

THE ANTI-PERSONNEL MINE BAN CONVENTION

TWENTY YEARS OF SAVING LIVES AND LIMBS
AND REDUCING CIVILIAN SUFFERING

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M. Di Lauro/ICRC

Twenty years after its adoption, the 1997 Anti-Personnel Mine Ban Convention has an impressive record of success. The Convention is saving lives and limbs and furthering the goal of a world free of anti-personnel (AP) mines. This is the situation today:

- 163 States – that is over three-quarters of all States – are party to the Convention.
- New use of AP mines by States, even those not yet party, is rare.
- The international trade in AP mines has virtually ceased.
- More than 53 million stockpiled AP mines have been destroyed.
- The annual rate of new mine casualties has declined dramatically over the last two decades.
- Each year, humanitarian mine-clearance operations are clearing several hundred square kilometres of land, destroying several hundred thousand mines in the process.

The goal of a world free of AP mines is within reach, but there are challenges remaining. In 2014, the States Parties committed to addressing these challenges by aspiring to meet the key goals of the Convention by 2025. To this end, they adopted the Maputo Action Plan; with determined implementation of this ambitious plan and sustained resources that aspiration can be realized.¹

UNIVERSALIZING THE AP MINE BAN CONVENTION AND ITS NORMS

ACHIEVEMENTS

Today, 163 States are party to the Anti-Personnel Mine Ban Convention, Sri Lanka being the latest State to accede, on 13 December 2017. This wide level of adherence has had a decisive, global impact. Once widespread in armed conflicts, new use of AP mines is a rare occurrence, with most of the 34 States that remain outside the treaty adhering to the norm of non-use. The legal trade in AP mines has virtually disappeared. Of the more than 50 States that at some point produced AP mines, 41 have ended their production of these weapons.²

REMAINING CHALLENGES

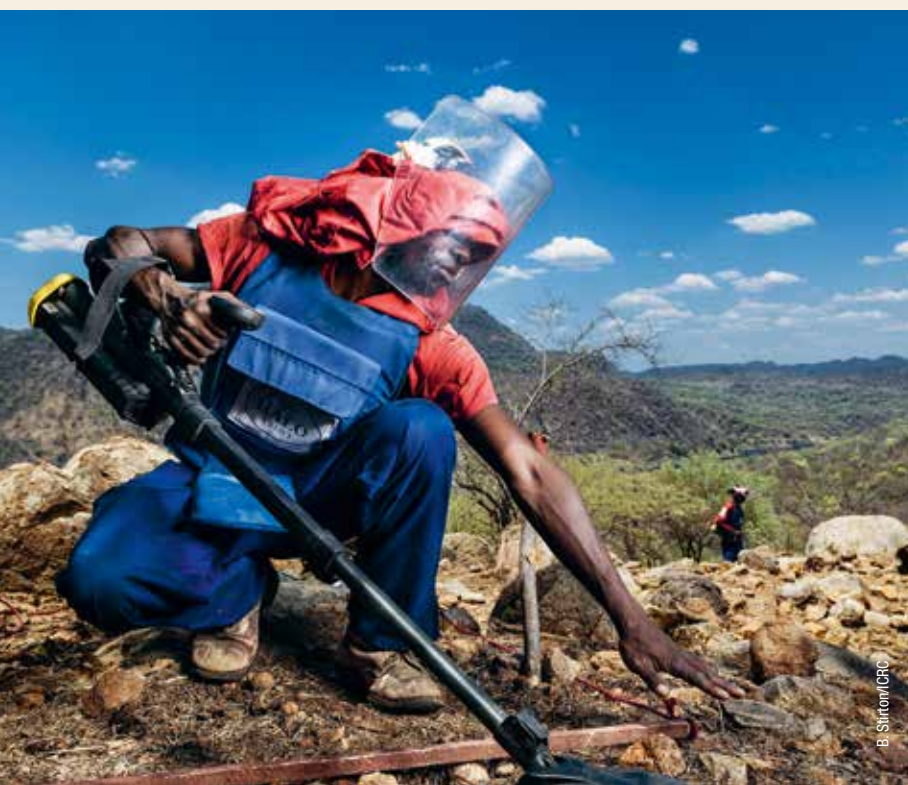
Thirty-four States remain outside of the Convention, several of which hold large stockpiles of AP mines. Another challenge is the continued use of AP mines, particularly improvised mines, by some non-State armed groups. These devices are reportedly taking a heavy toll on civilians in a number of countries, such as Afghanistan, Iraq, Nigeria, Syria, Ukraine and Yemen.³

Although the annual number of new mine victims recorded between 1999 and 2013 had steadily declined, there has been a sharp rise in recent years, notably due to new use of AP mines in ongoing conflicts. The Landmine Monitor reported that in 2016 there were 8,605 new recorded casualties of mines and explosive remnants of war – up from 6,461 in 2015 and 3,695 in 2014.⁴

WHAT NEEDS TO BE DONE?

The Maputo Action Plan commits the States Parties to a range of actions to universalize the Convention, including:

- Promote adherence to the Convention among States that have not yet joined, invite those States to participate in the Convention's meetings and inform them of practical steps taken by others to advance the Convention's goals, such as national commitments not to use, produce or transfer AP mines, or to destroy stockpiles.
- Continue to promote universal acceptance of the Convention's norms and objectives, condemn their violation and take appropriate steps to end the use, stockpiling, production and transfer of AP mines by any actor, including non-State armed groups.
- When providing assistance to States not party to the Convention, give specific consideration to those that have committed, in principle, to the Convention's goals.



A HALO Trust deminer at work in Mozambique



M. Koko/ICRC

An explosion during a demining operation in Afghanistan

STOCKPILE DESTRUCTION

WHAT ARE THE CONVENTION'S STOCKPILE DESTRUCTION REQUIREMENTS?

The Convention requires each State Party to destroy any stockpiles of AP mines that it possesses within four years of becoming a party to the treaty (Article 4).

ACHIEVEMENTS

The destruction of stockpiled AP mines has proceeded in line with the Convention's requirements. Nearly all the States Parties that possessed AP mines have now eliminated their stores of these weapons. In total, more than 53 million AP mines have been destroyed since 1997.⁵ Today, only three State Parties have remaining stockpiles of AP mines.⁶

Belarus, which had declared a stockpile of 3.4 million AP mines when it joined the Convention in 2004, and had been unable to meet its 2008 deadline, announced in 2017 that the destruction and elimination of all its stockpiles had been completed.

REMAINING CHALLENGES

Two States Parties – Greece and Ukraine – have missed their four-year stockpile destruction deadlines, which expired respectively in 2008 and 2010. Together, they are reported to possess some 5.5 million AP mines.⁷

WHAT NEEDS TO BE DONE?

The Maputo Action Plan commits the States Parties to a range of actions to achieve stockpile destruction obligations, including:

- Each State Party that has missed its deadline for destroying its AP mine stockpiles must have a plan in place to meet its Article 4 obligations and keep the States Parties apprised of the plan's implementation.
- Each State Party still in the process of destroying its stockpiled AP mines in accordance with Article 4 will inform the States Parties of its plans to fulfil its obligations in this area, the progress made and any challenges encountered.⁸



An ICRC weapon-clearance expert removes an explosive device from a school in Ramadi, Iraq.

MINE CLEARANCE

WHAT ARE THE CONVENTION'S MINE CLEARANCE REQUIREMENTS?

The Convention requires each State Party to clear AP-mine-contaminated areas under its jurisdiction or control as soon as possible but no later than ten years after it adheres to the Convention (Article 5). It also requires them to take interim measures to protect civilians until clearance occurs, specifically for mine-affected areas to be perimeter-marked, monitored and protected by fencing or other means to ensure the exclusion of civilians.

Recognizing that some States are heavily contaminated by AP mines, the Convention allows the ten-year clearance deadline to be extended for up to ten additional years. The request for an extension is made to the annual Meeting of States Parties, which can grant and set the terms of the extension.

ACHIEVEMENTS

Since the Convention's adoption, thousands of square kilometres have been cleared of AP mines. Thirty States Parties that had areas known or suspected to contain AP mines have reported that they have met their obligations and cleared all AP-mined areas under their jurisdiction or control.⁹ In 2016, some 170 square kilometres were cleared and over 232,000 AP mines destroyed in the process.¹⁰ The methods and means of identifying, clearing and releasing areas known or suspected to contain AP mines have improved over the life of the Convention; today there are valuable standards and tools available to help affected States ensure these activities are conducted in an efficient and effective manner.

REMAINING CHALLENGES

At least 30 States Parties are contaminated by AP mines and remain under the obligation to clear these areas.¹¹ Most of them have had their original ten-year deadlines extended, as the Convention allows. However, a number of them are reportedly not on track to meet their new deadlines.

WHAT NEEDS TO BE DONE?

The Maputo Action Plan commits mine-affected States Parties to a range of actions to achieve mine clearance, including:

- Undertake all reasonable efforts to quantify and qualify their remaining clearance challenges as soon as possible and report this information annually to the States Parties.
- Ensure that the most relevant land-release standards, policies and methodologies, in line with the International Mine Action Standards, are in place and applied.
- Provide mine risk reduction and education programmes as part of broader risk assessment activities targeting the most at-risk populations.

In addition, all States Parties will apply the recommendations adopted at the 12th Meeting of States Parties in 2012 to ensure that high-quality requests for extended mine-clearance deadlines continue to be submitted, that high-quality analyses of these requests continue to be prepared and that co-operative engagement of States Parties that are implementing Article 5 continues after requests have been granted.

A Cambodian Red Cross Society volunteer visits a mine victim who is included in an ICRC microeconomic initiative.



VICTIM ASSISTANCE

WHAT ARE THE CONVENTION'S VICTIM ASSISTANCE REQUIREMENTS?

The Convention requires all States Parties that have the means to do so to provide assistance to States which have mine victims in areas under their jurisdiction or control by offering resources for the care, rehabilitation and socio-economic reintegration of mine victims (Article 6(3)). This assistance can be provided directly to the affected State or indirectly through the United Nations, the International Red Cross and Red Crescent Movement, non-governmental organizations or other actors.

ACHIEVEMENTS

There has been a general improvement in the capacity of the States Parties to collect data and gain a clearer understanding of the needs of victims. Of the 31 State Parties that report having significant numbers of mine victims, 20 have active assistance coordination mechanisms or disability coordination mechanisms in place with a view to increasing the availability and accessibility of services.¹² Of those 31 States, 13 have national victim assistance or disability plans in place with objectives that identify the needs and promote the rights of victims.¹³ In 17 of the 20 States Parties with victim assistance coordination mechanisms, the coordination work involves some form of mine survivor participation or consultation.¹⁴

Mine victims themselves play a key role in implementing programmes and providing services in at least 25 States Parties, including needs assessment data collection, physical rehabilitation, peer support and referral, and income-generating projects.¹⁵ Many also continue to be active in their countries in promoting adherence to and implementation of the AP Mine Ban Convention, the Convention on Cluster Munitions, the Convention on the Rights of Persons with Disabilities and other relevant instruments.

REMAINING CHALLENGES

A number of States Parties with significant numbers of mine victims do not have a national plan or coordination mechanism plan in place. Several plans that were previously in force have expired and have not yet been renewed. Access to services for those in remote areas also remains a challenge. Roughly half of the States Parties with significant numbers of mine victims have ongoing armed conflicts on their territory, or are facing human humanitarian emergencies or internal instability, disrupting services and accessibility for mine victims.¹⁶

WHAT NEEDS TO BE DONE?

The Maputo Action Plan commits each State Party with mine victims under its jurisdiction or control to take a range of actions, including:

- Assess the needs of mine victims, evaluate the availability and gaps in services, and support efforts to make referrals to existing services.
- Enhance plans, policies and legal frameworks.
- Increase availability of and accessibility to rehabilitation services, economic inclusion opportunities and social protection measures.
- Strengthen local capacities and enhance coordination.
- Communicate to the States Parties time-bound and measurable objectives annually.
- Report on the improvements made in these areas and the challenges that remain.



ICRC employees put up a warning sign: “Danger: mines. Do not leave the road” along the highway connecting Donetsk to Mariupol, Ukraine.

INTERNATIONAL COOPERATION AND ASSISTANCE

WHAT DOES THE CONVENTION SAY ABOUT SUPPORT FOR ITS IMPLEMENTATION?

Article 6 of the Convention recognizes the right of each State Party to seek and receive assistance from other States Parties in order to help them implement the Convention’s obligations. In parallel, each State Party in a position to do so must provide assistance to help advance the Convention’s victim assistance, mine clearance and stockpile destruction requirements. Such assistance is not limited to financial support but can also include the provision of equipment, expertise, experience and personnel.

ACHIEVEMENTS

Significant resources have been devoted to helping States implement their mine clearance, stockpile destruction and victim assistance requirements. Hundreds of millions of US dollars have been contributed annually. Approximately US\$ 352 million of international support was provided in 2015.¹⁷ The majority of this, some 64%, went to clearance and risk education programmes, while 7% was directed to victim assistance, 1% to stockpile destruction, and the remainder to capacity-building and other related action.¹⁸ Importantly, some 14 affected States have contributed more than US\$ 130 million to their own national mine action programmes.¹⁹

REMAINING CHALLENGES

Overall, international contributions for mine action have steadily decreased since 2013. This has hindered progress in some affected States, in particular in the areas of clearance and victim assistance. The vast majority of international funding comes from just a small group of donor countries. National support, which had generally remained close to US\$ 200 million since 2011, fell to US\$ 130 million in 2015.

WHAT NEEDS TO BE DONE?

The Maputo Action Plan aims to significantly improve cooperation between States seeking assistance and those in a position to provide it through a range of actions, including:

- States seeking assistance commit to demonstrate high-level national ownership in fulfilling their obligations under the Convention.
- All States Parties in a position to provide assistance commit to use all possible avenues to support the States Parties that need aid to implement their obligations under the Convention.
- States in a position to provide assistance and those seeking to receive it will explore direct partnerships to advance the Convention’s implementation, which can include multi-year financial commitments.
- All States Parties will develop and promote bilateral, regional and international cooperation, including South–South cooperation.

CONCLUDING OBSERVATIONS

The 1997 Anti-Personnel Mine Ban Convention has made a crucial difference in the lives of countless civilians worldwide, reducing the suffering caused by AP mines and largely preventing the emergence of new victims. It has established a humanitarian action plan to destroy stockpiled mines, clear mined lands, assist mine victims and mobilize resources through cooperative partnerships between governments, international organizations and civil society.

Twenty years on, the progress made by the States Parties in all of these areas of “mine action” is resounding, but the job is not yet done. In setting a goal to accomplish, by 2025, the key obligations of the Convention, the States Parties have shown a collective determination to bring about a world free of AP mines as a matter of urgency. Achieving this goal, and overcoming the remaining challenges, will require enhanced cooperation and efficient use of resources by all States Parties. The allocation of resources is particularly important, especially dedicated funding for victim assistance, as their needs are long-term and many victims will require lifelong support.

Achieving these objectives will be possible thanks to the remarkable partnership between States, international organizations and civil society which led to the adoption of the Convention 20 years ago and has been instrumental in the Convention’s success until now. This partnership must continue to be the foundation of all future efforts to rid the world of anti-personnel mines once and for all.

A victim of an anti-personnel mine in Bosnia-Herzegovina





Iraqi Mine Clearance Organization deminers pack up their equipment after practising clearance procedures.

END NOTES

- 1 Maputo Action Plan, adopted 27 June 2014: <https://www.maputoreviewconference.org/fileadmin/APMBC-RC3/3RC-Maputo-action-plan-adopted-27Jun2014.pdf>, all web addresses accessed January 2018.
- 2 International Campaign to Ban Landmines, *Landmine Monitor 2017* report, p. 19.
- 3 *Ibid.* pp. 1 and 8.
- 4 *Ibid.* p. 51. Greater availability of casualty data in other conflicts is also a factor.
- 5 *Ibid.* p. 3.
- 6 Greece and Ukraine missed their four-year deadline to destroy all stockpiles, while the deadlines for Oman and Sri Lanka have not yet passed: <https://www.apminebanconvention.org/status-of-the-convention/destroying-stockpiled-mines>.
- 7 See note 2 above, p. 4.
- 8 If a State Party discovers previously unknown stockpiles after its destruction deadline has passed it must inform the States Parties as soon as possible and destroy them as an urgent priority but no later than six months after the report of their discovery (Action 7 of the Maputo Action Plan).
- 9 A complete list of States is available at <https://www.apminebanconvention.org/contexte-et-etat-de-la-convention/deminage-des-zones-minees/states-parties-that-have-completed-article-5>.
- 10 See note 2 above, p. 2.
- 11 *Ibid.* pp. 39–41.
- 12 *Ibid.* pp. 66 and 71.
- 13 *Ibid.*
- 14 *Ibid.*
- 15 International Campaign to Ban Landmines, *Landmine Monitor 2016* report, p. 61, footnote 81.
- 16 *Ibid.* p. 62.
- 17 International Campaign to Ban Landmines, *Global Support for Mine Action* factsheet, June 2017.
- 18 *Ibid.*
- 19 *Ibid.*