

international law, ensuring compliance amongst non-state armed groups is an ongoing challenge.

## Anti-Personnel Mine Ban Convention (APMBC)

The APMBC was adopted on 18 September 1997 and entered into force on 1 March 1999. It has a clear humanitarian goal. Its preamble opens with a paragraph that highlights the extent of civilian suffering from landmines:

‘States Parties [are] 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.’<sup>12</sup>

The last paragraph of the preamble makes it clear that the Convention is based on international humanitarian law rules, recalling that the ‘right of parties to an armed conflict to choose methods or means of warfare is not unlimited, and on the principle that prohibits the employment in armed conflicts of weapons ... of a nature to cause superfluous injury or unnecessary suffering and on the principle that a distinction must be made between civilians and combatants’.

### THE APMBC:

- Prohibits the development, production, use, transfer and stockpiling of antipersonnel mines.
- Requires the destruction of stockpiled antipersonnel mines within four years.
- Requires the clearance of emplaced anti-personnel mines within ten years.
- Requires support for assistance for victims.

The treaty seeks to eliminate the civilian harm caused by anti-personnel mines. To achieve this goal, the Convention adopted comprehensive prohibitions to prevent new use of AP mines as well as remedial measures to address the needs of those who have already suffered from these weapons.

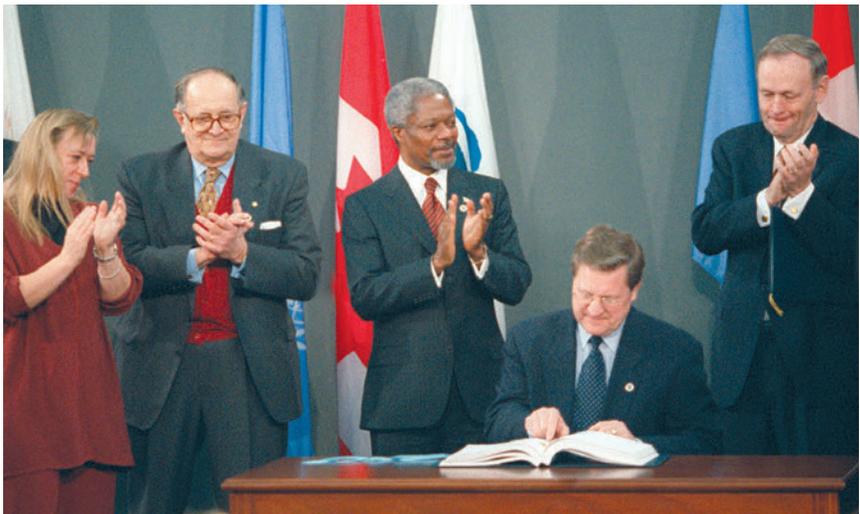
The APMBC prohibits the use of anti-personnel mines ‘under any circumstances’ (Article 1). This includes peacetime and armed conflict and internal disturbances. Parties may not resort to the use of anti-personnel mines in attack or self-defence, even if threatened with imminent military defeat.

The Convention does not permit reservations to any of its provisions. A State must destroy all anti-personnel mine stockpiles it owns or possesses or which are under its jurisdiction or control within four years of joining the APMBC (Article 4).

Each State Party is obliged to clear all anti-personnel mines in mined areas under its jurisdiction within ten years (Article 5). An extension of this deadline can be requested by any State Party not in a position to meet its deadline. These extension requests have to be justified in writing and submitted to States Parties for approval.

Article 6 includes a provision on victim assistance, one of the reasons why the APMBC was considered a ground-breaking normative development, although it is not as detailed or explicit as the later Convention on Cluster Munitions.

To date, more than three-quarters of the world’s countries have ratified the APMBC, and many that have not, do abide by its main provisions, clearly establishing an international norm against anti-personnel mines. The APMBC was instrumental in promoting mine action operations on the ground and prompted an increase in international support in this sector.



[World activists go back to Ottawa to mark Mine Ban Treaty’s 10<sup>th</sup> anniversary, 2007](#)