

Notes for ICRC intervention on “Articles 2 and 3”

Review of the status and operation of the Convention, Cartagena Summit, Wednesday 2 December 2009

Since 2004, the implementation of Articles 1, 2 and 3 have been regularly discussed during the Standing Committee Meetings and the Meetings of States Parties in accordance with the Nairobi Action Plan.

With regard to Article 2, several States Parties have reported on the evolution of policy and practice with regard to mines with sensitive fuzes, which most States that have spoken consider to be anti-personnel mines covered by Article 1. States Parties have also been informed of the results of several years of expert work on the issue of sensitive fuzes carried out within the context of the Convention on Certain Conventional Weapons, which identified specific fuzes that cannot be designed to prevent detonation by a person. The ICRC believes it is important to continue discussions on this issue, with a view to promoting common practices and understandings on this matter.

Concerning Article 3, we warmly welcome Actions 55 to 57, which call for a regular review of the number of mines retained under Article 3 to ensure that they constitute the minimum number absolutely necessary and to destroy those in excess of this number. While Article 3 permits States Parties to retain mines for training and research activities, a number of States Parties have kept considerable quantities of mines for years without reporting using them for permitted purposes.

We welcome the fact that several States Parties, in recent years, have reviewed the number of mines retained under Article 3 and as a result, have reduced the number of mines, in some cases to zero. We hope that all other States Parties that still retain mines under Article 3 will—in line with the Cartagena Action Plan—conduct such a review as soon as possible. As highlighted in Action 57, this review is particularly necessary for those States that have retained the same number of mines for years without reporting on their use for permitted purposes.