ITALY

✓ Signature: 1 10.04.1981

✓ Ratification, Acceptance, Approval, Accession, Succession:

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✓ Reservation:

✓ Declarations:

  • Declaration:

“On 10 October 1980 in Geneva, the representative of Italy at the Conference speaking at the closing meeting, emphasized that the Conference, in an effort to reach a compromise between what was desirable and what was possible, had probably achieved the maximum results feasible in the circumstances prevailing at that time. However, he observed in his statement that one of the objectives which had not been achieved at the Conference, to his Government's great regret, was the inclusion in the text of the Convention, in accordance with a proposal originated by the Federal Republic of Germany, of an article on the establishment of a consultative committee of experts competent to verify facts which might be alleged and which might constitute violations of the undertakings subscribed to.

On the same occasion, the representative of Italy expressed the wish that the proposal, which was aimed at strengthening the credibility and effectiveness of the Convention, should be reconsidered at the earliest opportunity within the framework of the mechanisms for the amendment of the Convention expressly provided for in that instrument.

Subsequently, through the representative of the Netherlands, speaking on behalf of nine States members of the European Community in the First Committee of the United Nations General Assembly on 20 November 1980, when it adopted draft resolution A/C.1/31/L.15 (subsequently adopted as General Assembly Resolution 35/153), Italy once again expressed regret that the States which had participated in the

1 In accordance with Article 3, the Convention was “…. open for signature by all States at the United Nations Headquarters in New York for a period of twelve months from 10 April 1981.”
preparation of the texts of the Convention and its Protocols had been unable to reach agreement on provisions that would ensure respect for the obligations deriving from those texts.

In the same spirit, Italy - which has just signed the Convention in accordance with the wishes expressed by the General Assembly in its resolution 35/153 - wishes to confirm solemnly that it intends to undertake active efforts to ensure that the problem of the establishment of a mechanism that would make it possible to fill a gap in the Convention and thus ensure that it achieves maximum effectiveness and maximum credibility vis-à-vis the international community is taken up again at the earliest opportunity in every competent forum.”

- Declaration: 2

[Same declaration, mutatis mutandis, as the one made by Ireland.]

- Declarations: 3
  - Declaration in respect of article 1:

[Same declaration, mutatis mutandis, as the one made by Ireland.]

- Declaration in respect of article 2:

"Under article 2 of the amended Protocol II, in order to fully address the humanitarian concerns raised by anti-personnel land-mines, the Italian Parliament has enacted and brought into force a legislation containing a far more stringent definition of those devices. In this regard, while reaffirming its commitment to promote the further development of international humanitarian law, the Italian Government confirms its understanding that the word 'primarily' is included in article 2, paragraph 3 of the amended Protocol II to clarify that 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."

- Declaration in respect of article 5, paragraph 2 (b):

"Under article 5 of the amended Protocol II, it is the understanding of the Italian Government that article 5 (paragraph 2) does not preclude agreement in connection with peace treaties and related agreements among concerned states to allocate responsibilities under this paragraph in another manner which reflects the spirit and purpose of the article."

2 Made upon consent to be bound by Protocol IV.
3 Made upon consent to be bound by Amended Protocol II.