. In his introductory remarks, the Minister of Foreign Affairs discusses the “new approach” to foreign policy which the Ottawa Process embodies; one which is grounded in the partnership between government and civil society. The address also highlights the international momentum that has been generated since the Oslo conference, underscored by Prime Minister Cretien’s visit to Russia, along with positive signs from the governments of Greece, Japan and Australia towards the Ottawa Process.

**E.104** Government of Canada, Department of Foreign Affairs and International Trade, *AP Mine Ban: Progress Report*, Numbers 1-4, (February -September), 1997

These reports provide news and developments related to the landmines issue throughout 1997, up to the Oslo Diplomatic Conference on an International, Total Ban on Anti-Personnel Landmines in September. Both non-governmental and governmental developments are included in this Government of Canada report, such as that pertaining to the activities of the International Campaign to Ban Landmines (ICBL), together with reports from various international and regional conferences.

## **Mozambique**

**E.105** 4th International NGO Conference on Land Mines. “Toward a Mine-Free Southern Africa”. February 25-28, 1995, Maputo, Mozambique [<http://bic.uni-bonn.de/archive/mines.html>], 3 pp.

This report begins by describing how several children collecting scrap metal to sell, picked a landmine among the bites they found. When the scrap metal was weighed on a scale in the market, the land mine exploded, killing eight children instantly. Three others

died later at the hospital. This happened 3 years after the Peace Agreement ended the civil war.

The report estimates that more than 20 million land mines have been laid in Southern Africa mostly in Angola, Mozambique and Zimbabwe. They now wait, silently, for the footsteps of a woman gathering firewood or a child fetching water. Based on this inhumane destruction, Southern Africa supports a ban on land mines and begins by hosting this conference.

### **United Kingdom**

**E.106** George Robertson, "Action on Landmines." Ministry of Defence: 147/97, October 21, 1997.

While visiting Mostar, British Secretary of State for Defence announced a five point plan to guide British actions:

A Mine Information and Training Centre is to be established at the School for Military Engineering at Mainly in Surrey. The Centre, which will open early next year, will become a one-stop shop for guidance and information on counter-mine measures to other government departments, non-governmental organizations, aid agencies, academia and industry to assist those who are tackling the issue of humanitarian demining across the globe.

A new military post has been established within the MOD to lead a coordination group within the Department to provide the necessary focus and expertise in dealing with land mines.

The MOD's Research and Trials Organization at Chertsey will examine the suitability of commercial off-the-shelf equipment that might be used for humanitarian demining. The results of this research will be made widely available.

The MOD will provide additional manpower to assist with the management of demining programmes. In recent years the MOD has provided mine experts to programmes in Afghanistan, Angola, Belize, Cambodia and Cyprus, and played an important part in establishing the UN Mines Action Centre in Bosnia.

An inter-departmental working group is being established to focus the existing arrangements that exist between the three principal Departments of State which address demining issues: the Foreign and Commonwealth Office, the Department for International Development and the MOD.

**E.107** "New UK Policy on *Landmines*". *Foreign and Commonwealth Office*. May 21, 1997.

Robin Cook, the Foreign Secretary, and George Robertson, the Defence Secretary, announced a unilateral ban on the import, export, transfer and manufacture of all forms of antipersonnel land mines. Elements of the policy include:

- 1) destruction of all UK stockpiles and a national ban on their use by 2005.
- 2) a moratorium on the use of APMs by the British forces until 2005 or until an effective international agreement enters into force.
- 3) negotiate constructively in the 'Ottawa Process' and the Conference for Disarmament.
- 4) to explore how existing stocks may be destroyed more quickly and how to help other states with their demining efforts.
- 5) only under exceptional circumstances will the British armed forces use land mines. Such use would require parliamentary approval.

**E.108** *Council Decision of 1 October, 1996, concerning the joint action adopted on the basis of article J.3 of the Treaty of the European Union on antipersonnel mines, 96/588/CFSP.*

Joint Action 96/588/CFSP was adopted October 1, 1997, in reference to the previous joint action taken in 1996. The European Union's New Joint Action serves to reinforce the earlier Joint Action. Joint Action 96/588/CFSP provides four directives:

- 1) action commits the European Union to working actively towards the earliest possible achievement of an international agreement to ban antipersonnel land mines and to pushing for universal adherence to the 1980 Convention on certain Conventional Weapons, especially Protocols II and IV, on antipersonnel mines and blinding laser weapons, respectively;



- 2) extension of the moratorium on exports of antipersonnel land mines introduced pursuant to Council Decision 95/170/CFSP to cover all antipersonnel land mines and all destinations;
- 3) implementation by the Member States of restrictions and bans additional to those contained in Protocol II to the Convention on Certain Conventional Weapons
- 4) a grant of ECU 7 million for international mine clearance, in the form of contributions to the United Nations Voluntary Trust Fund for assistance with mine clearance and/or specific EU projects in the field.

**E.109** *Commission financing decision of November 29, 1996, on action to combat antipersonnel land mines in reference to 96/588/CFSP.*

The Commission approved the commitment of ECU 3.5 million to finance Joint Action 96/588/CFSP.

**E.110** *Parliament resolution of October 29, 1997, on the Ottawa conference on antipersonnel mines.*

Parliament endorsed and applauded the EU's new Joint Action of 1 October, 1996, on antipersonnel land mines. It called on the EU and its Member States to unilaterally ban the production and use of all antipersonnel mines and to destroy existing stocks while continuing to work at the international level for a legally binding agreement to ban antipersonnel mines. It also urged the EU and its Member States to increase their financial contributions to international mine clearance campaigns and assistance to the victims of mines.

Parliament also noted, with regret, that the conference on antipersonnel mines held in Ottawa from 3 to 5 October had not achieved significant progress.

## **Finland**

**E.111** "Finland's Position on Anti-personnel Landmines (APL's)." *Fact Sheet*. Ministry of Foreign Affairs, September 1, 1997.

This fact sheet details Finland's position on APLs:

- 1) Finland wants a global, verifiable and legally binding ban on APLs;
- 2) Finland believes that it requires the involvement of the producers and exporters whom are the source of this crisis not through unilateral actions by states such as Finland;
- 3) Views that the Conference on Disarmament and the Ottawa process are, and should be, complementary;
- 4) Declares that Finland has never exported APLs, is not producing APLs and does not have APLs deployed. Finland does require APLs for defensive purposes and sees APLs as a key part of their defence doctrine;
- 5) Calls for an early entry into force of the amended Protocol II of the CCW;
- 6) Finland calls for increased funding for demining initiatives and victim assistance.

## **France**

**E.112** "Interdictions des mines antipersonnel." *Communiqué du ministère des Affaires Étrangères*, January 19, 1997.

The French government restated its commitment to ban antipersonnel land mines with the forum of the Conference on Disarmament. The communiqué reasserts the French position of 1996, stating that France will not use land mines, except for purposes of defence of its armed forces. Furthermore, it reasserts France's export moratorium on all anti-personnel land mines.

## PART F

### SPEECHES

**F.100** Statement by H.E. Mr. Chris Westdal Ambassador of Canada for Disarmament to the 49<sup>th</sup> session of the United Nations General Assembly. Item 22: Assistance in Mine Clearance (New York: October 25, 1994)

During this Speech Mr. Westdal welcomed the establishment of the voluntary trust fund for mine clearing activities and announced that Canada supports the UN resolution on assistance to mine clearance. It was stated that Canada would continue to contribute to mine clearing primarily through peacekeeping operations and encouraged other countries to make comparable commitments.

**F.101** Remarks by Canada at First Meeting of Governmental Experts. (Geneva: March 3, 1994).

Canada's position, as expressed in this speech, was that the primary emphasis of the meetings should be to strengthen the Protocol II of the CCW. Specifically, Canada recommends that the CCW should be amended to permit only mines that are detectable and self-neutralizing or self-destructing, and that recording and verification measures should also be strengthened.

**F.102** Joint Statement by the Foreign Ministers of the UK, France and Germany on May 7, 1997.

"The three Foreign Ministers of France, Germany and the UK have agreed that they will intensify their close cooperation in the field of arms control and disarmament".

They agreed that their priority should be to work towards an effective and legally binding international ban on the world wide export, production and use of antipersonnel land mines.

## PART G

### ANNEX I

18 September 1997

#### CONVENTION ON THE PROHIBITION OF THE USE, STOCKPILING, PRODUCTION AND TRANSFER OF ANTI-PERSONNEL MINES AND ON THEIR DESTRUCTION

##### Preamble

The States Parties,

Determined to put an end to the suffering and casualties caused by anti-personnel mines, that kill or maim hundreds of people every week, mostly innocent and defenceless civilians and especially children, obstruct economic development and reconstruction, inhibit the repatriation of refugees and internally displaced persons, and have other severe consequences for years after emplacement,

Believing it necessary to do their utmost to contribute in an efficient and coordinated manner to face the challenge of removing anti-personnel mines placed throughout the world, and to assure their destruction,

Wishing to do their utmost in providing assistance for the care and rehabilitation, including the social and economic reintegration of mine victims,

Recognizing that a total ban of anti-personnel mines would also be an important confidence-building measure,

Welcoming the adoption of the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices, as amended on 3 May 1996, annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, and calling for the early ratification of this Protocol by all States which have not yet done so,

Welcoming also United Nations General Assembly Resolution 51/45 S of 10 December 1996 urging all States to pursue vigorously an effective, legally-binding international agreement to ban the use, stockpiling, production and transfer of anti-personnel landmines,

Welcoming furthermore the measures taken over the past years, both unilaterally and multilaterally, aiming at prohibiting, restricting or suspending the use, stockpiling, production and transfer of anti-personnel mines,

Stressing the role of public conscience in furthering the principles of humanity as evidenced by the call for a total ban of anti-personnel mines and recognizing the efforts to that end undertaken by the International Red Cross and Red Crescent Movement, the International Campaign to Ban Landmines and numerous other non-governmental organizations around the world,

Recalling the Ottawa Declaration of 5 October 1996 and the Brussels Declaration of 27 June 1997 urging the international community to negotiate an international and legally binding agreement prohibiting the use, stockpiling, production and transfer of anti-personnel mines,

Emphasizing the desirability of attracting the adherence of all States to this Convention, and determined to work strenuously towards the promotion of its universalization in all relevant fora including, inter alia, the United Nations, the Conference on Disarmament, regional organizations, and groupings, and review conferences of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects,

Basing themselves on the principle of international humanitarian law that the right of the parties to an armed conflict to choose methods or means of warfare is not unlimited, on the principle that prohibits the employment in armed conflicts of weapons, projectiles and materials and methods of warfare of a nature to cause superfluous injury or unnecessary suffering and on the principle that a distinction must be made between civilians and combatants,

Have agreed as follows:

**Article 1**  
General obligations

1. Each State Party undertakes never under any circumstances:
  - a) To use anti-personnel mines;
  - b) To develop, produce, otherwise acquire, stockpile, retain or transfer to anyone, directly or indirectly, anti-personnel mines;
  - c) To assist, encourage or induce, in any way, anyone to engage in any activity prohibited to a State Party under this Convention.
2. Each State Party undertakes to destroy or ensure the destruction of all anti-personnel mines in accordance with the provisions of this Convention.

## Article 2 Definitions

1. "Anti-personnel mine" means a mine designed to be exploded by the presence, proximity or contact of a person and that will incapacitate, injure or kill one or more persons. Mines designed to be detonated by the presence, proximity or contact of a vehicle as opposed to a person, that are equipped with anti-handling devices, are not considered anti-personnel mines as a result of being so equipped.
2. "Mine" means a munition designed to be placed under, on or near the ground or other surface area and to be exploded by the presence, proximity or contact of a person or a vehicle.
3. "Anti-handling device" means a device intended to protect a mine and which is part of, linked to, attached to or placed under the mine and which activates when an attempt is made to tamper with or otherwise intentionally disturb the mine.
4. "Transfer" involves, in addition to the physical movement of anti-personnel mines into or from national territory, the transfer of title to and control over the mines, but does not involve the transfer of territory containing emplaced anti-personnel mines.
5. "Mined area" means an area which is dangerous due to the presence or suspected presence of mines.

**Article 3**  
Exceptions

1. Notwithstanding the general obligations under Article 1, the retention or transfer of a number of anti-personnel mines for the development of and training in mine detection, mine clearance, or mine destruction techniques is permitted. The amount of such mines shall not exceed the minimum number absolutely necessary for the above-mentioned purposes.
2. The transfer of anti-personnel mines for the purpose of destruction is permitted.

**Article 4-**  
Destruction of stockpiled anti-personnel mines

Except as provided for in Article 3, each State Party undertakes to destroy or ensure the destruction of all stockpiled anti-personnel mines it owns or possesses, or that are under its jurisdiction or control, as soon as possible but not later than four years after the entry into force of this Convention for that State Party.

**Article 5**  
Destruction of anti-personnel mines in mined areas

1. Each State Party undertakes to destroy or ensure the destruction of all anti-personnel mines in mined areas under its jurisdiction or control, as soon as possible but not later than ten years after the entry into force of this Convention for that State Party.
2. Each State Party shall make every effort to identify all areas under its jurisdiction or control in which anti-personnel mines are known or suspected to be emplaced and shall ensure as soon as possible that all anti-personnel mines in mined areas under its jurisdiction or control are perimeter-marked, monitored and protected by fencing or other means, to ensure the effective exclusion of civilians, until all anti-personnel mines contained therein have been destroyed. The marking shall at least be to the standards set out in the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices, as amended on 3 May 1996, annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.

3. If a State Party believes that it will be unable to destroy or ensure the destruction of all anti-personnel mines referred to in paragraph 1 within that time period, it may submit a request to a Meeting of the States Parties or a Review Conference for an extension of the deadline for completing the destruction of such anti-personnel mines, for a period of up to ten years.
4. Each request shall contain:
  - a) The duration of the proposed extension;
  - b) A detailed explanation of the reasons for the proposed extension, including:
    - (i) The preparation and status of work conducted under national demining programs;
    - (ii) The financial and technical means available to the State Party for the destruction of all the anti-personnel mines; and
    - (iii) Circumstances which impede the ability of the State Party to destroy all the anti-personnel mines in mined areas;
  - c) The humanitarian, social, economic, and environmental implications of the extension; and
  - d) Any other information relevant to the request for the proposed extension.
5. The Meeting of the States Parties or the Review Conference shall, taking into consideration the factors contained in paragraph 4, assess the request and decide by a majority of votes of States Parties present and voting whether to grant the request for an extension period.
6. Such an extension may be renewed upon the submission of a new request in accordance with paragraphs 3, 4 and 5 of this Article. In requesting a further extension period a State Party shall submit relevant additional information on what has been undertaken in the previous extension period pursuant to this Article.

**Article 6**  
International cooperation and assistance



1. In fulfilling its obligations under this Convention each State Party has the right to seek and receive assistance, where feasible, from other States Parties to the extent possible.
2. Each State Party undertakes to facilitate and shall have the right to participate in the fullest possible exchange of equipment, material and scientific and technological information concerning the implementation of this Convention. The States Parties shall not impose undue restrictions on the provision of mine clearance equipment and related technological information for humanitarian purposes.
3. Each State Party in a position to do so shall provide assistance for the care and rehabilitation, and social and economic reintegration, of mine victims and for mine awareness programs. Such assistance may be provided, inter alia, through the United Nations system, international, regional or national organizations or institutions, the International Committee of the Red Cross, national Red Cross and Red Crescent societies and their International Federation, non-governmental organizations, or on a bilateral basis.
4. Each State Party in a position to do so shall provide assistance for mine clearance and related activities. Such assistance may be provided, inter alia, through the United Nations system, international or regional organizations or institutions, non-governmental organizations or institutions, or on a bilateral basis, or by contributing to the United Nations Voluntary Trust Fund for Assistance in Mine Clearance, or other regional funds that deal with demining.
5. Each State Party in a position to do so shall provide assistance for the destruction of stockpiled anti-personnel mines.
6. Each State Party undertakes to provide information to the database on mine clearance established within the United Nations system, especially information concerning various means and technologies of mine clearance, and lists of experts, expert agencies or national points of contact on mine clearance.
7. States Parties may request the United Nations, regional organizations, other States Parties or other competent intergovernmental or non-governmental fora to assist its authorities in the elaboration of a national demining program to determine, inter alia:
  - a) The extent and scope of the anti-personnel mine problem;
  - b) The financial, technological and human resources that are required for the implementation of the program;

- c) The estimated number of years necessary to destroy all anti-personnel mines in mined areas under the jurisdiction or control of the concerned State Party;
  - d) Mine awareness activities to reduce the incidence of mine-related injuries or deaths;
  - e) Assistance to mine victims;
  - f) The relationship between the Government of the concerned State Party and the relevant governmental, inter-governmental or non-governmental entities that will work in the implementation of the program.
8. Each State Party giving and receiving assistance under the provisions of this Article shall cooperate with a view to ensuring the full and prompt implementation of agreed assistance programs.

**Article 7**  
Transparency measures

1. Each State Party shall report to the Secretary-General of the United Nations as soon as practicable, and in any event not later than 180 days after the entry into force of this Convention for that State Party on:
- a) The national implementation measures referred to in Article 9;
  - b) The total of all stockpiled anti-personnel mines owned or possessed by it, or under its jurisdiction or control, to include a breakdown of the type, quantity and, if possible, lot numbers of each type of anti-personnel mine stockpiled;
  - c) To the extent possible, the location of all mined areas that contain, or are suspected to contain, anti-personnel mines under its jurisdiction or control, to include as much detail as possible regarding the type and quantity of each type of anti-personnel mine in each mined area and when they were emplaced;
  - d) The types, quantities and, if possible, lot numbers of all anti-personnel mines retained or transferred for the development of and training in mine detection, mine clearance or mine destruction techniques, or transferred for the purpose of destruction, as well as the institutions authorized by a State Party to retain or transfer anti-personnel mines, in accordance with Article 3;

- e) The status of programs for the conversion or de-commissioning of anti-personnel mine production facilities;
  - f) The status of programs for the destruction of anti-personnel mines in accordance with Articles 4 and 5, including details of the methods which will be used in destruction, the location of all destruction sites and the applicable safety and environmental standards to be observed;
  - g) The types and quantities of all anti-personnel mines destroyed after the entry into force of this Convention for that State Party, to include a breakdown of the quantity of each type of anti-personnel mine destroyed, in accordance with Articles 4 and 5, respectively, along with, if possible, the lot numbers of each type of anti-personnel mine in the case of destruction in accordance with Article 4;
  - h) The technical characteristics of each type of anti-personnel mine produced, to the extent known, and those currently owned or possessed by a State Party, giving, where reasonably possible, such categories of information as may facilitate identification and clearance of anti-personnel mines; at a minimum, this information shall include the dimensions, fusing, explosive content, metallic content, colour photographs and other information which may facilitate mine clearance; and
  - i) The measures taken to provide an immediate and effective warning to the population in relation to all areas identified under paragraph 2 of Article 5.
2. The information provided in accordance with this Article shall be updated by the States Parties annually, covering the last calendar year, and reported to the Secretary-General of the United Nations not later than 30 April of each year.
  3. The Secretary-General of the United Nations shall transmit all such reports received to the States Parties.

### **Article 8** Facilitation and clarification of compliance

1. The States Parties agree to consult and cooperate with each other regarding the implementation of the provisions of this Convention, and to work together in a spirit of cooperation to facilitate compliance by States Parties with their obligations under this Convention.

2. If one or more States Parties wish to clarify and seek to resolve questions relating to compliance with the provisions of this Convention by another State Party, it may submit, through the Secretary-General of the United Nations, a Request for Clarification of that matter to that State Party. Such a request shall be accompanied by all appropriate information. Each State Party shall refrain from unfounded Requests for Clarification, care being taken to avoid abuse. A State Party that receives a Request for Clarification shall provide, through the Secretary-General of the United Nations, within 28 days to the requesting State Party all information which would assist in clarifying this matter.
3. If the requesting State Party does not receive a response through the Secretary-General of the United Nations within that time period, or deems the response to the Request for Clarification to be unsatisfactory, it may submit the matter through the Secretary-General of the United Nations to the next Meeting of the States Parties. The Secretary-General of the United Nations shall transmit the submission, accompanied by all appropriate information pertaining to the Request for Clarification, to all States Parties. All such information shall be presented to the requested State Party which shall have the right to respond.
4. Pending the convening of any meeting of the States Parties, any of the States Parties concerned may request the Secretary-General of the United Nations to exercise his or her good offices to facilitate the clarification requested.
5. The requesting State Party may propose through the Secretary-General of the United Nations the convening of a Special Meeting of the States Parties to consider the matter. The Secretary-General of the United Nations shall thereupon communicate this proposal and all information submitted by the States Parties concerned, to all States Parties with a request that they indicate whether they favour a Special Meeting of the States Parties, for the purpose of considering the matter. In the event that within 14 days from the date of such communication, at least one-third of the States Parties favours such a Special Meeting, the Secretary-General of the United Nations shall convene this Special Meeting of the States Parties within a further 14 days. A quorum for this Meeting shall consist of a majority of States Parties.
6. The Meeting of the States Parties or the Special Meeting of the States Parties, as the case may be, shall first determine whether to consider the matter further, taking into account all information submitted by the States Parties concerned. The Meeting of the States Parties or the Special Meeting of the States Parties shall make every effort to reach a decision by consensus. If despite all efforts to that end no agreement has been reached, it shall take this decision by a majority of States Parties present and voting.

7. All States Parties shall cooperate fully with the Meeting of the States Parties or the Special Meeting of the States Parties in the fulfilment of its review of the matter, including any fact-finding missions that are authorized in accordance with paragraph 8.
8. If further clarification is required, the Meeting of the States Parties or the Special Meeting of the States Parties shall authorize a fact-finding mission and decide on its mandate by a majority of States Parties present and voting. At any time the requested State Party may invite a fact-finding mission to its territory. Such a mission shall take place without a decision by a Meeting of the States Parties or a Special Meeting of the States Parties to authorize such a mission. The mission, consisting of up to 9 experts, designated and approved in accordance with paragraphs 9 and 10, may collect additional information on the spot or in other places directly related to the alleged compliance issue under the jurisdiction or control of the requested State Party.
9. The Secretary-General of the United Nations shall prepare and update a list of the names, nationalities and other relevant data of qualified experts provided by States Parties and communicate it to all States Parties. Any expert included on this list shall be regarded as designated for all fact-finding missions unless a State Party declares its non-acceptance in writing. In the event of non-acceptance, the expert shall not participate in fact-finding missions on the territory or any other place under the jurisdiction or control of the objecting State Party, if the non-acceptance was declared prior to the appointment of the expert to such missions.
10. Upon receiving a request from the Meeting of the States Parties or a Special Meeting of the States Parties, the Secretary-General of the United Nations shall, after consultations with the requested State Party, appoint the members of the mission, including its leader. Nationals of States Parties requesting the fact-finding mission or directly affected by it shall not be appointed to the mission. The members of the fact-finding mission shall enjoy privileges and immunities under Article VI of the Convention on the Privileges and Immunities of the United Nations, adopted on 13 February 1946.
11. Upon at least 72 hours notice, the members of the fact-finding mission shall arrive in the territory of the requested State Party at the earliest opportunity. The requested State Party shall take the necessary administrative measures to receive, transport and accommodate the mission, and shall be responsible for ensuring the security of the mission to the maximum extent possible while they are on territory under its control.
12. Without prejudice to the sovereignty of the requested State Party, the fact-finding mission may bring into the territory of the requested State Party the necessary equipment which shall be used exclusively for gathering information on the alleged

compliance issue. Prior to its arrival, the mission will advise the requested State Party of the equipment that it intends to utilize in the course of its fact-finding mission.

13. The requested State Party shall make all efforts to ensure that the fact-finding mission is given the opportunity to speak with all relevant persons who may be able to provide information related to the alleged compliance issue.
14. The requested State Party shall grant access for the fact-finding mission to all areas and installations under its control where facts relevant to the compliance issue could be expected to be collected. This shall be subject to any arrangements that the requested State Party considers necessary for:
  - a) The protection of sensitive equipment, information and areas;
  - b) The protection of any constitutional obligations the requested State Party may have with regard to proprietary rights, searches and seizures, or other constitutional rights; or
  - c) The physical protection and safety of the members of the fact-finding mission.

In the event that the requested State Party makes such arrangements, it shall make every reasonable effort to demonstrate through alternative means its compliance with this Convention.

15. The fact-finding mission may remain in the territory of the State Party concerned for no more than 14 days, and at any particular site no more than 7 days, unless otherwise agreed.
16. All information provided in confidence and not related to the subject matter of the fact-finding mission shall be treated on a confidential basis.
17. The fact-finding mission shall report, through the Secretary-General of the United Nations, to the Meeting of the States Parties or the Special Meeting of the States Parties the results of its findings.
18. The Meeting of the States Parties or the Special Meeting of the States Parties shall consider all relevant information, including the report submitted by the fact-finding mission, and may request the requested State Party to take measures to address the compliance issue within a specified period of time. The requested State Party shall report on all measures taken in response to this request.

19. The Meeting of the States Parties or the Special Meeting of the States Parties may suggest to the States Parties concerned ways and means to further clarify or resolve the matter under consideration, including the initiation of appropriate procedures in conformity with international law. In circumstances where the issue at hand is determined to be due to circumstances beyond the control of the requested State Party, the Meeting of the States Parties or the Special Meeting of the States Parties may recommend appropriate measures, including the use of cooperative measures referred to in Article 6.
20. The Meeting of the States Parties or the Special Meeting of the States Parties shall make every effort to reach its decisions referred to in paragraphs 18 and 19 by consensus, otherwise by a two-thirds majority of States Parties present and voting.

#### **Article 9**

##### National implementation measures

Each State Party shall take all appropriate legal, administrative and other measures, including the imposition of penal sanctions, to prevent and suppress any activity prohibited to a State Party under this Convention undertaken by persons or on territory under its jurisdiction or control.

#### **Article 10**

##### Settlement of disputes

1. The States Parties shall consult and cooperate with each other to settle any dispute that may arise with regard to the application or the interpretation of this Convention. Each State Party may bring any such dispute before the Meeting of the States Parties.
2. The Meeting of the States Parties may contribute to the settlement of the dispute by whatever means it deems appropriate, including offering its good offices, calling upon the States parties to a dispute to start the settlement procedure of their choice and recommending a time-limit for any agreed procedure.

3. This Article is without prejudice to the provisions of this Convention on facilitation and clarification of compliance.

**Article 11**  
Meetings of the States Parties

1. The States Parties shall meet regularly in order to consider any matter with regard to the application or implementation of this Convention, including:
  - a) The operation and status of this Convention;
  - b) Matters arising from the reports submitted under the provisions of this Convention;
  - c) International cooperation and assistance in accordance with Article 6;
  - d) The development of technologies to clear anti-personnel mines;
  - e) Submissions of States Parties under Article 8; and
  - f) Decisions relating to submissions of States Parties as provided for in Article 5.
2. The First Meeting of the States Parties shall be convened by the Secretary-General of the United Nations within one year after the entry into force of this Convention. The subsequent meetings shall be convened by the Secretary-General of the United Nations annually until the first Review Conference.
3. Under the conditions set out in Article 8, the Secretary-General of the United Nations shall convene a Special Meeting of the States Parties.
4. States not parties to this Convention, as well as the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations may be invited to attend these meetings as observers in accordance with the agreed Rules of Procedure.



**Article 12**  
Review Conferences

1. A Review Conference shall be convened by the Secretary-General of the United Nations five years after the entry into force of this Convention. Further Review Conferences shall be convened by the Secretary-General of the United Nations if so requested by one or more States Parties, provided that the interval between Review Conferences shall in no case be less than five years. All States Parties to this Convention shall be invited to each Review Conference.
2. The purpose of the Review Conference shall be:
  - a) To review the operation and status of this Convention;
  - b) To consider the need for and the interval between further Meetings of the States Parties referred to in paragraph 2 of Article 11;
  - c) To take decisions on submissions of States Parties as provided for in Article 5; and
  - d) To adopt, if necessary, in its final report conclusions related to the implementation of this Convention.
3. States not parties to this Convention, as well as the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations may be invited to attend each Review Conference as observers in accordance with the agreed Rules of Procedure.

**Article 13**  
Amendments

1. At any time after the entry into force of this Convention any State Party may propose amendments to this Convention. Any proposal for an amendment shall be communicated to the Depositary, who shall circulate it to all States Parties and shall seek their views on whether an Amendment Conference should be convened to consider the proposal. If a majority of the States Parties notify the Depositary no later than 30 days after its circulation that they support further consideration of the proposal, the

Depositary shall convene an Amendment Conference to which all States Parties shall be invited.

2. States not parties to this Convention, as well as the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations may be invited to attend each Amendment Conference as observers in accordance with the agreed Rules of Procedure.
3. The Amendment Conference shall be held immediately following a Meeting of the States Parties or a Review Conference unless a majority of the States Parties request that it be held earlier.
4. Any amendment to this Convention shall be adopted by a majority of two-thirds of the States Parties present and voting at the Amendment Conference. The Depositary shall communicate any amendment so adopted to the States Parties.
5. An amendment to this Convention shall enter into force for all States Parties to this Convention which have accepted it, upon the deposit with the Depositary of instruments of acceptance by a majority of States Parties. Thereafter it shall enter into force for any remaining State Party on the date of deposit of its instrument of acceptance.

#### **Article 14**

##### **Costs**

1. The costs of the Meetings of the States Parties, the Special Meetings of the States Parties, the Review Conferences and the Amendment Conferences shall be borne by the States Parties and States not parties to this Convention participating therein, in accordance with the United Nations scale of assessment adjusted appropriately.
2. The costs incurred by the Secretary-General of the United Nations under Articles 7 and 8 and the costs of any fact-finding mission shall be borne by the States Parties in accordance with the United Nations scale of assessment adjusted appropriately.

#### **Article 15**

##### **Signature**

This Convention, done at Oslo, Norway, on 18 September 1997, shall be open for signature at Ottawa, Canada, by all States from 3 December 1997 until 4 December 1997, and at the United Nations Headquarters in New York from 5 December 1997 until its entry into force.

#### **Article 16**

##### **Ratification, acceptance, approval or accession**

1. This Convention is subject to ratification, acceptance or approval of the Signatories.
2. It shall be open for accession by any State which has not signed the Convention.
3. The instruments of ratification, acceptance, approval or accession shall be deposited with the Depositary.

#### **Article 17**

##### **Entry into force**

1. This Convention shall enter into force on the first day of the sixth month after the month in which the 40th instrument of ratification, acceptance, approval or accession has been deposited.
2. For any State which deposits its instrument of ratification, acceptance, approval or accession after the date of the deposit of the 40th instrument of ratification, acceptance, approval or accession, this Convention shall enter into force on the first day of the sixth month after the date on which that State has deposited its instrument of ratification, acceptance, approval or accession.

#### **Article 18**

##### **Provisional application**

Any State may at the time of its ratification, acceptance, approval or accession, declare that it will apply provisionally paragraph 1 of Article 1 of this Convention pending its entry into force.

**Article 19**  
Reservations

The Articles of this Convention shall not be subject to reservations.

**Article 20**  
Duration and withdrawal

1. This Convention shall be of unlimited duration.
2. Each State Party shall, in exercising its national sovereignty, have the right to withdraw from this Convention. It shall give notice of such withdrawal to all other States Parties, to the Depositary and to the United Nations Security Council. Such instrument of withdrawal shall include a full explanation of the reasons motivating this withdrawal.
3. Such withdrawal shall only take effect six months after the receipt of the instrument of withdrawal by the Depositary. If, however, on the expiry of that six-month period, the withdrawing State Party is engaged in an armed conflict, the withdrawal shall not take effect before the end of the armed conflict.
4. The withdrawal of a State Party from this Convention shall not in any way affect the duty of States to continue fulfilling the obligations assumed under any relevant rules of international law.

**Article 21**  
Depositary

The Secretary-General of the United Nations is hereby designated as the Depositary of this Convention.

**Article 22**  
Authentic texts

The original of this Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

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