

International **TO BAN**
CAMPAIGN
LANDMINES

Landmine Monitor

Toward a Mine-Free World



**EXECUTIVE
SUMMARY
1999**

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Toward a Mine-Free World
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1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction

Table Key

States Parties: ratified the treaty as of 24 May 1999.

Signatories: signed but not ratified.

Non-Signatories: not yet signed.

The Americas

Bahamas	Antigua & Barbuda
Belize	Barbados
Canada	Bolivia
Dominica	Brazil
Grenada	Costa Rica
Honduras	Ecuador
Mexico	El Salvador
Panama	Guatemala
Peru	Jamaica
Saint Lucia	Nicaragua
Trinidad & Tobago	Paraguay
Argentina	St. Kitts & Nevis
Chile	Venezuela
Dominican Republic	Colombia
Guyana	Haiti
Suriname	St. Vincent & the Grenadines
Uruguay	
Cuba	United States

Europe, the Caucasus & Central Asia

Andorra	Austria	Belgium
Bosnia&Hercegovina	Bulgaria	Croatia
Denmark	France	Germany
Holy See	Hungary	Ireland
Macedonia	Iceland	Italy
Portugal	Monaco	Netherlands
Slovenia	San Marino	Norway
Switzerland	Spain	Slovakia
Albania	Turkmenistan	Sweden
Greece	Cyprus	United Kingdom
Liechtenstein	Lithuania	Czech Republic
Malta	Moldova	Luxembourg
Poland	Romania	Ukraine
Armenia	Azerbaijan	Belarus
Estonia	Finland	Georgia
Kazakhstan	Kyrgyzstan	Latvia
Russia	Tajikistan	Turkey
Uzbekistan	Yugoslavia	

Middle East & North Africa

Jordan	Qatar	Yemen
Algeria	Tunisia	Bahrain
Egypt	Iran	Iraq
Israel	Kuwait	Lebanon
Libya	Morocco	Oman
Saudi Arabia	Syria	United Arab Emirates

Sub-Saharan Africa

Benin	Burkina Faso	Djibouti
Equatorial Guinea	Chad	Lesotho
Malawi	Guinea	Mauritius
Mozambique	Mali	Niger
Senegal	Namibia	Swaziland
Uganda	South Africa	Angola
Botswana	Zimbabwe	Cameroon
Cape Verde	Burundi	Côte d'Ivoire
Ethiopia	Gabon	Gambia
Ghana	Guinea-Bissau	Kenya
Madagascar	Mauritania	Rwanda
Sao Tome & Principe	Seychelles	Sierra Leone
Sudan	Tanzania	Togo
Zambia	Central African Rep.	Comoros
Congo (Brazzaville)	Congo (Dem. Rep.)	Eritrea
Liberia	Nigeria	Somalia

East & South Asia & the Pacific

Australia	Fiji
Japan	Malaysia
Niue	New Zealand
Solomon Islands	Samoa
Bangladesh	Thailand
Cambodia	Brunei
Indonesia	Cook Islands
Maldives	Marshall Islands
Philippines	Vanuatu
Afghanistan	Bhutan
China	India
Kiribati	Korea, North
Korea, South	Laos
Micronesia	Mongolia
Myanmar/ Burma	Nauru
Nepal	Pakistan
Palau	Papua New Guinea
Singapore	Sri Lanka
Tonga	Tuvalu
Vietnam	

About Landmine Monitor

Landmine Monitor is an unprecedented initiative by the International Campaign to Ban Landmines (ICBL) to monitor implementation of and compliance with the 1997 Mine Ban Treaty, and more generally to assess the efforts of the international community to resolve the landmines crisis. It is the first time that non-governmental organizations are coming together in a coordinated, systematic and sustained way to monitor a humanitarian law or disarmament treaty, and to regularly document progress and problems.

The main elements of the Landmine Monitor system are a global reporting network, a central data base, and an annual report. *Landmine Monitor Report 1999: Toward a Mine-Free World* is the first such annual report. This is an Executive Summary of the full 1,100 page report, which contains information on every country of the world with respect to landmine ban policy, use, production, transfer, stockpiling, mine clearance, mine awareness, and survivor assistance. *Landmine Monitor Report 1999* also includes appendices with reports from major actors in the mine ban movement, such as key governments, UN agencies and the ICRC.

To prepare this report, Landmine Monitor had over eighty researchers gathering information in more than 100 countries. It is largely based on in-country research, collected by in-country researchers. Landmine Monitor has utilized the ICBL campaigning network, but has also drawn in other elements of civil society to help monitor and report, including journalists, academics and research institutions.

It should be understood that Landmine Monitor is not a technical verification system or a formal

inspection regime. It is an effort by civil society to hold governments accountable to the obligations that they have taken on with regard to antipersonnel mines; this is done through extensive collection, analysis and distribution of information that is publicly available.

Landmine Monitor is meant to complement the States Parties reporting required under Article 7 of the Mine Ban Treaty. It was created in the spirit of Article 7 and reflects the shared view that transparency and cooperation are essential elements to the successful elimination of antipersonnel mines. But it is also a recognition that there is a need for independent reporting and evaluation.

Landmine Monitor and its annual report aim to promote and facilitate discussion on mine-related issues, and to seek clarifications, in order to help reach the goal of a mine-free world. Landmine Monitor works in good faith to provide factual information about issues it is monitoring, in order to benefit the international community as a whole. It seeks to be critical but constructive in its analysis.

In June 1998 in Oslo, Norway, the ICBL formally agreed to create Landmine Monitor as an ICBL initiative. A Core Group was established to develop and coordinate the Landmine Monitor system and to produce its first report. The Core Group consists of Human Rights Watch, Handicap International, Kenya Coalition Against Landmines, Mines Action Canada, and Norwegian People's Aid. Overall responsibility for, and decision-making on, the Landmine Monitor system rests with the Core Group.

The content and work plan for the first annual report were agreed upon at a meeting in September 1998 in Dublin, Ireland. Research grants were awarded in late October, and final country reports were produced by 1 March 1999. Throughout March, a small team at Human Rights Watch edited and assembled the entire report. The report was printed during April and released at the First Meeting of States Parties to the 1997 Mine Ban Treaty in Maputo, Mozambique in early May 1999.

The first Landmine Monitor annual report has attempted to establish a baseline of information from which to measure progress in alleviating the landmine crisis. We faced a number of serious chal-



Landmine Monitor is the first time that non-governmental organizations are coming together in a coordinated, systematic and sustained way to monitor a treaty.



Mary Wareham

Left: Landmine Monitor researchers — Oslo, Norway, 3 March 1999

Challenges in producing the initial report, first and foremost time constraints. We particularly regret that the extremely tight time deadlines did not allow for full synthesis and analysis of the wealth of information gathered. This will be an ongoing task for Landmine Monitor.

Landmine Monitor acknowledges that this ambitious report has its shortcomings. It is to be viewed

as a work in progress, a system that will be continuously updated, corrected and improved. We welcome comments, clarifications, and corrections from governments and others, in the spirit of dialogue and in the search for accurate and reliable information on a difficult subject.

Banning Antipersonnel Mines

The achievement of the *Convention on the Prohibition of the Use, Stockpiling, Production, and Transfer of Anti-Personnel Mines and On Their Destruction*¹ has been hailed by UN Secretary-General Kofi Annan as “a landmark step in the history of disarmament” and “a historic victory for the weak and vulnerable of our world.”² Developed and negotiated in just one year’s time, signed by 122 nations in Ottawa, Canada in December 1997, it has been considered a remarkable achievement by most all observers. Yet those most closely involved, both outside and inside of government, were quick to point out that the work had just begun — mammoth tasks lay ahead, including rapid ratification by states to ensure early entry-into-force (befitting a global crisis) and universalization of the treaty (bringing recalcitrant states on board), as well as the most daunting undertakings of destroying the tens of millions of mines already in the ground, and providing adequate assistance to landmine survivors and mine-affected communities. More than a year later, it is clear that very substantial progress is being made. The world is embracing the new, emerging international norm against the antipersonnel mine (APM).

Universalization

One hundred and thirty-five countries have signed or acceded to the Mine Ban Treaty as of 31 March 1999, including 13 since the Ottawa signing conference on 3-4 December 1997. Those 13 are: Zambia, Belize, São Tomé and Príncipe, Bangladesh, Chad, Sierra Leone, Jordan, Albania, Macedonia (which acceded), Equatorial Guinea (which acceded), Maldives, Ukraine, and Lithuania. Considering the time that this issue has been before the international community, this number of signatories is exceptional. Bangladesh was the first South Asian nation to sign, Jordan the third Middle East nation, and Ukraine the second former Soviet republic. Ukraine has the world’s fifth largest stockpile of antipersonnel mines.

Every country in the Western Hemisphere has signed except the US and Cuba, every member of the European Union except Finland, every member of NATO except the US and Turkey, 40 of the 48 coun-

tries in Africa, and key Asian nations such as Japan, Thailand, and Indonesia. Heavily mine-affected states have signed, including Cambodia, Mozambique, Angola, Sudan, Ethiopia, Bosnia, and Croatia. Major past producers and exporters have signed, including Belgium, Bosnia, Bulgaria, Czech Republic, France, Hungary, Italy, and the United Kingdom.

Still, some fifty countries have not yet signed the treaty. This includes three of the five permanent members of the UN Security Council — the United States, Russia, and China. It includes most of the Middle East, most of the former Soviet republics, and many Asian nations. Major producers such the US, Russia, China, India and Pakistan are not part of the treaty. Afghanistan, Somalia, Iraq, and Eritrea are the most heavily mine affected countries that have not signed. For the first two, however, there is no internationally recognized government capable of signing.

Yet, virtually all of the non-signatories have endorsed the notion of a comprehensive ban on antipersonnel mines at some point in time, and many have already at least partially embraced the Mine Ban Treaty. The United States reversed policy and announced in May 1998 that it would sign the treaty — but only in 2006 and only if it is successful in developing alternatives to APMs. Russia has stated its “willingness to accede to this instrument in the foreseeable future.” China said in 1998 that it supports “the ultimate objective of comprehensive prohibition” of antipersonnel mines. Likewise, India said in 1998 that it “remains committed to the goal of the eventual elimination of landmines.”

Ratification³/Entry into Force

Seventy-one nations have ratified the Mine Ban Treaty as of 31 March 1999 — more than half the signatories. Article 17 provides that the treaty shall enter into force on the first day of the sixth month after the 40th instrument of ratification has been officially deposited. Burkina Faso became number forty on 16 September 1998, triggering an entry into force date of 1 March 1999. This is believed to be the fastest entry into force of any major treaty ever. The exceptional pace of ratification has been due largely to the First Forty campaign of the ICBL and

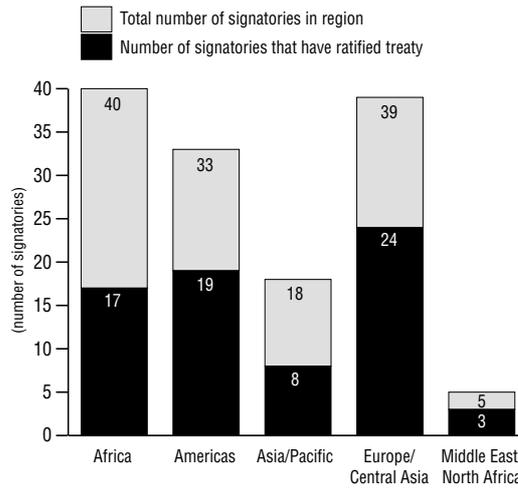


Robert Massis-LSN

Her Majesty, Queen Noor of Jordan

Thirteen countries have signed the treaty since 1997, including Jordan, Bangladesh and Ukraine.

RATIFICATION BY REGION



Nowhere in the world in 1998 and early 1999 were mines being laid on a very large scale and sustained basis.

dedicated efforts by the International Committee of the Red Cross (ICRC), UNICEF, and governments such as Canada and Norway.

Regionally, 17 of 40 signatories in Africa have ratified; 19 of 33 in the Americas; 8 of 18 in Asia/Pacific; 24 of 39 in Europe/Central Asia; and, 3 of 5 in Middle East/North Africa.

Statements and actions on the part of several signatory countries have raised the possibility that these nations are not committed to ratifying the treaty in the near future. Among them are: Angola, Guinea-Bissau, Rwanda, Sudan; Colombia; Bangladesh, Brunei; Greece, Lithuania, and Poland.

The Mine Ban Treaty is now binding international law. For the first forty nations that ratified, they are now required to report to the Secretary-General on their implementation measures by 27 August 1999 (Article 7), to destroy their stockpiled mines by 1 March 2003 (Article 4), and to destroy mines in the ground in territory under their jurisdiction and control by 1 March 2009 (Article 5).

For those who were not among the first forty ratifiers, the treaty enters into force on the first day of the sixth month after the date on which that State deposited its instrument of ratification. That State is then required to make its implementation report within 180 days, destroy stockpiled mines within four years, and destroy mines in the ground within 10 years.

Global Use of Antipersonnel Mines

Article 1. General Obligations. 1. Each State Party undertakes never under any circumstances: (a) To use 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.

The most disturbing finding of this first Landmine Monitor Report is that at least three treaty signatories, Angola, Guinea-Bissau, and Senegal, apparently used antipersonnel mines in 1998, after signing the treaty.

1998	1 June: Landmine Monitor established — Oslo, Norway
	15–18 September: Landmine Monitor meeting — Dublin, Ireland
	16 September: 40 th ratification (Burkina Faso)
	1–2 December: Landmine Monitor researchers meeting — Ottawa, Canada
	3–4 December: One year since Mine Ban Treaty opened for signature
	3 December: Amended landmines protocol of CCW enters into force
1999	1 March: Entry into force MBT
	2–3 March: Landmine Monitor researchers meeting — Oslo, Norway
	May: First annual report of Landmine Monitor released
	3–7 May: First meeting of States Parties — Maputo, Mozambique
2000	27 August: Deadline for states' reports to UN Secretary-General (Article 7, MBT)
	Second annual report of Landmine Monitor released
2001	Second meeting of States Parties in Geneva, Switzerland, 11–15 September
	Third annual report of Landmine Monitor released
2002	Third meeting of States Parties
	Second review conference of the CCW amended landmines protocol
2003	Fourth annual report of Landmine Monitor released
	Fourth meeting of States Parties
2008	1 March: Deadline for destruction of stockpiled antipersonnel mines (Article 4, MBT)
	Fifth annual report of Landmine Monitor released
2009	First review conference of MBT
	Second review conference of MBT
2009	Deadline for destruction of antipersonnel mines in mined areas (Article 5, MBT)

The current global landmine crisis is largely the result of the huge increase in the number of mines laid in the 1970s, 1980s and early 1990s. U.S. government mine experts in 1993 estimated that more than 65 million antipersonnel landmines were emplaced in the previous fifteen years, an average of more than four million per year.⁴ In the mid-1990s,

the United Nations and the US government estimated that some 2.5 million mines per year were being planted, while only 80,000 per year were being removed through mine clearance.⁵ The notion that mines were being laid at a much greater rate than being removed was one that few disputed.

Today, that notion apparently no longer holds true. In its 1998 *Hidden Killers* report, the U.S. State



Philip C. Winslow

Landmine survivors in Luena, Angola

Department said, "Landmines are not being planted at as high a rate as estimated in 1994, certainly well below 2.5 million each year. By most expert assessments, more landmines are in fact being taken out of the ground than are being planted."⁶ The US did not provide estimates of numbers laid or removed, but it appears that we have turned the tide in the battle against mines, and that it is possible to solve the AP mine crisis in years not decades.

As the country reports in this Landmine Monitor Report attest, *nowhere* in the world in 1998 and early 1999 were mines being laid on a very large scale and sustained basis. This is arguably attributable mainly to the global movement to ban the weapon and the stigmatization of its use. It is not a reflection of a decrease in global warfare, or of the development of a new weapon system to replace the APM in the arsenals of governments or guerrilla groups.

It seems certain, however, that at least three treaty signatories, Angola, Guinea-Bissau, and Senegal, used antipersonnel mines in 1998, after signing the treaty. Angola continues to use them to this day. While the ICBL condemns any use of AP mines, it is particularly appalled at these governments' disregard for their international commitments. Though Angola and Guinea-Bissau have not ratified the treaty, and it had not yet entered into force for Senegal,⁷ the use of mines by a signatory can be judged a breach of its international obligations. Under Article 18 of the Vienna Convention on the Law of Treaties, "a state is obliged to refrain from acts which would defeat the purpose of a treaty when...it has signed the treaty." Clearly, new use of mines defeats the purpose of the treaty. In the complicated conflict in the Democratic Republic of Congo, there have been allegations of other signatories and ratifiers using mines since December 1997, but none are confirmed, and all are denied by the accused governments: Rwanda, Uganda, and Zimbabwe. Though

Landmine Monitor is still gathering and assessing information, it appears likely that during the period December 1997 to March 1999, there was new use of antipersonnel mines in the following:

Africa

Angola: government and rebels

Djibouti: rebels

Guinea-Bissau: government, rebels, Senegalese forces

Somalia: various factions

Uganda: rebels

Americas

Colombia: various rebel groups

Asia-Pacific

Afghanistan: opposition forces

Burma: government and various rebel groups

Sri Lanka: government and rebels

Europe/Central Asia

Georgia: partisans (in Abkhazia)

Turkey: government and rebels

FR Yugoslavia: government and rebels

Middle East/North Africa

Lebanon: Israel and non-state actors in occupied south Lebanon

There have also been frequent allegations of new mine use in this period in: (1) Democratic Republic of Congo by government, rebels, and foreign armies (Angola, Rwanda, Uganda, Zimbabwe); (2) Eritrea by government forces; (3) Sudan by government and rebels; (4) Afghanistan by Taliban; (5) Cambodia, particularly by opposition forces; (6) Georgia by Abkhazian partisans; and (7) Tajikistan by rebels.

Global Production of Antipersonnel Mines

Article 1. General Obligations. 1. Each State Party undertakes never under any circumstances: (b) To develop, produce, otherwise acquire...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.

Landmine Monitor research did not uncover any evidence of new production of antipersonnel mines by treaty signatories. Treaty signatories Albania and Colombia were for the first time identified as producers, but both have stopped the manufacture of APMs.

In 1993 Human Rights Watch reported that, according to U.S. government estimates, global production of AP mines totaled at least 190 million antipersonnel mines for the twenty-five year period from 1968-1993, with the average declining to about five million per year in 1988-1993.⁸ While it is impossible to even estimate the number of mines produced in any one year, it seems certain that in recent years global production does not begin to approach five million APMs per year.

The number of APM producers has dropped dramatically, from 54 to 16. The 38 who have stopped production include a majority of the big producers in

The number of APM producers has dropped dramatically, from 54 to 16. The 38 who have stopped production include a majority of the big producers in the 1970s, 1980s, and early 1990s — those who bear much of the responsibility for the tens of millions of mines now in the ground.

the 1970s, 1980s, and early 1990s — those who bear much of the responsibility for the tens of millions of mines now in the ground. Eight of the twelve biggest producers and exporters over the past thirty years have signed the treaty and stopped production: Belgium, Bosnia, Bulgaria, Czech Republic, France, Hungary, Italy, and the United Kingdom.⁹ Other significant producers that have signed include Germany, Croatia, Chile, and Brazil.

Two non-signatories have stopped production: Israel (apparently in 1997) and Finland (in 1981). Of the 36 former producers who have signed the Mine Ban Treaty, seventeen had no production restrictions in place, even in terms of policy declarations, prior to signing the treaty.

Of the 16 who are still producers, eight are in Asia (Burma, China, India, North Korea, South Korea, Pakistan, Singapore, and Vietnam), three are in Europe (Russia, Turkey, FR Yugoslavia), three are in the Middle East (Egypt, Iran, Iraq), two are in the Americas (Cuba, US), and none are in Africa.

Several of the 16 producers have not actually manufactured AP mines in a number of years. They are still considered producers because they have

refused to institute moratoria or make formal statements against production. The United States for example has not produced for two years, and Singapore is not thought to have produced for several years.

Also notable is that Russia in 1998 banned production of “blast” mines — the most common type of mine that explodes from pressure. This would include the PMN mine, which, along with the Chinese Type 72, is the most frequently encountered mine around the world. The US has stopped production of all so-called dumb mines. As a result of the new restrictions in Protocol II of the Convention on Conventional Weapons (CCW), production of non-detectable mines by CCW states parties is stopping, which would include the Type 72 by China.

According to the information provided to Landmine Monitor researchers, none of the former Soviet republics, except Russia, are producing antipersonnel mines. It has been reported that Ukraine and Belarus and perhaps other republics inherited and utilized AP mine production facilities from the Soviet Union, but they all deny any new production since gaining independence.



Brad Guice

PMN antipersonnel mine

Eight of the twelve biggest producers and exporters over the past thirty years have signed the treaty and stopped production.

Antipersonnel Landmine Producers

TOTAL: 16 producers

Burma
China
Cuba
Egypt
India
Iran
Iraq
North Korea
South Korea
Pakistan
Russia
Singapore
Turkey
United States
Vietnam
FR Yugoslavia

Colombia
Croatia
Czech Republic
Denmark
Finland (treaty non-signatory)
France
Germany
Greece
Hungary
Israel (treaty non-signatory)
Italy
Japan
Netherlands
Nicaragua
Norway
Peru
Philippines
Poland
Portugal
Romania
South Africa
Spain
Sweden
Switzerland
Taiwan (treaty non-signatory)
Thailand
Uganda
United Kingdom
Zimbabwe

Former Antipersonnel Landmine Producers

TOTAL: 38 former producers

Albania
Argentina
Austria
Belgium
Bosnia
Brazil
Bulgaria
Canada
Chile

Others who have been identified as producers by US Government and others, but who deny current or past production: Belarus, Cyprus, Namibia, Ukraine, Venezuela.

Even though production has stopped in many countries, Landmine Monitor researchers could find little evidence that nations are engaging in “programmes for the conversion or de-commissioning of anti-personnel mine production facilities,” as called for in the Mine Ban Treaty.

Global Trade in Antipersonnel Mines

Article 1. General Obligations. 1. Each State Party undertakes never under any circumstances: (b) To...otherwise acquire,...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.

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....

2. The transfer of anti-personnel mines for the purpose of destruction is permitted.

Landmine Monitor research did not find evidence of antipersonnel mine exports or imports by treaty signatories, though some allegations have been made.

When the world began to turn its attention to the landmine crisis in earnest, the export of mines was readily identified as one of the fundamental underlying problems contributing to the crisis. With few exceptions (most notably the former Yugoslavia), the nations most affected by antipersonnel mines were not themselves producers. All of the mines had been supplied from the outside. This was true of Cambodia, Afghanistan, Mozambique, Angola, and more. Though in some of these cases the problem was not so much the export/import of mines as the use of mines by foreign forces, the international community quickly coalesced around the notion that halting the export of mines would be a major step forward in checking the landmine crisis. Thus, the first significant steps in the movement to ban mines, both on the national and international levels, dealt with export, notably the US export moratorium in 1992 (soon followed by France and others) and the United Nations call for formal export moratoria (UNGA Resolution 48/75 K of 16 December 1993).

Based on the information collected for Landmine Monitor, there are 34 nations that have exported antipersonnel landmines in the past. Today, all of those nations with the exception of Iraq have at the least made a formal statement that they are no longer exporting. Twenty-two have signed the treaty and thus stopped exporting (though many had unilateral restrictions in place prior to signing). Among non-signatories, one has an export ban in place (USA), four have a moratorium in place (Israel, Pakistan, Singapore and Russia), and six have made declaratory statements that they no longer export (China, Cuba, Egypt, Iran, Vietnam, FR Yugoslavia).¹⁰ It is possible, of course, that some of these nations

continue to export APMs despite their public policy pronouncements.

Landmine Monitor researchers have not identified a single significant shipment of antipersonnel mines from one nation to another in 1998 and early 1999. This does not mean that no AP mines have been transferred; there are great difficulties in tracking mine trade. But the findings (or lack thereof) are consistent with the observations of military specialists that in fact there have been no major mine shipments of APMs dating back some 4 years. A de facto global ban on export already seems to be in place; a norm against APM supply seems to already have taken hold. The days when a country like Italy would ship millions of mines to Iraq over the course of just a few years appear to be over.

Thus, when critics say that the Mine Ban Treaty does not include major mine exporters, they are wrong on two counts: there are no major exporters today, and most of the major exporters of the past have signed the treaty.

In 1998 and again in 1999 some nations are attempting to get agreement to begin negotiations on an antipersonnel mine transfer ban in the Conference on Disarmament. In 1998 Australian Ambassador John Campbell was appointed Special Coordinator to examine the possibility of the CD taking up a mine transfer ban. He could not find a consensus. Another attempt is being made in 1999. In February, twenty-two nations made a joint call for the CD to re-appoint a Special Coordinator, “with a view to the early establishment of an Ad Hoc Committee” to negotiate a mine transfer ban.¹¹ The 22 were: Argentina, Australia, Belgium, Bulgaria, Chile, Finland, France, Germany, Greece, Hungary, Italy, Japan, Poland, Romania, Russia, Slovakia, Spain, Turkey, Ukraine, United Kingdom, United States, Venezuela. The ICBL has expressed its strong opposition to such negotiations in the CD, believing that the potential negative impact far outweighs the potential benefits. Foremost, the ICBL has argued that a proliferation of international legal instruments on AP mines, particularly limited ones, undercuts the establishment of an international norm against any possession or use of AP mines. An ICBL position paper on this issue is available.¹²

Global Stockpiles of Antipersonnel Mines

Article 1. General Obligations. 1. Each State Party undertakes never under any circumstances:(b) To...acquire, stockpile, retain...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.

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

When critics say that the Mine Ban Treaty does not include major mine exporters, they are wrong on two counts: there are no major exporters today, and most of the major exporters of the past have signed the treaty.

Landmine Monitor estimates that there are more than 250 million antipersonnel mines stored in the arsenals of 108 countries. These mines must be destroyed before they have a chance to get into the ground.

Former Exporters of Antipersonnel Mines

Landmine Monitor has identified 34 countries that have exported antipersonnel mines in the past. All of these, with the exception of IRAQ, have halted exports either by virtue of having signed the Mine Ban Treaty (22), instituted a unilateral ban (1) or moratorium (4), or made a declarative statement of “no export” (6). It is, of course, possible that some of these nations continue to export APMs despite their public policy against it, but Landmine Monitor is not aware of any significant exports of antipersonnel mines in recent years.

Mine Ban Treaty Signatories

Argentina	Greece
Austria	Hungary
Belgium	Italy
Bosnia	Poland
Brazil	Portugal
Bulgaria	Romania
Canada	South Africa
Chile	Spain
Czech Republic	Sweden
France	United Kingdom
Germany	Zimbabwe

Note: Many treaty signatories already had unilateral export bans or moratoria in place.

Non-Signatories with Ban on Exports

United States

Non-Signatories with Moratorium on Exports

Israel
Russia (non-detectable, non-self-destruct only)
Pakistan
Singapore

Non-Signatories with Declaration of “No Export”

Iran
China (non-detectable, non-self-destruct only)
Vietnam
Cuba
FR Yugoslavia
Egypt

Known Exporters Without Export Moratorium or Declaration:

Iraq

Known Producers Without Export Moratorium or Declaration:

Burma, North Korea, Iraq

Producers (past and current) Not Known to Export:

Albania, Burma, Colombia, Croatia, Denmark, Finland, Japan, India, North Korea, South Korea, Netherlands, Nicaragua, Norway, Peru, Philippines, Poland, Switzerland, Taiwan, Thailand, Turkey, Uganda.

(Of these, Burma, Finland, India, Iraq, DPRK, ROK, Taiwan, Turkey are treaty non-signatories. Finland, India, ROK, Taiwan, and Turkey have comprehensive export moratoria in place).

four years after the entry into force of this Convention for that State Party.

In the past year, a good deal has been written about early over-estimates of the number of mines planted in the ground globally. Lost in that discussion is a fact that emerges from Landmine Monitor research: the common estimate of the number of antipersonnel mines stockpiled by nations (100 million) appears to be dramatically low.

Landmine Monitor estimates that there are more than 250 million antipersonnel mines stored in the arsenals of 108 countries. These mines must be destroyed before they have a chance to get into the ground. The ICBL calls for a major effort to eradicate APM stockpiles, as well as those already planted — to engage in *preventive mine action*.

The largest stockpiles are held by China (110 million), Russia (60-70 million), Belarus (unknown, but likely tens of millions), US (11 million), Ukraine (10 million), Italy (7 million) and India (4-5 million). Landmine Monitor research indicates that the biggest current stockpiles of treaty signatories belong to Ukraine, Italy, Sweden, Albania, Japan, United Kingdom, France, Spain, and Greece. Italy, Sweden, UK, France, Spain, and Ukraine are in the process of destroying their mines. Japan is in the planning process. Albania and Greece — neither of

which has ratified the treaty — are not known to have any plans for destruction.

Landmine Monitor research shows that more than 12 million antipersonnel mines have been destroyed in recent years.

Twelve treaty signatories have already completed destruction of stocks: Austria, Belgium, Canada, El Salvador, Germany, Guatemala, Luxembourg, Namibia, Norway, Philippines, South Africa, and Switzerland. (Note: many of these are keeping a small number of mines for training, as permitted under the treaty).

Another eighteen signatories are already in the process of destruction: Cambodia, Czech Republic, Denmark, France, Hungary, Italy, Mali, Moldova, Netherlands, Nicaragua, Portugal, Spain, Sweden, Yemen, Uganda, Uruguay, Ukraine, United Kingdom. Other signatories and ratifiers are in the planning process.

In addition, several non-signatories have recently destroyed significant numbers of AP mines. Perhaps most notably, the United States has destroyed 3.3 million AP mines as part of its commitment to eliminate use of dumb mines everywhere but Korea. Russia has destroyed 500,000 mines that were not compliant with new CCW requirements.

It appears that the vast majority of treaty signatories that have (or had) stockpiles of mines are opting to exercise the Article 3 exception that permits retention of mines for training purposes. While many nations have not yet revealed the number of AP mines to be retained, it appears many intend to keep between 1,000-5,000. Several intend to keep more: Belgium 6,240; Slovenia 7,000; Italy 8,000; Spain 10,000; Japan 15,000. During the Oslo negotiations, it was established for the diplomatic record that the number of mines retained for training should be in the hundreds or thousands, not tens of thousands.¹³ The ICBL has repeatedly questioned the need for live mines for training.

Global Stockpiles of Antipersonnel Mines

China	110 million (e)
Russia	60-70 million (e)
Belarus	Millions*
USA	11 million
Ukraine	10 million (being destroyed)
Italy	7 million (being destroyed)
India	4-5 million (e)
Sweden	3 million (e) (being destroyed)
Albania	2 million (e)
South Korea	2 million (e)
Japan	1 million (being destroyed)

(e): estimate

*Belarus has acknowledged "millions" in stockpile. However, it has estimated cost of destruction at "tens of millions," which likely means that tens of millions of AP mines are in stockpile.

Landmine Monitor has identified 108 countries with antipersonnel mine stockpiles. Many are in the process of destruction, such as the UK (850,000), France (650,000) and Spain (595,000). Others believed to have large stockpiles, possibly larger than some listed above, include Iraq, Iran, FR Yugoslavia, Pakistan, Egypt, Israel, Greece, Vietnam, Angola and others.

Estimated Global Total: More than 250 million Antipersonnel Mines in Stockpiles

Special Issues of Concern

Antivehicle Mines with Antihandling Devices

During the Oslo negotiations, the ICBL identified as "the major weakness in the treaty" the sentence in the Article 2.1 definition of antipersonnel mine that exempts antivehicle mines equipped with antihandling devices: "Mines designed to be detonated by the presence, proximity or contact of a vehicle as opposed to a person, that are equipped with antihandling devices, are not considered anti-personnel mines as a result of being so equipped."

At the time, the ICBL stated that "the Campaign believes that the definition of an antipersonnel mine should be based on its effect rather than its design.... A mine with an antihandling device is going to function as an antipersonnel mine; it is going to pose extreme dangers to civilians and to humanitarian deminers. Remotely-delivered, scatterable mines with antihandling devices in particular will put civilians at risk."¹⁴

While disappointed that this exemption was not removed, the ICBL was pleased that a diplomatic understanding on this matter was reached. In its closing statement to the Oslo conference, the ICBL said, "The International Campaign thinks it is important to stress that in both the working group on definitions and in the Committee of the Whole, delegates made it clear for the diplomatic record that antivehicle mines equipped with antihandling devices that explode from an innocent, unintentional act are to be considered as antipersonnel mines and therefore banned by this treaty."¹⁵

The ICBL is concerned that there has not been adequate recognition of this diplomatic understanding, nor discussion of its practical implications. States Parties need to be more explicit about what types of mines and antihandling devices, and what deployment methods, are permissible and prohibited.

In addition to remotely-delivered, surface laid antivehicle mines in general, the ICBL is particularly concerned about antivehicle mines that utilize tilt rods, tripwires, breakwires, or sensitive magnetic influence fuzes. It seems clear that antivehicle mines using tilt rods, tripwires or breakwires will explode from an innocent act by an individual, and therefore should be considered banned by the treaty. (Canada destroyed the tilt rod fuzes from its M21 antivehicle mines). It also appears that at least some, if not all, antivehicle mines with magnetic influence fuzes might be exploded by an unintentional act by an individual. This is an issue that needs to be addressed explicitly and urgently by States Parties.

The ICBL has also expressed concern that the Mine Ban Treaty does not define "antivehicle mine." At the least, States Parties should agree on a minimum amount of pressure necessary to explode a pressure-activated antivehicle mine.

National Implementation Measures

Article 9 of the Mine Ban Treaty ("National Implementation Measures") states "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" by the treaty. However, relatively few of the 71 governments that have signed and ratified the treaty have passed domestic laws implementing the treaty. The 14 governments with implementation legislation include: Austria, Australia, Belgium, Canada, France, Germany, Guatemala, Ireland, Italy, Japan, New Zealand, Norway, Switzerland, and the United Kingdom. Some governments have indicated that they do not believe

States Parties need to be more explicit about what types of mines and antihandling devices, and what deployment methods, are permissible and prohibited.

The ICBL calls on treaty signatories to insist that any non-signatories do not use antipersonnel mines in joint operations.

an implementation law is required, because they have never possessed APMs and are not mine-affected, thus, no special action is necessary to fulfill the terms of the treaty. The ICBL is concerned, however, about the need for all states to pass legislation that would at least impose penal sanctions for any potential future violations of the treaty.

Questions have also been raised in a number of instances about the consistency of various pieces of national implementation legislation and the treaty itself. Perhaps most notable are provisions that relate to joint military operations with treaty non-signatories and interpretations of the treaty Article 1 ban on assistance with a prohibited act by a non-signatory.

Joint Operations

A number of countries, including Australia, Canada, New Zealand, and the United Kingdom, have adopted legislative provisions or made formal statements with regard to possible participation of their armed forces in joint military operations with a treaty non-signatory that may use antipersonnel mines. As has been noted by Australia and the UK, the likely non-signatory is the United States. The ICBL is concerned that these provisions and statements, while understandably intended to provide legal protection for soldiers who have not directly violated the treaty, are contrary to the spirit of a treaty aimed at no possession of antipersonnel mines, in that they contemplate a situation in which treaty States Parties fight alongside an ally that continues to use antipersonnel mines.

Australia submitted a "National Declaration" with its ratification instrument stating that "the participation by the Australian Defence Force...in such operations, exercises or other military activity conducted in combination with the armed forces of States not party to the Convention which engage in activity prohibited under the Convention would not by itself, be considered to be in violation of the Convention."

Canada appended an "Understanding" to its ratification instrument stating that "mere participation by the Canadian Forces...in operations, exercises or other military activity conducted in combination with the armed forces of States not party to the Convention which engage in activity prohibited under the Convention would not, by itself, be considered to be assistance, encouragement, or inducement" under the terms of the treaty.

New Zealand's Antipersonnel Mines Prohibition Act allows a member of the armed forces "to participate in operations, exercises, or other military activities with armed forces of a state not a party to the Convention that engage in conduct prohibited by [the Act and Convention] if that participation does not amount to active assistance in the prohibited conduct."

The United Kingdom's Landmines Act Section 5 similarly provides a defense for those who participate in a military operation "wholly or mainly outside of the United Kingdom" and "in the course of which there is or may be some deployment of antiperson-



The White House, Washington DC, USA, 1 March 1999

John Rodsted

nel mines by members of the armed forces of one or more States that are not parties to the Ottawa Convention...."

In each of these cases, government officials have stated that the intent is to provide legal protections to their military personnel who participate in joint operations with a non-signatory who may utilize APMs. The ICBL does not cast doubt on the stated motivations of these nations; it does not believe that these provisions and statements are intended to undermine the core obligations of the treaty.

However, there is serious concern about the consistency of these provisions and statements with the treaty's Article 1 obligation for a State Party "never under any circumstance...[t]o assist, encourage or induce, in any way, anyone to engage in any activity prohibited to a State Party under this Convention." The ICBL is concerned that these provisions and statements go against the spirit of a treaty aimed at an end to all possession and use of antipersonnel mines. Adoption of this type of language could be interpreted to imply acceptance of, rather than a challenge to, the continued use of APMs by the United States or other non-signatories. The ICBL calls on treaty signatories to insist that any non-signatories do not use antipersonnel mines in joint operations.

"Active Assistance"

In this context, the question has been raised as to what "assist" means in the treaty's Article 1. A number of governments have interpreted this to mean "active" or "direct" assistance in actual laying of mines, and not other types of assistance in joint operations, such as provision of fuel or security. This narrow interpretation of assistance is of concern to the ICBL; in keeping with the spirit of a treaty aimed at total eradication of the weapon, interpretation of assistance should be as broad as possible.

Stockpiling and Transit of Foreign APMs

The United States has antipersonnel landmines stored in at least seven nations which have signed the Mine Ban Treaty (Germany, Greece, Italy, Japan, Norway, Spain, United Kingdom). The U.S. has engaged in discussions with these nations in an effort to convince them that it is permissible under the treaty to allow U.S. mines to stay. The ICBL believes that it certainly would violate the spirit and likely the letter of the treaty for States Parties to permit the U.S. (or any other government or entity) to stockpile antipersonnel mines on their territory.

On a related issue, the United States has also discussed with a number of treaty signatories the permissibility of the U.S. transiting mines through their territory. A debate has emerged over whether the treaty's prohibition on "transfer" of APMs also applies to "transit," with many treaty signatories maintaining that it does not. This would mean that U.S. (or other) aircraft, ships or vehicles carrying antipersonnel mines could pass through (and presumably depart from, refuel in, restock in) a treaty signatory on their way to a conflict in which those mines would be used. The ICBL believes that if a State Party willfully permits transit of APMs which are destined for use in

combat, that government is certainly violating the spirit of the Mine Ban Treaty, is likely violating the Article 1 ban on assistance to an act prohibited by the treaty, and possibly violating the Article 1 prohibition on transfer.

Mines Retained For Training Purposes

During the Oslo negotiations, technical experts from the ICBL questioned the need for the Article 3 exception permitting retention (and transfer) of antipersonnel mines "for the development of and training in mine detection, mine clearance, or mine destruction techniques...." In its closing statement to the Oslo conference, the ICBL noted that "a number of governments also indicated for the diplomatic record that in Article 3, the 'minimum number absolutely necessary' for training mines should be hundreds or thousands, not tens of thousands or more." It appears that at least a few governments have decided to retain 10,000 or more mines under Article 3. The ICBL believes that it is important not only to have complete transparency on this, but also to continue to evaluate the necessity for the exception and the potential need for an absolute numerical limitation.

The ICBL believes that if a State Party willfully permits transit of APMs which are destined for use in combat, that government is certainly violating the spirit of the Mine Ban Treaty, is likely violating the Article 1 ban on assistance to an act prohibited by the treaty, and possibly violating the Article 1 prohibition on transfer.

Humanitarian Mine Action



John Rootsted

Mine clearance in Bosnia-Herzegovina

The Mine Ban Treaty is more than simply a ban on antipersonnel landmines. It obligates each state party to clear all mined areas within its jurisdiction or control within a ten-year period.

Non-governmental organizations and the United Nations have been involved in mine clearance since the late 1980s, emerging over the last decade as key actors in efforts to reduce the threat landmines pose to innocent civilians throughout the world. This has led to a new concept: *humanitarian mine action*, which is an integrated approach to removing landmines from the ground and reducing their disastrous impact on mine-affected communities. Nobody knows how many mines there are in the ground, and that number is not very relevant, despite the attention given to the issue. What is relevant is how many people are affected by the presence of mines, which are obstacles to post-conflict reconstruction and socio-economic re-development.

The Mine Ban Treaty and Mine Action

The Mine Ban Treaty is more than simply a ban on antipersonnel landmines. It obligates each state party to clear all mined areas within its jurisdiction or control within a ten-year period. A mined area is defined as “an area which is dangerous due to the presence or the suspected presence of mines.” This definition includes areas which are *suspected* of being mined. This is an important provision, because the mere suspicion that an area is mined can often have the same effect as if it actually were mined, rendering it useless. Recognizing that it is likely not possible to clear the worst affected areas within this period, the treaty contains a provision that parties may apply for an extension of up to ten years, and renewals if necessary.

Article 6 on International Cooperation and Assistance states the right of each party to seek and receive assistance to the extent possible. It obligates states parties to share and exchange knowledge, equipment and technology, and those with the means to do so, are called upon to provide assistance for mine clearance and other mine action programs. This article implies a responsibility of the international community to provide funding and support for mine action programs in mine-affected countries with limited resources. The implementation of Article 6 will thus be crucial for the success of the

Mine Ban Treaty, as it is through this mechanism that funds for Mine Action will be secured.

By providing an action-oriented, scheduled, legal framework for international co-operation on Mine Action, the Mine Ban Treaty represents a breakthrough in the struggle against landmines. Apart from the many obvious operational challenges that remain in removing the mines from the ground, the implementation of the Mine Ban Treaty is the main challenge for the mine action community in the coming years. From a mine-action-perspective, implementation and follow-up to the Treaty present an opportunity to bring the landmine crisis under control during the next decade, a major step towards the realization of a mine-free world.

At the same time, implicit in the challenge is the pull between providing humanitarian assistance while at the same time supporting the Treaty. When governments violate their Treaty obligations, what impact – morally if not legally – does this violation have in regard to Article 6? Does the international community provide mine action assistance, in effect sanctioning the violation of the Treaty, or does it withhold Article 6 assistance from treaty violators and thus penalize the civilian population? Obviously, this is a dilemma the international community must address.

The Numbers Issue

Landmines are a global problem, but the exact magnitude of the problem is difficult to measure. Nobody knows how many mines are in the ground, nor how many people are mine-affected, nor how large the areas are that could be considered “mine infested.” At the same time, there has been a misconception that baseline data on the scope, impact and size of the problem is available to develop rational, concerted demining efforts. Unfortunately, this is not the case.

Over the last four decades, large numbers of mines have been used in various conflicts in much of the world. The majority of these mines were randomly laid, with limited tactical rationale, and often deployed simply to terrorize and demoralize local populations. In such circumstances, mines can be found everywhere; in fields, in urban areas, along



Mined homes in Bosnia-Herzegovina

ivers, in orchards, surrounding villages and on transport routes. Contrary to common belief, mines are as often as not found in no predictable patterns, minefield maps are mostly non-existent or too old or inaccurate to use, and local awareness of the location of minefields is often poor.

This knowledge gap has resulted in debate over the number of landmines in the ground, with estimates varying from 60 million to 200 million mines. These numbers, in official government and United Nations documents, were an early attempt to try to put contours on a situation many were just beginning to grapple with. These “facts” repeated and reprinted became “reality,” but now the international community is making a concerted effort to collect more accurate information to reshape the picture.

From the perspective of mine action, the actual number of mines in the ground is not as important as, for example, the number minefields and size and type of areas affected, and the number of people affected. In this context, debate over the number of mines in the ground is not all that relevant to the demining task at hand. At the same time, some concept of a total figure is important to give contours to the problem, and therefore, is useful to address. What is certain is that nobody knows an exact number of mines in the ground, and that uncertainty is actually a part of the problem.

A point of departure for any analysis of the number of mines in the ground is to recognize that the numbers will never be anything but estimates. With the expansion of mine action programs in mine affected areas around the world, along with more comprehensive survey methods, it is likely that these estimates will become more accurate over time. Until now the best working estimate can be found in the U.S. State Department’s 1998 report, *Hidden Killers*.¹⁶ Case studies of 12 heavily affected countries, and updated information, led to a revised estimate of number of mines in the ground for each of the 12 countries (both a high and low estimate). From that number, a percentage was calculated to show the difference between the UN estimates and those in *Hidden Killers*. This formula gives a low estimate of approximately 59.7 million mines and a high estimate of approximately 69.4 million mines in the ground.¹⁷

These estimates represent a striking downward estimate of the global landmine contamination, from 80-110 million to about 60-70 million. One reason for this is more knowledge about the situation in the field, leading to reduced numbers. For example, the estimated number of mines in Kuwait after the Gulf War was approximately 7 million mines. In late 1995, after the termination of the major mine clearance programs, the total turned out to be 1.7 million mines.¹⁸ Egypt has been presented as the most heavily mine infested country in the world, with an estimated 23 million mines. A survey undertaken indicated that apparently all munitions in Egypt had been designated as “mines.” Further analysis of historical records showed that it was possible that around 1.5 million mines had been laid in Egypt’s Western Desert, where the survey was conducted, with another estimated half million mines along Egypt’s eastern borders. This gives a more conservative estimate of about 2 million, not 23 million, mines in Egyptian soil. The accuracy of either assessment cannot be confirmed, but the difference is striking.¹⁹

Numbers and the Real Impact

As discussed above, the actual number of mines in the ground does not necessarily determine the impact on a population. A far more important question is *the number of people affected* by the landmine threat in their daily lives. For most people living in mine affected areas, the mere suspicion that an area is mined can render it useless. In 1996 Norwegian People’s Aid cleared a village in Mozambique, after it had been abandoned by the entire population of around 10,000 villagers due to alleged mine infestation. After three months of work, the deminers found four mines. Four mines had denied access to land and caused the migration of 10,000 people.

The lives directly affected is also a horrific measure. The Landmine Monitor country reports indicate a decrease in the number of landmine victims in Afghanistan, Bosnia, Cambodia, Croatia, Eritrea, Mozambique and Somaliland over the past years. However, it is too early and data is too inconclusive to conclude that this decrease represents a global trend.

Focusing on mines alone is also an inaccurate indicator because this excludes unexploded ordnance (UXOs). Unexploded munitions, grenades and bombs often are an even larger problem than mines in areas where heavy and continuous fighting has occurred. Probably as many as 10 per cent of explosives used in armed conflicts do not explode, and these UXOs must be handled like mines, complicating the demining process. Demining agencies normally encounter a larger number of UXOs than mines in mine clearance operations and if these weapons were to be included with mines in global estimates, the level of global contamination would be hard to contemplate.

As for land denied by the presence of landmines, because of insufficient surveys of mined areas, there

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Right: Before it died, this elephant ran for fourteen hours after stepping on a landmine on the Bangladesh-Burma border.

Humanitarian mine action is a comprehensive, structured approach to deal with mine and UXO contamination, including survey assessment, mine clearance, mine awareness, and victim assistance.

are no global estimates. Based on a recent, comprehensive survey in Afghanistan by the non-governmental organization Mine Clearance Planning Agency, there are around 860 square kilometers of mined areas affecting more than 1,500 villages. Of these mined areas 465 square kilometers have been classified as areas of high priority for clearance. These figures may or may not be exemplary of other mine affected areas. Clearly, surveys comparable to those in Afghanistan must be carried out in other heavily contaminated countries. But an equally more important question is how many people are affected in their daily lives by these mined areas?

Humanitarian Mine Action: Features And Principles

Humanitarian mine action is a comprehensive, structured approach to deal with mine and UXO contamination, including survey assessment, mine clearance, mine awareness, and victim assistance. These activities are carried out to reduce the threat posed by landmines to individuals and communities in mine infested areas, as well as to assist mine victims. Humanitarian mine action should work to create indigenous capacity in mine affected communities, because it is part of their long-term development.

Mine action includes four complementary parts: Different levels of survey, assessments and marking; mine clearance; mine awareness; and victim assistance. These four parts are complementary, but together they constitute both the necessary and sufficient requirements for a successful mine action strategy. A mine action project cycle can be divided into three phases, and all three must be fulfilled to ensure that the overall objectives of the programs are reached. These phases are: Pre-mine-clearance—identifying beneficiaries and clarifying all legal and entitlement aspects; mine clearance which starts after all issues in the first phase are resolved; and finally the post-mine clearance phase to ensure that the initial objectives of the project have been reached.

Mines represent a fundamental obstacle to the development of war torn societies and must be understood in a larger developmental context. In any humanitarian mine clearance operation, questions must be asked such as: What areas should be prioritized in order to help war torn societies on their road to sustainable development? Who will benefit from the mine clearance? What will happen to the cleared areas after demining is completed? For NGOs working in humanitarian mine action, the activities involved are not just about getting the mines out of the ground, but about doing so in a manner which facilitates post-conflict socio-economic development.

Three NGOs — Handicap International, Mines Advisory Group and Norwegian People's Aid — represent a substantial part of the world's humanitarian



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demining capacity. These agencies currently employ around 4,000 local experts in mine survey, mine marking, mine clearance and mine risk education programs in 20 heavily affected countries. Together the agencies have formulated a joint statement of principles to guide further work and development of methods related to humanitarian mine action. These principles include the following:

- the need for objective analysis of the requirements of affected communities, and the structuring and conduct of operations to meet these requirements;
- the need to take account of cultural sensitivities;
- a need for a responsible approach to the welfare of personnel employed by these agencies involved in mine action;
- a commitment to the continued development of existing methods and to continued improvement of quality;
- a realistic and objective approach to new mine clearance technologies and methods;
- the need to avoid impractical, "quick-fix solutions;" and
- the need to support the principle of transfer of capacity to the affected communities.²⁰

In general, from the perspective of these three NGOs, these principles outline the fundamentals of humanitarian mine action. They advocate an approach which emphasizes the appropriate sequencing of assistance to the affected communities, based on the generation of solid baseline data before projects are implemented. The reality is that too often this sequence is not followed. Mine action programs that focus on emergency situations sometimes end up trying to gather basic information for preplanning long after work has already started. Ideally, baseline data should be the result of a level one survey which picks up where an assessment missions ends, and seeks to get an overview of the situation before large scale mine awareness and mine clearance activities are initiated.

Commercial Contracting And Humanitarian Mine Clearance

There is a fundamental distinction between military and humanitarian mine clearance. In principle, mili-

tary units can clear mines to the same standards as humanitarian mine clearance agencies. However, as one commentator put it, mine clearance can be quick or it can be thorough - it cannot be both.²¹ The United Nations international humanitarian standard clearance rate is 99.6 percent of mines cleared. The UN standard was established to facilitate *commercial contracting*.²²

Humanitarian mine clearance is a relatively new approach to the problem of landmine infestation that dates from mine clearance operations in Afghanistan and in Kuwait after the Gulf War.²³ Humanitarian mine clearance is evolving with respect to the actors involved and methods and technology used, but remains characterized by its aim of clearing all the mines in a minefield. The 99.6 per cent standard is not sufficient for humanitarian deminers because it leaves four mines in the ground for every one thousand cleared. Humanitarian mine clearance therefore operates with quite different parameters than that of commercial operators and the military, with minefields cleared to humanitarian standards and with security for deminers.

In principle, commercial contractors can work to the same standards as humanitarian agencies. It is a question of priorities: commercial contractors run the risk of making the same priorities as military units, prioritizing time over clearance rate, in order to increase profit. Humanitarian mine clearance agencies acknowledge the current need for commercial contractors, because the humanitarian mine clearance capacity is still not sufficiently developed to undertake mine clearance in many heavily infested areas. Commercial contractors can undertake mine clearance missions in areas where humanitarian agencies do not have capacity to clear specific areas.

What is needed, is a better regime to control and evaluate the quality of commercial mine clearance operations. The standard for the mine action community is described in the International Standards for Humanitarian Mine Clearance and should be adhered to by any organization or contractor involved in such clearance operations.²⁴ These standards do not include most of the methods used by commercial contractors, such as mechanical mine clearance and the use of dogs. Additional steps to ensure the quality of implementation include the adoption of principles similar to those of MAG, NPA, and HI as stated in UN's policy document "Mine Action and Effective Coordination."²⁵

In terms of cost-effectiveness in operations, it is instructive to compare the Kuwaiti experience (the most comprehensive commercial demining operation to date) with that of Afghanistan. The cost of mine clearance in Kuwait was \$961,538 per square kilometer (\$700 million/728Km²). It involved 4,000 expatriate deminers, 84 of whom were killed during the operation. Uncleared mines were found during quality assurance inspections, and now large areas are being resurveyed and may need to be reclassified.

The Mine Action Program for Afghanistan (MAPA), currently employs around 4,000 individuals. The vast majority are local staff, which means that a considerable indigenous mine action capacity has been developed. Approximately \$90.1 million has been spent for mine clearance in Afghanistan since the start of the program in 1990. Around 145 square kilometers have been cleared in this period or \$621,889 per square kilometer, or \$339,649 less per Km² than in Kuwait.

Funding For Humanitarian Mine Action

The issue of funding for humanitarian mine action is complex, but one thing is certain; humanitarian mine action programs are underfunded, and often funding choices do not support the long-term integrated approach needed in sustainable humanitarian mine action. Some major donors, like the International Bank for Reconstruction and Development, favor private and commercial enterprises in their contracting of humanitarian projects, either for political reasons or for alleged higher cost-efficiency. Already some key mine action NGOs, like the British MAG, are reporting the possible closure of programs due to lack of funds. Others are facing obstacles created by short-term funding priorities of donors, and highly detailed requirements on the use of the funds.

Another "numbers issue" in the movement to eliminate landmines is trying to determine exactly how much money has been spent on mine action over the last decade. During the signing of the Mine Ban Treaty in Ottawa in December 1997, a total figure of US\$500 million was pledged by various donors for mine action. The pledges were welcome – but they also were broad and unspecified, making them hard to track. There are increasing efforts to clearly map out where funds are going, and how much has been spent, and for what specific purposes. The research for this report is one such attempt, and the ongoing Landmine Monitor process will be an important tool in the years to come. But in attempting to compile – and understand the implications of – the figures, it is very clear that more transparency and standardization of reporting is essential.

One report prepared for the Mine Action Support Group showing bilateral donor mine action support as of mid-November 1998 lists donor figures for countries, projects funded and amounts. The total committed adds up to roughly US\$430 million for mine action, but since the entries are not time-specific, and some are aggregate figures for several fiscal years, a complete understanding of the funding picture is distorted. Additionally, descriptions of projects funded are broad and unclear and do not provide criteria for any real analysis.

A Canadian Government report notes that ten donor countries have started 98 new mine action programs in 25 countries in the past 12 months,

Humanitarian mine clearance is evolving with respect to the actors involved and methods and technology used, but remains characterized by its aim of clearing all the mines in a minefield.

Considerable work remains to be done in order to create generally accepted measures of success; and efforts need to continue to explain to the international community generally, and to the donor community in particular, why mine action is a long-term commitment.

with no more detail.²⁶ On their website, the UN Voluntary Trust Fund indicates that US\$49 million have been pledged and spent for mine action programs for the 4-year period between 1994-1998. The U.S. reports that it alone has gone from \$10 million for mine action programs in five countries in 1993 to \$92 million for 21 countries in 1998; but as many of the programs are military-to-military demining training it is unclear how much of the money actually goes to lifting mines out of the ground.

In short, the picture is confusing. With no common understanding for transparent reporting on funds for mine action, it is difficult to impossible to monitor the reality of funding for mine action programs. Without transparent reporting it becomes difficult at best to measure progress. As this is an important aspect of the implementation of the Mine Ban Treaty, these issues must be addressed. So that data collected can generate measurable and comparable figures, reporting of funds for mine action should be transparent. At a minimum, such reporting should specify donor country/agency, recipient country, project description, implementing agency, and funding period; reports should also indicate what percentage of the funds actually apply to in-country programs.

There has been an increase in funding for humanitarian mine action programs after the Mine Ban Treaty, more donors are involved, and more funds are provided for the continuation of already existing programs, and for initiating new projects.

However, it is clear that the current funding is still insufficient. One suggestion to increase mine action support is that countries donate one per cent of their defense budgets for mine action projects. Between 1988 and 1998, the global annual average for defense spending was U.S.\$740 billion.²⁷ One-tenth of one percent of that figure would provide U.S.\$740 million for mine action annually. With such a commitment, the problem could truly be resolved in years, not decades.

Technology, Research and Development, Funding and Humanitarian Mine Clearance

The technology and methodologies available today for detecting and destroying landmines do not differ much from post-W.W.II reality. Available tools make mine clearance time-consuming and by many measures "inefficient." With the heightened awareness of the mine problem, many research and development projects have begun to compete for R&D monies pledged. But the "mantra" of humanitarian mine clearers is that any new technology must make demining "safer, faster, cheaper" and currently there are a number of efforts to find the ultimate solution to the problem. To date, none of the proposed hi-tech solutions have found their way into the field, although a few are promising.

There are a number of expensive and imaginative R&D projects which have raised some concerns in the

humanitarian mine clearance community as they appear to be driven by interests other than humanitarian concerns. Hi-tech projects and solutions must be evaluated based on humanitarian needs, affordability and sustainability. The wide range of terrain in which mine action takes places makes it very difficult to design equipment in a laboratory or on the basis of limited field trials. It is highly likely that these devices, when ready for the field, will only be useable as an additional asset to the existing "tool box" of manual, mechanical and mine dog detection and clearance.

Humanitarian mine clearance agencies support the development of new technologies as long as these efforts do not divert funds from the ongoing mine action efforts. There should be donor transparency concerning investments in R&D for humanitarian mine action purposes, both in terms of the amounts spent and the guiding principles for their spending. Greater effort at co-ordination is needed to avoid duplication of R&D efforts and to ensure that humanitarian end-user requirements are being considered. In fact, in order to improve the effectiveness of their efforts, the R&D community should actively seek out and listen to the advice of the end users. Above all, the main focus must be on improving current methods in tandem with efforts to further develop and enforce the principles for humanitarian demining.

Lack of Baseline Data

As already discussed, there is too little information on the location of dangerous areas and minefields. For the international community to respond to this crisis in a rapid and cost-effective manner, a primary objective must be to acquire solid baseline data for the planning and implementation of humanitarian mine action. The baseline is normally established through different levels of mine surveys. To date, few of the most affected countries have been adequately surveyed. There are many reasons why this important first step has not been taken. First, many of the agencies involved in humanitarian mine action were initially undertaking emergency demining for refugee repatriation and other short-term objectives. The need for surveys has emerged as operations have entered longer-term commitments. Second, as a demining activity, surveys are not as easily understood or supported by the donors, compared to the very concrete activity of removing landmines.

As the work of humanitarian mine action has developed over the last few years, the need for coordinated surveys has become clear. In 1997, a group of NGOs met in Brussels to share experiences and establish proper methods and survey formats in order to get better baseline data for mine action operations. The result of this meeting was the establishment of the Global Level 1 Survey Working Group. This NGO initiative is one of the most important recent contributions to the future efforts in mine action world wide. (See Global Landmine Survey Program report in the appendices).

Challenges For Humanitarian Mine Action

Mine action is a new field which has had to respond to emergency aid issues, issues of individual rights and the demands of long term development. Great strides have been made, yet despite much forward movement, mine action efforts have come under recent criticism. Questions have been raised about the effectiveness of the resources spent in producing concrete and measurable results in the affected communities.²⁸ However, the lack of pre-existing data on the scope, size and impact of the problem have made it difficult to establish parameters for the measurement of the effectiveness of mine action. Considerable work remains to be done in order to create generally accepted measures of success; and efforts need to continue to explain to the international community generally, and to the donor community in particular, why mine action is a long-term commitment.

There are a number of reasons for this present shortage of the so called socio-economic indicators. One is the relative youth of co-ordinated mine action efforts and the difficulties of translating how the mine-problem really affects people and communities world-wide into "measurables." The lack of baseline data has been a major factor and trying to calculate comparable figures across countries make such determinations that much more difficult. Other reasons for the lack of result parameters can be related to the fact that involved actors so far have been reluctant to use economic variables as a measurement of success in fear of putting a price on people's lives and limbs.

Furthermore; there are significant practical problems in trying to measure effects of demining. Comparisons between various demining operations is particularly difficult. For example, two teams clearing the same amount of square meters, but working under different conditions will inevitably produce different results. For these reasons, several complementary measurements of success should be used when evaluating the effectiveness of humanitarian demining.

In the history of mine action only one study of the socio-economic impact of mine action operations has been made: the Mine Clearance Planning Agency (MCPA) study in Afghanistan from October 1998.²⁹ In the near future, the mine-action community must take necessary measures for producing more studies like the Afghan study. Donors will require better indicators to measure the effect of mine-action programs, linked more closely to long-term development programs. Establishing fixed variables to serve this purpose is a complex process and should involve social scientists, economists and other academics in co-operation with the mine action community. This process is crucial to maintain future donor support and -interest in humanitarian mine action. Currently there is some activity and co-operation in this field between various NGOs involved in humanitarian work.

Mine Awareness

Mine awareness involves information programs to reduce the threat of landmines to affected communities. Through various educational mechanisms that focus on changing risk behaviour, and creating knowledge of safety measures, mine awareness seeks to reduce the number of landmine victims. Mine awareness is needed in mine affected areas, prior and parallel to demining programs. In heavily mined countries, demining can take years to complete. The local population must learn how to live their daily lives in mine and UXO infested areas until the threat is removed.³⁰

There are some common elements noticeable in mine affected communities throughout the world but more significant are the differences. This means that all mine awareness campaigns have some common elements, but each campaign must be adapted to local needs, culture and traditions. Fieldwork must precede development of any mine awareness campaign, in order to adapt the content and form of messages to the needs of the local population. After conducting fieldwork and gathering information about behavior and victims in a given area, mine awareness messages can be tailored to the area and target group in question. While specific content might vary, universal points in any mine awareness campaign must include knowledge of the threat; means of protecting yourself and others from the threat; and how to react if you unknowingly enter a mined area.³¹

The dominant method for mine awareness is through direct contact with affected communities. This normally means training of local trainers who visit different communities where they conduct courses in refugee camps, villages, schools or in any other place where people can be gathered to participate in training. Normally materials include dummy mines and UXOs, posters with mine awareness messages and illustrations, leaflets, brochures, photographs, audio tapes, videos. Furthermore, mine awareness messages can be incorporated in theater performances, dance or games in which the target group can actively participate. The methods to be used in a specific mine infested area must be decided after fieldwork (needs-assessment), and various approaches should normally be tested on a part of the target group before a full scale mine awareness campaign is implemented.



Tim Grant

Through various educational mechanisms that focus on changing risk behaviour, and creating knowledge of safety measures, mine awareness seeks to reduce the number of landmine victims. Mine awareness is needed in mine affected areas, prior and parallel to demining programs.

Mine awareness class in Cambodia

Although the above mentioned steps remain the core activities, access to mass media is in most cases crucial for dispersing mine awareness messages. One way of doing this is by using posters with mine awareness messages along major transportation routes or handing out mine awareness brochures or leaflets to mine affected communities. Television and radio spots can also be used with success. Mass media has the advantage of reaching out to a vast number of people, at relatively low costs, but none of the mass media approaches combined can replace direct mine awareness courses in content and output with respect to learning. Mass media can best function as a support to a community based approach.

Several indicators can be used to measure the success of a mine awareness campaign. As is the case for mine clearance, the factors involved are normally efficiency of the mine awareness campaign in the disposition of funds and how they are spent, planning, training of instructors and implementation of informa-

tion strategies. Information on program implementation is often gathered and submitted as a measure of success. More critical measures should be to what extent have people changed behavior patterns as a result of mine awareness, i.e., are target groups avoiding high-risk behavior, incorporating mine awareness messages they have learned in their daily lives, fluctuations in accident and injury rates. For accuracy in monitoring and evaluation, it is important to take into account other factors which may contribute to fluctuations in casualty statistics. The movement of refugees and internally displaced persons, security initiatives, ongoing demining, and the need for people to work the land during planting or harvest seasons influence mine accident rates, as does the level of mine awareness achieved by a population regardless of the presence or absence of an awareness program. If examined carefully and objectively, casualty rates can particularly provide important evidence of the overall effectiveness of a program.

Assistance for Landmine Survivors

Just as with the number of landmines in the world, the number of landmine survivors remains difficult to definitively answer. Even more daunting is trying to get a complete picture of landmine casualties. Victim profiles vary from country to country – but what is consistent is that the vast majority of mine victims are civilians.

While mine victims are not a new phenomenon, what is new is the focus on landmine victims – landmine survivors – because of the dramatic growth in awareness of the problem generated by the global movement to ban antipersonnel landmines, remove the mines from the ground, and provide assistance to victims and victimized communities all over the world.

The ban movement is helping to generate a much broader understanding of the landmine problem – and the problems of landmine survivors and mine-affected communities as a whole. The ban movement has also provided a framework for dealing with all aspects of the landmine crisis – the Mine Ban Treaty. This first Landmine Monitor Report is helping to underscore the gaps in information about the mine-affected in the world.

The Mine Ban Treaty and Victim Assistance

The ICBL pressed hard to have language related to assistance to mine victims included in the Treaty. The Preamble recognizes the desire of states parties “to do their utmost in providing assistance for the

care and rehabilitation, including the social and economic reintegration of mine victims...”

Article 6 of the Treaty requires that 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.” Article 6 states the right of each party to seek and receive assistance to the extent possible for victims. This article implies a responsibility of the international community to support victim assistance programs in mine-affected countries with limited resources.

Data Collection – Landmine Victims and “The Numbers Issue”

Concrete information on mine victims remains difficult to obtain. While the desire of the international community to more effectively address all the complex issues related to the landmine epidemic has resulted in increased efforts to systematically collect data on mine victims, information still is seriously lacking. At this point in time, the ICRC remains the single most complete source, having collected data since 1979 through 45 projects launched in 22 countries.³² Since 1979, the ICRC has manufactured over 120,000 prostheses for more than 80,000 amputees. In 1997, of the 11,300 prostheses made, 7,200 were for mine victims. Still, according to the ICRC:

“There is a general lack of credible data on countries affected by mines. In places such as hospitals there may be a concentration of mine victims. However, data collected from hospitals concerns survivors of mine injuries; data concerning those killed and the impact on the victim’s family must be sought from elsewhere. Most accurate data has come either from the ICRC hospitals or specific study teams who have performed epidemiological surveys in affected countries....Such specific studies are not easily funded (they are not considered as “aid”) and gathering data may be a difficult and possibly dangerous task. Information may be intentionally withheld because of its political or military implications...Accurate collection of data is the first step in addressing an epidemic. This epidemic is no different.”³³

The country reports in the Landmine Monitor have pulled together a range of information on mine victims and assistance programs. This first report indicates, for example, that the number of victims is dropping in a several high-risk countries. These

The number of victims is dropping in a several high-risk countries. These include: Afghanistan, Bosnia, Cambodia, Croatia, Eritrea, Mozambique and Somaliland. Certainly this is encouraging information, but the reasons for the decreases need to be analyzed.



Mercedes Savaganes

Landmine survivors in Kuito, Angola, February 1999.

Right: Zainal Abedin (19) of Dargarbill, Bangladesh stepped on a landmine two years ago.

Ideally, disability issues should be dealt with in the mandates of several ministries — education, labor and employment, social welfare, interior, finance — not only the health sector. Such an integrated approach is necessary if the range of issues related to rehabilitation and reintegration of landmine survivors are to be addressed.

include: Afghanistan, Bosnia, Cambodia, Croatia, Eritrea, Mozambique and Somaliland. Certainly this is encouraging information, but the reasons for the decreases need to be analyzed. The country reports offer some possible explanations, but research is not systematic, and the explanations are often speculative or non-existent. In some cases, such as Cambodia, the decrease might be attributable to the fact that the fighting has greatly diminished as much as to anything else. In other cases, it might be in part the impact of mine awareness programs; or how demining programs have been prioritized and carried out, e.g., focusing on demining sites for relocating refugees before their return diminishes casualties. A clear understanding of why the decreases have happened is important to program planning, in particular in order to apply lessons learned to other situations and diminish the number of mine incidents.

The insistence on clear data overall is not an esoteric exercise. It has practical implications. Statistics are important for the development of assistance programs and the specificity of information gathered has an impact on the types of programs considered. For example, if a significant proportion of the mine victims of a country are children, assistance programs should be different than if the number is relatively small. Better data leads to better use of scarce resources.

At the same time, there has been concern expressed that data collection — in particular surveys of mine survivors — can do more harm than good if they proliferate and are not closely linked to action that is tangible to the survivor community.

Landmine Survivors: Needs and Assistance

The baseline data on mine casualties and survivors may be lacking, but the basic needs of mine victims everywhere are well known. These include:

- emergency medical care
- amputation surgery and post-op care
- physical rehabilitation
- prosthetics
- wheelchairs and crutches
- assistance for non-amputee mine victims (blindness, deafness, other)
- psychological rehabilitation
- combating social stigma
- returning victims to economic productivity

While the complexity of needs facing landmine survivors are known to many, the majority of resources provided for victim assistance go toward medical and physical rehabilitation. Far fewer resources support psychological rehabilitation and socio-economic reintegration despite the fact that without this support, landmine survivors too often lead isolated and unproductive lives. As one ICRC doctor reports, "The focus of rehabilitation has continued to be on the physical aspects of disability. Physical rehabilitation



Landmine Monitor, 1999, Burma report

goes some way to supporting young amputees psychologically. However, the need to furnish additional psychological assistance and help with finding a place in society has largely been neglected. Little data exists on what happens to mine amputees later in life. In

some countries, amputees form gangs and turn on the society that has rejected them; in others, there is an unofficial family or clan-based form of support for handicapped people.³⁴

Landmine Monitor country reports clearly indicate that the bulk of the limited resources allocated to mine victim assistance are for the immediate medical and prosthetic needs of the survivor; and of course, in many instances, in many devastated countries even these needs are not met. In Angola, for example, it is estimated that over 5,000 new prostheses are required every year just to cope with the existing amputees — and this is more than twice the number currently being produced in the country. But in country after country, Landmine Monitor research shows a dismal outlook for landmine survivors:

Angola: "[Amputees] future will consist of being cared for by their families....."

Somaliland: "The majority of mine victims do not receive any post-operative assistance....in October 1998...in a single day, the Somaliland Red Crescent Society saw sixty amputees who needed help with obtaining mobility devices."

Sudan: "Basic infrastructure and public services in southern Sudan are practically non-existent." "Psychological and social support facilities for mine victims are inadequate if available at all....."

Colombia: "Social and economic reintegration programs for landmine and war-disabled are virtually non-existent in Colombia."

Nicaragua: "While there is some social security available, most victims receive support from their families."

Laos: "There is no standard follow-up for amputees receiving prostheses from the six centers functioning in Laos."

Azerbaijan: "Psycho-social or physical rehabilitation programs are almost nonexistent."

Croatia: "There are no prosthesis workshops in Croatia...Mine victims do not receive any special treatment compared to other disabled."

Trying to analyze the funds that are allocated for mine victim assistance programs is no easier than it is for mine action programs. Even when there are centralized efforts to gather data, as with the Mine Action Support Group's informal gathering of information on bilateral donor support for mine action projects, a definitive analysis of the data is not possible because there

are no standardized criteria for reporting. The MASG fact sheet, one of the most comprehensive collections of information to date, offers data through November of 1998 — but does not indicate time period covered, which may vary from country to country listed and which do not make clear the time periods covered by their donations.³⁵ The same lack of consistency and transparency in reporting support for mine victims that plagues mine action support makes a clear picture almost impossible at this point. This is another area where the ongoing Monitor system will press for clarity.

But while the overall picture might be confusing, one aspect is very clear and that is that assistance to victims, as reported by the donors themselves, is significantly less than funding for mine clearance programs. The MASG fact sheet looks at bilateral support to 35 countries, from 16 donor countries and the European Union. Donors indicated whether money was, in broad brushstrokes, for mine clearance, training, mine awareness, or victim assistance. Of approximately \$410 million in bilateral support, about \$23.6 million went toward support of mine victims, in one form or another. This fact sheet is only one indicator, and clearly one full of gaps and confusions, but it does give a sense of proportions allocated to victim assistance and mine clearance by the major donor countries in the world on mine action.

Addressing Survivor's Needs



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Assistance to victims is generally part of a country's overall health and social services systems, such as they are. In the countries most devastated by conflict, basic medical and social services, which are generally weak under the best of circumstances, are usually weakened even

more or collapse completely. In such cases mine victims suffer as do all those seeking assistance. In some countries, the ICRC, NGOs, UN agencies and others have stepped in and become the only source of care for landmine survivors and other war victims. But the needs of landmine survivors are long-term. Countries should be supported in developing their own health and social services sector to be able to handle the problem for years to come — just as with the mine clearance part of the equation.

Ideally, disability issues should be dealt with in the mandates of several ministries—education, labor and employment, social welfare, interior, finance—not only the health sector. Such an integrated approach is necessary if the range of issues related to rehabilitation and reintegration of landmine survivors are to be addressed. In its support for such integrated care, the international community needs to find ways to

ensure that people with disabilities have a voice in the decision-making processes that affect their lives and the lives of their families. Where international agencies have had to step in and offer services, they should work to make the programs local and autonomous, just as is the goal of humanitarian mine clearance agencies. The long and the short of it is the international community needs to do more — and it needs to do it better.

Another aspect of this part of the problem is the definition of “victim.” Individuals physically injured by landmines must be a focus of assistance because they have suffered most violently and most directly. At the same time, it is recognized that a broader definition of victim is possible, and often desirable, and can include families of the physically injured and mine-affected communities as a whole. But using a broader definition for program planning should benefit families and communities without taking away from the complex needs of the survivors themselves. For example, a very broad-based community development program in a heavily mine-infested area should not be considered “assistance to mine victims” unless there are explicit provisions to address the disability-related issues in that community. Broad based community development programs have traditionally ignored the problems of persons with disabilities (whether they be amputees or others) and such stigmatized and marginalized groups do not benefit unless they are explicitly built into the planning of the program.³⁶

The new focus on the problem of landmines should be channeled toward victim assistance planning being integrated into national policies. Landmine survivors should not be segregated from other war victims or persons with disabilities. Support from the international community must focus on local capacity-building and medical-physical rehabilitation should be seen as a precursor — and not the end point — of complete rehabilitation and true socio-economic reintegration of survivors into the larger community. While there are no guarantees against stigmatization of landmine survivors and other people with disabilities, an indigenous, long-term integrated approach can begin to address the problem. Finally, the international community must consciously work to ensure that its own programs and support do not encourage or add to the stigmatization of landmine victims and their families.

If increasing aid has become a major challenge, a certain number of initiatives over the last two years have been taken to draw up recommendations and standards for action. Some examples include the “Berne Manifesto,” initiated by WHO, UNICEF, the ICRC and the Swiss government. The ICBL's Working Group on Victim Assistance, created in February 1998 and made up of nearly 25 NGOs, has also formulated “Guidelines for Care and Rehabilitation of Survivors.”

Accurate data gathering and tracking of corresponding assistance will not fill the gap between the

While the complexity of needs facing landmine survivors are known to many, the majority of resources provided for victim assistance go toward medical and physical rehabilitation. Far fewer resources support psychological rehabilitation and socio-economic reintegration

Left: Diana Camana of Luena, Angola.

needs of the victims around the world and the paucity of resources allocated to aid them. In April 1998, the Victim Assistance Working Group of the ICBL developed a matrix of costs associated with comprehensive rehabilitation of the individual landmine survivor. Members of the Working Group used their own field experience and survey results from WHO, UNICEF, the American Red Cross and others and generated a figure of \$9,000 per survivor. The figure is derived from estimated costs of various types of assistance ranging from first aid, emergency medical care, and prosthetics and physical rehabilitation to psycho-social support and vocational training and employment referral support.

It is estimated that the number of landmine survivors in the world is 300,000; thus, the total figure for their comprehensive support would be approximately \$3 billion. The ICBL has called upon the international community to provide these funds within a ten year period. The U.S. government has challenged the international community to raise one billion annually over the next decade to create a mine-free world. Certainly the survivors of this global crisis should be part of the challenge. A world free of mines, but not free of the suffering of their victims is hardly a goal to strive for.

Mine Action Funding

It is very difficult to get an accurate and comprehensive picture of mine action funding. Nevertheless, drawing from the Landmine Monitor research and reports, it is possible to give a representative and informative picture of the global situation. Landmine Monitor has identified approximately U.S.\$640 million in mine action spending by seventeen major donors. Nearly all of this spending occurred between 1993-1998.

This is far from a complete global total for mine action spending to date, not just because it reflects funding by only seventeen donors. For some of these donors it does not include spending on victim assistance, for others it does not include mine action funding for 1998 or for some earlier years, and for others it may not include mine action funding from all government departments and agencies. Landmine Monitor has also attempted to separate funds for research and development on demining technologies and equipment from this total. Also left out of this total is U.S.\$175 million in mine action funding from the European Community, because at least in some cases the major mine donors reported donations to the EC as part of their domestic mine action spending. This total also does not include in-kind (as opposed to cash) contributions from some of these donors, nor the substantial in-kind contributions made by other donors.

Thus, total global spending on mine action to date is bound to be at least tens of millions of dollars higher than the \$640 million compiled from reports by seventeen major donors. But it is a useful number to compare to the \$500 million pledged just during the Ottawa treaty signing conference in December 1997, or to the \$1 billion *per year* target of the U.S. 2010 initiative.

Most of the seventeen donors have provided at least a partial year-by-year breakdown of their mine action spending, allowing some assessment of the trend and progress. Again cautioning that the numbers should not be viewed in any way as comprehensive, and recognizing that governments compile this information in a non-uniform way, if the reported mine action spending of these donors is totaled for each year since 1993, the results are as follows:

1993: \$22 million (6 donors reporting); 1994: \$41 million (8 donors); 1995: \$64 million (9 donors); 1996: \$94 million (10 donors); 1997: \$100 million (11 donors); 1998: \$169 million (11 donors).

The tremendous jump from 1997 to 1998 is accounted for by very large increases by Canada (\$18.7 million increase) and the United States (\$17.6 million), plus substantial increases by Germany (\$5.2 million), Sweden (\$4.7 million), Norway (\$4.1 million), United Kingdom (\$3 million), and Finland (\$2.1 million). It is also notable that in 1998 Italy spent \$12 million, more than its combined spending of the previous three years, and Japan spent \$8.7 million, nearly 30% of all its previous mine action funding. (1997 figures are not available for those two nations for comparative purposes).

Major Mine Action Donors

(All figures are in U.S. dollars, unless otherwise noted.)

United States — \$164.3 million

This is for fiscal years 1993-1998. It does not include victim assistance funding. The Leahy War Victims Fund, which largely goes to mine victims, totaled \$50 million from 1989-98. It also does not include \$45 million for demining research and development. The U.S. has stated that its contributions to mine action programs, including R&D, will total \$100 million in FY 1999.

1993	\$10.2 million
1994	\$15.9 million
1995	\$29.2 million
1996	\$29.8 million
1997	\$30.8 million
1998	\$48.4 million ³⁷

Norway — \$66.6 million

This includes funding from the Ministry of Foreign Affairs 1994-1998 (NOK 398 million) and the Norwegian Agency for Development Cooperation 1994-1997 (NOK 101 million). It includes funding for victim assistance. In December 1997 Norway com-

Total global spending on mine action to date is bound to be at least tens of millions of dollars higher than the \$640 million compiled from reports by seventeen major donors.

mitted to spending \$120 million over a five-year period on mine action.

1994	\$4.0 million
1995	\$11.6 million
1996	\$13.5 million
1997	\$16.7 million
1998	\$20.8 million

Sweden — \$52.1 million

This includes funding from 1990-1998 (SEK 417 million). It is estimated that a maximum of 10% has been devoted to victim assistance.

1990-93	\$5.5 million
1994	\$2.6 million
1995	\$5.1 million
1996	\$10.4 million
1997	\$11.9 million
1998	\$16.6 million

United Kingdom — \$49.7 million

This includes funding from fiscal year 1992-93 to 1998-99. It does not include victim assistance funding, or UK contributions to EC mine clearance projects. At the Ottawa treaty signing conference, the UK said that it would double its annual contribution to demining activities to a total of £10 million (\$16 million) by the year 2001.

1992-1993	\$2.8 million
1993-1994	\$5.1 million
1994-1995	\$9.6 million
1995-1996	\$7.9 million
1996-1997	\$7.1 million
1997-1998	\$7.1 million
1998-1999	\$10.1 million

Germany — \$42.4 million

This includes funding from 1993-1998 by the Ministry of Foreign Affairs (DEM 51.3 million) and Ministry of Economic Cooperation and Development (DEM 31.2 million). It apparently includes victim assistance funding. An additional DEM 9.5 million (\$5.4 million) has been spent on demining research and development. A year-by-year breakdown is available only for the Foreign Ministry funds, not for the Ministry of Economic Cooperation and Development.

1993	\$0.3 million
1994	\$0.5 million
1995	\$0.8 million
1996	\$7.9 million
1997	\$4.9 million
1998	\$10.1 million

Japan — \$38.7 million

Although a year-by-year breakdown is not available, this includes approximately \$30 million through 1997, and \$8.65 million (106 million yen) in 1998. It apparently includes victim assistance funding. At the Ottawa treaty signing conference, Japan pledged to spend 10 billion yen (\$85 million) over five years.

Denmark — \$37.7 million

This is for 1992-1998. It includes DKK 90 million (\$13 million) in bilateral contributions and DKK \$175 million (\$24.7 million) to UN agencies, the ICRC and non-governmental organizations. It includes victim assistance funding. The following year-by-year breakdown does not include bilateral contributions.

1992	\$1.9 million
1993	\$1.7 million
1994	\$2.0 million
1995	\$2.3 million
1996	\$7.2 million
1997	\$4.7 million
1998	\$4.9 million

Canada — \$37 million

This includes Canadian International Development Agency spending 1993-1997 of Cdn\$16.8 million (\$11.1 million), Department of National Defence spending 1989-1997 of Cdn\$6.2 million (\$4.1 million), and Canadian Landmine Fund spending in 1998 of Cdn\$33 million (\$21.7 million). It includes victim assistance funding. Not included is approximately \$1 million in demining research and development. In December 1997, Canada committed to spend Cdn\$100 million on mine action over the next five years.

1989	\$1.7 million
1993	\$2.2 million
1994	\$2.9 million
1995	\$1.5 million
1996	\$4.0 million
1997	\$3.0 million
1998	\$21.7 million

France — \$35.7 million

This funding for 1995-1998 includes 142 million francs contributed to EU mine action programs and 72 million francs for bilateral programs. Victim assistance funding is included. No year-by-year breakdown is available.

Netherlands — \$30.2 million

This is funding for 1996-1998 only, for demining, mine awareness, and victim assistance.

1996	\$10.7 million
1997	\$10.2 million
1998	\$9.3 million

Australia — \$22.9 million

This is for 1994-1999 (Aus\$36 million). No year-by-year breakdown is available. It apparently includes victim assistance funding. Australia has committed to spending Aus\$100 million (\$65.2 million) on mine action by the year 2005.

Italy — \$22.4 million

This includes 18 billion lire (\$10.45 million) for 1995-1997 and 20 billion lire (\$11.97 million) in 1998. It appears to include victim assistance funding.

Switzerland — \$16.9 million

This is for 1993-1997 and includes \$11 million for victim assistance, \$5.5 million for mine clearance, and \$400,000 for mine awareness programs.

1993	\$2.7 million
1994	\$3.5 million
1995	\$4.1 million
1996	\$2.6 million
1997	\$4.0 million

Finland — \$14.4 million

This is for 1991-1998. It is unknown if it includes victim assistance programs. Finland has pledged to allocate \$22.6 million to mine action between 1998-2001.

1995	\$0.7 million
1996	\$1.3 million
1997	\$4.5 million
1998	\$6.6 million

Belgium — \$5.1 million

This includes mine action spending 1994-1998. Another \$2.65 million has been spent on demining research and development.

Austria — \$4.2 million

This is funding from 1994-1998 (54 million schillings) to UN agencies and to NGOs for demining, mine awareness and mine victim assistance programs.

Ireland — \$4 million+

This is funding from 1994-1997 (more than £3 million) for demining and rehabilitation projects, and includes support for country programs, the UN Voluntary Trust Fund, and NGOs. The 1997 total was £1.14 million.

Demining Research and Development Funding

Wherever possible, the above figures do not include funding for research and development on demining technologies and equipment, though in some cases it is unknown if the government has included demining R&D in its totals. Landmine Monitor has identified the following demining R&D spending:

- United States: \$45.4 million (1995-1998), with another \$17.7 million estimated for 1999;
- Sweden: approximately \$22.5 million (1994-1998);
- Netherlands: approximately \$10 million (1997-1998);
- Belgium: \$2.65 million (through 1998);
- United Kingdom: \$1.7 million (1994/95-1998/99);
- Canada: about \$1 million in 1998, the first year of an \$11.2 million five-year program;
- Australia has indicated it will spend \$2.6 million 1998-2002;
- European Community: \$18 million

Major Mine Action Recipients

Accurate, complete, and comparable figures for major mine action recipients are even more elusive than those for major mine action donors. The following figures from Landmine Monitor research and country reports, while admittedly incomplete in most cases, give an indication of the level of mine action funding in various mine-affected countries. It seems clear that the biggest recipients have been Afghanistan, Mozambique, Cambodia, Bosnia-Herzegovina, and Angola.

In Afghanistan, funding for the UN Mine Action Program for Afghanistan totaled \$113 million from 1991 through October 1998. This includes demining and mine awareness but not victim assistance. Mozambique's Ministry of Foreign Affairs and Cooperation has stated that funding for demining from 1993 through 1998 has exceeded \$116 million. Landmine Monitor was able to identify in detail \$93.5 million in donor spending and pledges for mine action in Mozambique for the period 1994-2001.

Cash contributions to the Cambodia Mine Action Center totaled \$63 million from 1994-1998, but in-kind contributions have amounted to millions, perhaps tens of millions, more. Donors have reported approximately \$83 million in contributions and com-

Accurate, complete, and comparable figures for major mine action recipients are even more elusive than those for major mine action donors.

mitments. Mine action contributions to Bosnia-Herzegovina from ten major donors from 1996-1998 totaled \$36 million, and the World Bank is supporting a \$30 million War Victims Rehabilitation Project. Angola has received an estimated \$51 million from major donors through 1998.

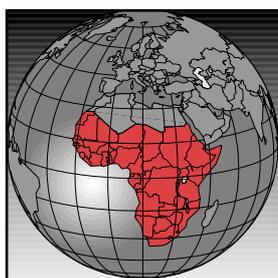
Five donor countries and the EU had spent or committed \$11.8 million to mine action activities in Iraqi Kurdistan as of November 1998. It was reported that under the UN-brokered oil for food deal with Baghdad, \$16.5 million was allocated for mine clearance and surveys in Iraqi Kurdistan in 1998, earmarked for the UN Office of Project Services. The government of Laos has reported \$5 million in cash contributions and \$8 million in in-kind contributions

to the UXO Lao Trust Fund from 1996-1998. Donor governments have reported more than \$26 million in contributions and pledges to Laos.

Six donors have reported \$13.2 million in mine action funding and commitments to the Central American nations of Nicaragua, Honduras, Costa Rica and Guatemala, most of it through a regional program in cooperation with the Organization of American States and the Inter-American Defense Board. Through 1998, the U.S. had spent \$12 million on mine action programs in Rwanda, \$8.2 million in Ethiopia, \$8 million in Eritrea, and \$7.2 in Namibia. Croatia has reportedly spent some \$26 million from its budget for mine action activities, but has received approximately \$4 million from the international community.

Regional Overviews

Africa



MBT Signature and Ratification

Of the forty-eight countries in Africa, forty have signed the Mine Ban Treaty (thirty-five during the Ottawa signing conference in early December 1997, and

another five since then—Zambia, São Tomé and Príncipe, Chad, Sierra Leone, and Equatorial Guinea, which acceded).

The only non-signatories are: Central African Republic, Comoros, Congo (Brazzaville), Democratic Republic of Congo (DRC), Eritrea, Liberia, Nigeria and Somalia.

Of the forty signatories, seventeen had ratified as of 31 March 1999. In chronological order, they are: Mauritius, Djibouti, Mali, Zimbabwe, South Africa, Malawi, Mozambique, Equatorial Guinea, Burkina Faso, Namibia, Senegal, Benin, Guinea, Lesotho, Swaziland, Uganda, and Niger. Landmine Monitor country reports indicate that the ratification process is underway in about half of those nations that have not yet ratified.

APM Use

The government of Angola, a treaty signatory, has laid new antipersonnel mines in 1998 and 1999. UNITA forces have also used APMs in the renewed fighting. It also seems certain that signatories Guinea-Bissau and Senegal used mines while fighting together against rebellious military forces in Guinea-Bissau in 1998. Senegal ratified the treaty in September 1998 during a ceasefire period. There have also been allegations of use by signatories Rwanda, Uganda and Zimbabwe in the conflict in the Democratic Republic of Congo, but there is no concrete evidence and the accused governments have denied laying mines.

Mines have been used in 1998 and/or early 1999 by rebel forces in Angola, Djibouti, Guinea-Bissau, and Uganda, as well as by various factions in Somalia. There have also been frequent allegations

of use in the DRC by government forces, rebels, and foreign armies, in Eritrea by government troops, and in Sudan by the government and rebels.

APM Production and Export

There are currently no antipersonnel landmine producers or exporters in Africa. (Egypt, which still produces mines, is included in the Middle East/North Africa section of this report). In the past, South Africa, Uganda, Zimbabwe and, possibly, Namibia produced APMs. South Africa and Zimbabwe were also exporters.

APM Stockpiles

There is almost no hard data on the number of antipersonnel mines in the stockpiles of African nations, either signatories or non-signatories. Few countries have even begun destruction of stocks.

South Africa (243,423 mines) and Namibia (50 tons of mines and UXOs) indicate that they have destroyed their entire operational stocks of APMs. Mali, Guinea-Bissau, and possibly Uganda and Gabon have destroyed part of their APM stockpiles.

Those with APM stockpiles today include all of the non-signatories, except possibly Comoros, plus Angola, Chad, Djibouti, Ethiopia, Gabon, Guinea-Bissau, Kenya, Madagascar, Malawi, Mali, Mauritania, Mozambique, Niger, Rwanda, Senegal, Sierra Leone, Sudan, Uganda, Zambia, and Zimbabwe. It is uncertain whether the following have mine stocks: Botswana, Burundi, Guinea, Tanzania, and Togo.

Landmine Problem and Mine Action

Africa is often called the most heavily mined continent. Severely affected countries include Angola, Mozambique, Somalia (and Somaliland), Sudan, Eritrea, and Ethiopia. Others include Zimbabwe, Rwanda, Zambia, Chad, Namibia, Burundi, Uganda, DR Congo, Mauritania, Sierra Leone, Liberia, Senegal, Guinea-Bissau, Congo-Brazzaville, Djibouti, Malawi, Niger, South Africa and Swaziland.

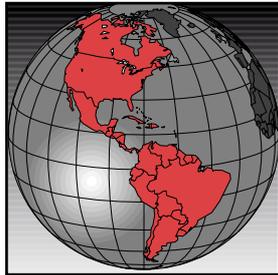
Mine clearance operations are underway in Angola, Mozambique, Namibia, Rwanda, and Zimbabwe with varying degrees of success. Some \$116 million has been spent on mine action in

Africa

There is almost no hard data on the number of antipersonnel mines in the stockpiles of African nations, either signatories or non-signatories. Few countries have even begun destruction of stocks.

Mozambique, likely more than any other country except possibly Afghanistan. More than \$50 million has been spent in Angola, \$12 million in Rwanda, and about \$8 million in both Eritrea and Ethiopia.

Americas



MBT Signature and Ratification

There is near universal support for the Mine Ban Treaty in the Americas region. Thirty-three countries have signed the treaty; the United States and Cuba are the only non-signatories. As of 31 March 1999, nineteen countries of the region had ratified the ban treaty (in order of ratification): Canada, Belize, Trinidad and Tobago, Bolivia, Mexico, Peru, Jamaica, the Bahamas, Grenada, Honduras, Panama, Paraguay, Nicaragua, St. Kitts and Nevis, Barbados, El Salvador, Costa Rica, Dominica, and Guatemala.

Those who have signed but not ratified include: Antigua and Barbuda, Argentina, Brazil, Chile, Colombia, Dominican Republic, Ecuador, Guyana, Haiti, Saint Lucia, Saint Vincent and the Grenadines, Suriname, Uruguay and Venezuela. The legislative process to ratify is currently underway in at least half of these nations.

APM Use

The only country in the region where there is evidence that antipersonnel mines were being actively laid in 1998 and early 1999 is Colombia, where several rebel groups, notably the UC-ELN and FARC, have produced and used antipersonnel mines and improvised explosive devices for years.

APM Production and Export

As a result of the Mine Ban Treaty and domestic policies, seven countries in the region have stopped production of antipersonnel mines: Argentina, Brazil, Canada, Chile, Colombia, Nicaragua, and Peru. Colombia's production, which ceased in 1996, had gone unrecorded by other governments and NGOs, prior to publication of the *Landmine Monitor Report 1999*.

The United States and Cuba remain the only APM producers in the hemisphere.

No country in the region is currently an exporter of antipersonnel mines. The U.S. turned its 1992 moratorium on exports into a permanent ban in 1997, and Cuba has formally stated that it does not export APMs. Treaty signatories Argentina, Brazil, Canada, and Chile exported mines in the past.

APM Stockpiles

Canada and El Salvador have destroyed their entire operational stockpiles of antipersonnel mines.

Guatemala states that it has no APM stockpile. Partial stockpile destruction has taken place in Nicaragua, the United States, and Uruguay.

The following nations are believed to have stockpiles of APMs: Argentina, Brazil, Chile, Colombia, Cuba, Ecuador, Guyana, Nicaragua, United States, Uruguay, and Venezuela. Peru has reported to the OAS that it has no stockpile of antipersonnel mines, but there are reports to the contrary. It is not known if Panama, Paraguay, and Suriname have APM stockpiles.

The following nations are believed to have never possessed antipersonnel mines: Antigua and Barbuda, Bahamas, Barbados, Belize, Bolivia, Costa Rica, Dominica, Dominican Republic, Grenada, Haiti, Honduras, Jamaica, Mexico, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines and Trinidad and Tobago.

Landmine Problem and Mine Action

Uncleared landmines pose a continuing problem in the Americas. The most seriously affected countries are Colombia and Nicaragua. Others with a mine problem include Honduras, Costa Rica, Guatemala, and Peru and Ecuador along their border, as well as the disputed Falkland/Malvinas Islands. The greatest number of mines, some 500,000 to one million, appear to be planted on Chile's borders with Argentina, Bolivia and Peru. However, these mines seem to cause few civilian casualties. Both the US and Cuba have planted mines around the US Guantanamo Naval Base; the US has pledged to remove all of its antipersonnel mines from the area by the end of 1999.

Humanitarian mine clearance programs are underway in Nicaragua, Honduras, Costa Rica, and Guatemala (all in cooperation with the OAS and Inter-American Defense Board). Joint agreement was reached in late 1998 by Peru and Ecuador to demine their border. In November 1998, Hurricane Mitch devastated Honduras, but only set back mine clearance efforts by a matter of months. All of the Central American countries should attain the goal of being mine free by the year 2000, with the exception of Nicaragua, where the target appears to have slipped to 2004, due to the hurricane and other factors.

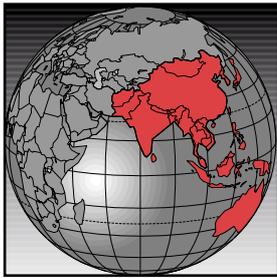
A Memorandum of Understanding on a Joint Program for the Rehabilitation of Mine Victims in Central America was signed by Mexico, Canada and PAHO in January 1999. The initiative, financed with an initial grant of 3.5 million Canadian dollars will assess and begin to address the needs of war victims in El Salvador, Nicaragua and Honduras.

The United States has provided more money to global mine action programs than any other nation, approximately \$164 million. Canada is another significant mine action donor (approximately \$37 million).

Americas

There is near universal support for the Mine Ban Treaty in the Americas region. Thirty-three countries have signed the treaty; the United States and Cuba are the only non-signatories.

Asia/Pacific



MBT Signature and Ratification

Of the thirty-nine countries of the Asia-Pacific region (which stretches from Afghanistan in the west to the islands of the Pacific in the east), eighteen have signed the Mine

Ban Treaty.

The signatories include: Australia, Bangladesh, Brunei, Cambodia, Cook Islands, Fiji, Indonesia, Japan, Malaysia, Maldives, Marshall Islands, New Zealand, Niue, Philippines, Samoa, Solomon Islands, Thailand, and Vanuatu.

The non-signatories include: Afghanistan, Bhutan, Burma (Myanmar), China, India, Kiribati, North Korea, South Korea, Laos, Micronesia, Mongolia, Nauru, Nepal, Pakistan, Palau, Papua New Guinea, Singapore, Sri Lanka, Tonga, Tuvalu, and Vietnam.

Of the eighteen signatories, as of 31 March 1999, only eight had ratified the treaty. In chronological order, they are: Niue, Fiji, Samoa, Japan, Thailand, Australia, Solomon Islands, and New Zealand.

APM Use

No evidence was found of continued use of AP mines by treaty signatories. It is highly likely that opposition forces in Cambodia used mines in 1998, but the government denies that it has used AP mines since signing the treaty.

Of the non-signatories, use continues on a near daily basis in Burma by both the military government and a variety of armed ethnic groups. The Sri Lankan Army and the rebel Tamil Tigers (LTTE) continue to lay antipersonnel mines. The opposition forces in Afghanistan acknowledge ongoing use of AP mines, while there are unconfirmed reports of recent use by the Taliban.

APM Production and Export

Eight of the 16 remaining antipersonnel mine producers in the world are located in this region: Burma, China, India, North Korea, South Korea, Pakistan, Singapore, and Vietnam.

Those who have stopped APM production, either as a result of the treaty or domestic policies, include Japan, Philippines, Taiwan, and Thailand.

No country in the region is believed to be a current exporter of antipersonnel mines. Former exporters Pakistan and Singapore have formal export moratoria in place, while former exporters China and Vietnam have publicly stated that they are not currently exporting. No other Asia/Pacific country is known to have exported in the past, but it is worth noting that India and South Korea have announced formal export moratoria. Burma and North Korea have no export restrictions in place.

APM Stockpiles

China, with an estimated 110 million antipersonnel mines, is believed to have the largest APM stockpile in the world. India, with an estimated 4-5 million APMs, and South Korea, with an estimated 2 million APMs, also have some of the world's biggest holdings of mines.

Few countries in this region have started destroying antipersonnel mines. The Philippines has completed destruction of its mines (2,460 Claymore mines). New Zealand destroyed its small stockpile of mines in 1996, and retains only command-detonated Claymore mines. Cambodia has destroyed some 72,000 APMs. Japan is developing a plan for the destruction of the one million APMs in its stockpile.

Every country of the region is thought to have antipersonnel mine stockpiles except for New Zealand, the Philippines, Bhutan, Maldives, Papua New Guinea (Claymore only), the Pacific island states, and possibly Nepal.

Landmine Problem and Mine Action

Cambodia and Afghanistan are considered among the most mine-affected countries in the world. In Afghanistan, 146 square kilometers of land have been cleared of mines, but another 713 square kilometers await demining. Casualties in Afghanistan are estimated at 10-12 per day, about half of the 1993 estimate. In Cambodia, 148 square kilometers of land have been cleared; another 644 square kilometers is known to be mined and 1,400 square kilometers is suspected to be mined. There were 1,249 mine casualties in 1998, about one-third of estimates from several years ago.

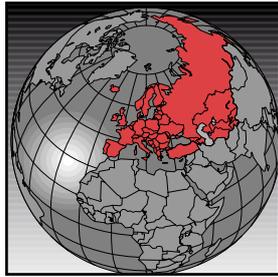
The China-Vietnam border was heavily mined, but both sides have been conducting demining operations, with China claiming to have cleared more than 100 square kilometers of land in 1998 and early 1999. A new demining operation is getting underway in Vietnam's Quang Tri Province, its most seriously affected area. Thailand's border with Cambodia is also heavily mined, but the Thai have yet to initiate a major demining program. There is a serious problem with mines in Sri Lanka's Jaffna peninsula, but a UNDP mine action program is being established there. Laos continues to be severely infested with unexploded ordnance from the Indochina Wars, as well as mines; clearance efforts are expanding with 159 hectares of land cleared in 1997 and 239 hectares in 1998 (through October). Burma has a problem with mines on its borders with Thailand and Bangladesh, but no systematic demining has taken place. Bangladesh, Malaysia, India, Pakistan, North Korea and South Korea have slight problems with mines, mostly in border areas.

Japan and Australia are among the leading mine action donors in the world. Japan has provided about \$39 million (including \$8.65 million in 1998 alone), and Australia about \$23 million.

Asia/Pacific

Eight of the 16 remaining antipersonnel mine producers in the world are located in this region: Burma, China, India, North Korea, South Korea, Pakistan, Singapore, and Vietnam.

Europe/Central Asia



MBT Signature and Ratification

Thirty-nine of the fifty-three countries in Europe/ Central Asia have signed the Mine Ban Treaty. That includes four since the initial December 1997 treaty signing conference: Albania, Macedonia (which acceded), Ukraine and Lithuania.

The fourteen non-signatories are: Armenia, Azerbaijan, Belarus, Estonia, Finland, Georgia, Kazakhstan, Kyrgyzstan, Latvia, Russia, Tajikistan, Turkey, Uzbekistan, and FR Yugoslavia. It can be noted that this list contains eleven states from the former Soviet Union. All of the European Union has signed except Finland, all of NATO except Turkey, and all of Central/East Europe except the Federal Republic of Yugoslavia.

While nations from the former Soviet Union have been reluctant to sign, Turkmenistan did so at the December 1997 treaty signing conference, and became the fourth country in the world to ratify in January 1998. In a very important development, Ukraine—with 10 million antipersonnel mines, the world's fourth largest arsenal— signed in February 1999, as did Lithuania, the first Baltic state.

Of the thirty-nine signatories from the region, twenty-four have ratified (in chronological order): Ireland, Turkmenistan, Holy See, San Marino, Switzerland, Hungary, Croatia, Denmark, Austria, Andorra, Norway, France, Germany, United Kingdom, Bulgaria, Belgium, Bosnia and Herzegovina, Macedonia, Slovenia, Monaco, Sweden, Spain, Portugal, and Slovakia.

The fifteen who have *not* ratified are: Albania, Cyprus, Czech Republic, Greece, Iceland, Italy, Liechtenstein, Lithuania, Luxembourg, Malta, Moldova, Netherlands, Poland, Romania, and Ukraine. Greece issued a formal statement upon signature indicating that ratification will take place "as soon as conditions relating to the implementation of [the treaty's] relevant provisions are fulfilled." Lithuania made a nearly identical statement at signature. Poland has indicated it will not implement the treaty until it becomes "truly universal with the participation of all major powers," and Poland has found alternatives to APMs.

APM Use

In the period from December 1997 to early 1999, it appears that new antipersonnel mines were laid in FR Yugoslavia and Kosovo by the Yugoslav army and the Kosovo Liberation Army, in Turkey by the government and the Kurdish (PKK) separatists, and in Abkhazia by Georgian partisans. There were also frequent allegations of use by Abkhazian partisans in

Georgia, and by rebels in Tajikistan. None of these instances involve treaty signatories.

APM Production and Export

As a result of having signed the treaty or of domestic policies, twenty-three countries in this region have stopped production of antipersonnel mines: Albania, Austria, Belgium, Bosnia, Bulgaria, Croatia, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Italy, Netherlands, Norway, Poland, Portugal, Romania, Spain, Sweden, Switzerland, and United Kingdom. (Belarus, Cyprus and Ukraine have been identified by some as producers, but deny current or past production). The *Landmine Monitor Report 1999* is the first to reveal details on Albania's past role in mine production.

Russia, Turkey, and Yugoslavia remain the only producers in the region. Russia announced a halt to production of blast antipersonnel mines in 1998. According to some Yugoslav sources, there has been no APM production there for several years.

No country in this region is believed to be engaged in antipersonnel mine exports. Landmine Monitor has identified eighteen regional countries as past exporters; sixteen have signed the treaty, Russia has a formal moratorium on export of non-detectable and non-self-destructing mines, and Yugoslavia has publicly stated that it no longer exports APMs.

APM Stockpiles

There are likely more than 100 million antipersonnel mines stockpiled in this region, with Russia holding an estimated 60-70 million, and Belarus stockpiling millions, possibly tens of millions, of APMs. Yugoslavia is also likely to have a very large stockpile, but the number is unknown. Finland has indicated it has less than one million APMs in stock.

As of early 1999, it is believed that the biggest stockpiles held by treaty signatories are those of Ukraine (10 million), Italy (7 million), Sweden (3 million), Albania (2 million), United Kingdom (850,000), France (650,000) and Spain (595,000). Destruction is underway or in the planning stage in each case, with the exception of Albania. Greece is also thought to have a significant stockpile of mines, with no plans for destruction yet in place.

But millions of mines have been destroyed in recent years, notably by Switzerland (3 million), Germany (1.7 million), France (750,000), Belgium (430,000), United Kingdom (430,000), Sweden (315,000) Netherlands (255,000), Spain (about 225,000), Denmark (about 200,000), Austria (116,000), and Ukraine (101,000). In addition, Russia has destroyed 500,000 APMs that do not comply with the revised mines protocol of the CCW.

Austria, Belgium, Germany, Luxembourg, Norway, and Switzerland have completed destruction of their operational stocks of antipersonnel mines. At least another sixteen countries have destroyed some APMs.

Europe / Central Asia

All of the European Union has signed except Finland, all of NATO except Turkey, and all of Central/East Europe except the Federal Republic of Yugoslavia. Nations from the former Soviet Union have been reluctant to sign.

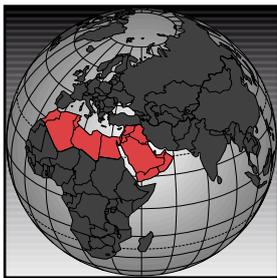
Landmine Problem and Mine Action

There are very serious mine problems in Bosnia and Croatia, as well as in Chechnya (Russia), Abkhazia (Georgia) and Nagorny-Karabakh (Azerbaijan). Other mine affected countries include Albania, Armenia, Bulgaria, Cyprus, Greece, Kyrgyzstan, Moldova, Slovenia, Tajikistan, Turkey, and Yugoslavia. Large scale humanitarian mine clearance programs are underway in Bosnia and Croatia.

In addition, a number of countries in the region are still suffering from mines and unexploded ordnance left over from World War II, notably Belarus, Belgium, Denmark, France, Latvia, Lithuania, Luxembourg, Poland, Russia, and Ukraine. In some cases, thousands of mines and UXOs are still cleared each year.

Thirteen of the top seventeen donors for global mine action are from this region, including Norway, Sweden, UK, Germany, Denmark, France, Netherlands, Italy, Switzerland, Finland, Belgium, Austria and Ireland. Combined contributions total more than \$380 million.

Middle East/North Africa



MBT Signature and Ratification

Five of the eighteen nations in the region have signed the Mine Ban Treaty: Yemen, Qatar, Algeria, and Tunisia at the December 1997 signing conference, and Jordan on 11 August 1999. Yemen (September 1998), Qatar (October 1998) and Jordan (November 1998) have also ratified. Tunisia passed ratification legislation in October 1998, but has not yet officially deposited it with the United Nations. Yemen has a domestic ban law, but it is unclear if this constitutes treaty implementation legislation.

Those who have not signed the treaty include: Bahrain, Egypt, Iran, Iraq, Israel, Kuwait, Lebanon, Libya, Morocco, Oman, Saudi Arabia, Syria and United Arab Emirates. Based on policy statements,

actions, and U.N. votes, governments most opposed to the Mine Ban Treaty are Egypt, Iran, Iraq, Israel, Libya, Morocco and Syria.

APM Use

While antipersonnel landmines have been used extensively throughout the region, there is confirmation of new use in the 1998 and early 1999 period only in Israeli-occupied south Lebanon, where APMs have been planted by both Israeli forces and non-state actors, notably Hezbollah.

APM Production and Export

Four countries in the region—Egypt, Iran, Iraq and Israel—have been identified as producers and exporters of antipersonnel mines. Israel has at least since December 1997 stated that it is no longer producing antipersonnel mines. Israel has a formal export moratorium in place, and Egypt and Iran have declared that they no longer export antipersonnel mines. Iraq is now the only nation in the world known to have exported APMs in the past which has not announced a halt.

APM Stockpiles

Three nations in the region apparently have no APMs stockpiled: Kuwait, Qatar, and United Arab Emirates. It is unknown if Bahrain has a stockpile. Yemen appears to be the only country that has begun destruction of APMs, destroying 42,000 in 1998.

Not a single country in the region has divulged details about the total number of APMs in its stockpile. It is likely that Egypt, Iran, Iraq, Israel, and Syria have the biggest stocks of APMs.

Landmine Problem and Mine Action

All countries of the region report some landmine problem, except Bahrain, Qatar, Saudi Arabia and the United Arab Emirates. An extensive mine clearance operation is carried out in Iraqi Kurdistan. Other affected nations where mine clearance occurs, sometimes systematically and sometimes sporadically, are Egypt, Iran, Israel, Jordan, Lebanon, Libya, Morocco, Tunisia, and Yemen. In most of these nations, clearance is carried out by the armed forces.

Middle East/ North Africa

Based on policy statements, actions, and U.N. votes, governments most opposed to the Mine Ban Treaty are Egypt, Iran, Iraq, Israel, Libya, Morocco and Syria.

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 rec-

ognizing 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 pos-

sible, 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.

Notes

- ¹ The ICBL generally uses the short title, Mine Ban Treaty, though other short titles are common as well, including Ottawa Convention and Ottawa Treaty.
- ² UN Secretary-General Kofi Annan, Address to the Signing Ceremony of the Antipersonnel Mines Convention, Ottawa, Canada, 3 December 1997.
- ³ Throughout this report, the term ratification is used as a short-hand for "consent to be bound." The treaty allows governments to give consent to be bound in a variety of ways, including ratification, acceptance, approval or accession — all of which give binding legal status beyond signature.
- ⁴ U.S. Army Foreign Science and Technology Center, letter to Human Rights Watch, 1 November 1993, (assessing global production and trade of antipersonnel mines), p. 1.
- ⁵ U.S. State Department, *Hidden Killers*, December 1994, p. 1. UN officials have since indicated that the number planted was a rough estimate, and based on very extensive mine laying in the conflicts in the former Yugoslavia at the time.
- ⁶ U.S. State Department, *Hidden Killers*, September 1998, p. v.
- ⁷ Senegal ratified on 24 September, in the midst of the conflict in Guinea-Bissau where it was laying mines. The treaty entered into force for Senegal on 1 March 1999, after a cease-fire took effect.
- ⁸ US Army Foreign Science and Technology Center letter to Human Rights Watch, 1 November 1993. FSTC stressed that the estimates were rough, but believed to be very conservative.
- ⁹ Based on Landmine Monitor research findings and on information provided by the U.S. Army Foreign Science and Technology Center, letter to Human Rights Watch, 1 November 1993.
- ¹⁰ Russia's moratorium and China's declaratory policy only apply to export of non-detectable and non-self-destruct mines, in keeping with CCW restrictions. However, neither nation is known to have made a significant export since 1995.
- ¹¹ Statement by Bulgarian Ambassador Petko Draganov to the Conference on Disarmament, undated but February 1999.
- ¹² ICBL, "Antipersonnel Landmines and the Conference on Disarmament," written by Stephen Goose, Human Rights Watch, Chair, ICBL Treaty Working Group, released in Geneva 1 March 1999.
- ¹³ See ICBL Statement to the Closing Plenary of the Oslo Diplomatic Conference, 18 September 1997.
- ¹⁴ ICBL, *Ban Treaty News*, 1 September 1997, p. 3.
- ¹⁵ ICBL, Statement to the Closing Plenary of the Oslo Diplomatic Conference, 18 September 1997.
- ¹⁶ U.S. Department of State, *Hidden Killers: the Global Demining Crisis*, (Washington D.C.: U.S. Department of State Publication 190575, 1998); see also UN Landmine Database: www.un.org/Depts/Landmines/index.html
- ¹⁷ The percentage was arrived at by taking the difference, in turn, between the UN estimate and the *Hidden Killers* 1998 low and high estimates, then averaging the sum of these two and taking the result as a percentage of the UN estimate. The *Hidden Killers* derived a 30 percent reduction in the number of landmines from the UN estimate, by averaging the percentage difference for the 12 countries. It should be noted that this flat 30 percent factor is hardly a factor that is accepted in the mine action community.
- ¹⁸ Eddie Banks, *Brassey's Essential Guide to Anti Personnel Landmines*, (London: Brassey's, 1997), p. 6.
- ¹⁹ Colin King, (ed.) *Jane's Mines and Mine Clearance*, (Surrey: Jane's Information Group Limited, Third edition, 1998-99), p. 13.
- ²⁰ Handicap International, Mines Advisory Group and Norwegian People's Aid, *Portfolio of Mine-related Projects 1998*.
- ²¹ Mike Croll, *The History of Landmines* (Great Britain: Leo Cooper Barnsley, 1998), p. 92.
- ²² Don Hubert, "The Challenge of Humanitarian Demining", in Cameron, Maxwell A. et al *To Walk Without Fear. The Global Movement to Ban Landmines*, (Toronto: Oxford University Press, 1998), p. 315.
- ²³ Patrick Blagden, "The Evolution of Mine Clearance Operations Since 1991," in *Barlow, Dennis et al., Humanitarian Demining Information Center. James Madison University, Sustainable Humanitarian Demining: Trends, Techniques & Technologies*, (Verona, Virginia: Mid Valley Press, 1997).
- ²⁴ *United Nations International Standards for Humanitarian Mine Clearance Operations*, (New York: Mine Clearance Policy Unit, DHA, United Nations).
- ²⁵ See <http://www.un.org/Depts/Landmines/index.html>
- ²⁶ Canadian Ministry of Foreign Affairs, *One Year Later: Is the Ottawa Convention Making a Difference?*, Ottawa, Canada, 2 December 1998, p. 2.
- ²⁷ See *SIPRI Yearbook 1998*.
- ²⁸ "It's Not a Pretty Picture," *Newsweek*, International Issue, 8 March 1999.
- ²⁹ United Nations Mine Action Program for Afghanistan, *Socio-Economic Impact Study of Mine Action Operations Afghanistan*, Interim Report by Mine Clearance Planning

Agency, October 1998.

³⁰ An important point of departure for a mine awareness program, is to define the most common causes of mine accidents in the area in question. For a comprehensive list, see UNICEF, *International Guidelines for Mine Awareness Education*, Final Draft, 26 January 1999. This much-needed initiative by UNICEF seeks to explore some common elements that need to be addressed in order to do a mine awareness campaign. A problem has been that mine awareness campaigns have often been poorly structured and *ad hoc*, not involving mine affected communities themselves in the awareness process. See also the UNICEF activity report in the appendix.

³¹ Ibid.

³² ICRC website: www.icrc.org

³³ Dr. Robin M. Coupland, *Assistance for Victims of Anti-personnel Mines: Needs, Constraints, and Strategy*, (Geneva: ICRC, August 1997), p. 5.

³⁴ Ibid, p. 15.

³⁵ "Mine Action Bilateral Donor Support," 16 November 1998, provided by the government of Norway.

³⁶ A parallel example: UNICEF funds programs which do not only target children, but they require clear baseline indicators, external evaluations, etc. that the programs do indeed benefit children.

³⁷ The U.S. has reported mine action spending in 1998 of both \$66.1 million and \$91.8 million; the smaller number (less \$17.7 million in Pentagon R&D) is used here



Toward a Mine-Free World

Landmine Monitor

Executive Summary 1999

The ICBL is a coalition of over 1,300 non-governmental organizations in over 75 countries. Its Landmine Monitor initiative is coordinated by a Core Group of five organizations. Human Rights Watch is the lead agency, others include Handicap International, Kenya Coalition Against Landmines, Mines Action Canada, and Norwegian People's Aid.



Kenya Coalition Against Landmines



Cover photo by Nic Dunlop, 1995

Chorb Bun Heng, 14, lost his foot to an antipersonnel landmine hidden in the banks of the Sangke River, Battambang, Cambodia.

Cover Design: Rafael Jiménez

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