

LANDMINE MONITOR FACT SHEET



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Prepared by Human Rights Watch

Mines with Sensitive Fuzes and Sensitive Antihandling Devices (Article 2)

May 2006

Since the conclusion of the negotiations of the Mine Ban Treaty, many States Parties, the ICBL, and the ICRC have emphasized that, according to the treaty's definitions, any mine (even if it is labeled as an antivehicle mine (AVM)) equipped with a fuze or antihandling device (AHD) that causes the mine to explode from an unintentional or innocent act of a person is considered to be an antipersonnel mine and therefore prohibited. However, for a small number of States Parties this remains a contentious issue. The way that States Parties agree—or disagree—on what mines are banned may have a significant impact on how the Mine Ban Treaty is implemented and universalized.

Stated Positions on Mine with Sensitive Fuzes or Sensitive AHD

Support the view that any mine, despite its label or design intent, capable of being detonated by the unintentional act of a person is an AP mine and is prohibited.	Argentina, Australia, Austria, Bolivia, Brazil, Canada, Colombia, Estonia , Germany , Kenya, Ireland, Macedonia FYR , Mexico, Mozambique, Netherlands, New Zealand, Norway, Peru, Slovakia, Slovenia , South Africa, Switzerland, Yemen , Zambia
Support the view that the Mine Ban Treaty does not apply to AVM at all, regardless of their employment with sensitive fuzes or AHD.	Denmark, France, Japan, United Kingdom

Bolded country names indicate new information received by Landmine Monitor in late 2005 and 2006.

A growing number of States Parties have made their views known to Landmine Monitor in recent communications:

- **Germany** states that "antivehicle mines which can be actuated accidentally by the presence, proximity or contact of a person, have to be treated as antipersonnel mines, regardless of the question whether the detonation is caused by a sensitive fuze or sensitive antihandling device. From our point of view, such mines are thus prohibited."
- **Macedonia FYR** states that "antivehicle mines with antihandling devices or sensitive fuses are effectively APM banned under the Ottawa Convention."

- **Slovenia** states its position is “antivehicle mines equipped with antihandling devices, which activate when an attempt is made to tamper with or otherwise intentionally disturb antivehicle mines, and antivehicle mines with fusing devices, which cause mines to function as anti-personnel mines, fall under Article 2 of the Ottawa Convention and are thus prohibited by the Convention.”
- **Yemen** states that it supports the view that “any mine even if it is called an antivehicle mine equipped with a sensitive fuse or sensitive antihandling device that causes the mine to explode from an unintentional act of a person is considered to be an antipersonnel mine and therefore prohibited.”
- **Estonia** states that it is of the position that “mines equipped with a tripwire, breakwire, or tilt rod fuse should not be used.”
- **Albania** states that it “possesses stockpiles of antivehicle mines with sensitive fuses (break wires) and there are actually plans for their destruction and these mines are also currently used during the disposal of the old ammunition.”

There appears to be agreement, with some notable exceptions noted below, that a mine that relies on a tripwire, breakwire, or a tilt rod as its sole firing mechanism should be considered an antipersonnel mine. However, the **Czech Republic** has stated it does not consider the use of tripwires with an antivehicle mine to be a violation of the Mine Ban Treaty, and a Czech company has offered for sale mines with a tripwire fuze. The Czech Republic has also acknowledged possessing tilt rod fuzes, but has stated that the mines that are capable of using them are considered to be obsolete and will be retired with 15 years. **Croatia** has acknowledged that it stockpiles TMRP-6 mines with tilt rod fuzes that function at the level of 1.3 to 1.7 kilograms. **Slovenia**, while stating that antivehicle mines with fuzes that cause them to function as an antipersonnel mine are prohibited, has also acknowledged possessing TMRP-6 mines that are equipped with both pressure and tilt rod fuzes. **Sweden** acknowledges possessing antivehicle mines with tilt rods, but has not formally expressed a view on their legality under the Mine Ban Treaty.

Several States Parties have reported that they have removed from service and destroyed certain ordnance items that, when used with mines, can cause them to function as antipersonnel mines. **Belgium** has banned pressure and tension release firing devices (igniters) used as booby-traps. **France** has destroyed a number of unspecified pressure and tension release fuzes. **Germany** and **Slovakia** have retired and destroyed antilift mechanisms that could be attached to mines. **Slovakia** has prohibited the use of the Ro-3 fuze as an antihandling device. **Belarus** has committed to destroying MUV-type fuzes used as antihandling devices and booby-traps.