



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

**Mission permanente de la Suisse auprès de l'Office des Nations
Unies et des autres organisations internationales à Genève**

275.12 FAS/PAJ

The Permanent Mission of Switzerland to the United Nations Office and to the other international organisations in Geneva presents its compliments to the CCW Implementation Support Unit, Office for Disarmament Affairs (Geneva Branch), and has the honour to submit Switzerland's 2011 Annual Report according to article 13 paragraph 4 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 1980 "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".

The Permanent Mission of Switzerland thanks the Secretary General for circulating this report to all High Contracting Parties.

The Permanent Mission of Switzerland avails itself of this opportunity to renew to the Secretary General of the United Nations the assurances of its highest consideration.

Geneva, 30 March 2012



CCW Implementation Support Unit
Office for Disarmament Affairs (Geneva Branch)
United Nations Office at Geneva
Palais des Nations, Office C 113-1
CH-1211 Geneva 10
Switzerland

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
(PROTOCOL II AS AMENDED ON 3 MAY 1996)

Reporting Formats for Article 13 para 2 and Article 11 para 2.

NAME OF HIGH CONTRACTING PARTY SWITZERLAND

DATE OF SUBMISSION **30.03.2012**

NATIONAL POINT(S) OF CONTACT

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This information can be made available to other interested parties and
relevant organisations

X YES

... NO

... Partially, only the following forms:

A B C D E F G

Summary Sheet

(Pursuant to the decision of the Fifth Annual Conference of the States Parties to CCW
Amended Protocol II as stipulated in paragraph 20 of its Final Report,
CCW/AP.II/CONF.5/2)

Reporting Period: 1 January 2011 to 31 December 2011	
Form A: Dissemination of information	<input checked="" type="checkbox"/> changed <input type="checkbox"/> unchanged
Form B: Mine clearance and rehabilitation programmes:	<input type="checkbox"/> changed <input checked="" type="checkbox"/> unchanged (last reporting: 2003)
Form C: Technical requirements and relevant information:	<input type="checkbox"/> changed <input checked="" type="checkbox"/> unchanged (last reporting: 2003)
Form D: Legislation	<input type="checkbox"/> changed <input checked="" type="checkbox"/> unchanged (last reporting: 2008)
Form E: International technical information exchange, co-operation on mine clearance, technical co-operation and assistance:	<input checked="" type="checkbox"/> changed <input type="checkbox"/> unchanged
Form F: Other relevant matters:	<input checked="" type="checkbox"/> changed <input type="checkbox"/> unchanged
Form G: Information to the UN-database on mine clearance:	<input type="checkbox"/> changed <input checked="" type="checkbox"/> unchanged (last reporting: 2011)

Form A **Dissemination of information**

Article 13 / 4 / a "The High Contracting Parties shall provide annual reports to the Depositary ... on:
(a) dissemination of information on this Protocol to their armed forces and to the civilian population;"

Remark:

High Contracting Party SWITZERLAND

reporting for time period from **1 January 2011** to **31 December 2011**

Information to the armed forces

[From the Annual Report of Switzerland on the CCW and its Protocols, Form A]

The alleviation of the plight of combatants and civilians by the formulation of rules in armed conflicts has always been a priority for Switzerland. Our country puts therefore every effort in upholding the standards set by international humanitarian law (IHL) with regard to all parties involved.

Swiss military doctrine, along with the respective regulations and manuals, reflect the law of armed conflict and its principles including the norms and regulations of the CCW and its Protocols, including amended Protocol II.

Armed Forces personnel are educated in IHL during basic training (recruit school) and in all military cadre schools; IHL is part of the curriculum of the Swiss Armed Forces Training Centre (all cadre courses, including courses for General Staff Officers), the Swiss Military Academy as well as of schools and courses for legal advisors. Legal advisors attend the Military Course on International Humanitarian Law at the San Remo Institute, and members of the Armed Forces participating in PSO receive an instruction on IHL and on specific Rules of Engagement.

Officer candidates are also regularly instructed in the central officer's school on arms control issues, the norms and regulations of IHL, as well as on the CCW and its Protocols (including amended Protocol II). Dissemination of the law of armed conflict to a wider public is promoted by interactive CD-ROMs and an internet web-site.

[continued]

Every soldier performing active service (i.e. national defence service, public order service, training of the armed forces, support of civil affairs, and peace support tasks) has to respect the law (including the norms of international humanitarian law (IHL)). Illegal orders, especially when their execution is resulting in a violation of IHL or international human rights law (HR), must not be carried out. Commanders are obliged to respect and ensure respect of IHL and HR within their sphere of responsibility.

The principles of distinction, necessity, legality and proportionality are implemented in the Rules of Engagement (ROE). The ROE further prohibit the use of irregular weapons and munitions by members of the Swiss Armed Forces. According to Swiss law, it is strictly prohibited for members of the Swiss Armed Forces to participate in combat actions for peace-enforcement purposes. Mission oriented ROE are trained during the training sequence preceding a mission. Pocket Cards on the mission and its specific ROE are handed out to every member of the deployed units.

The Swiss Armed Forces International Command SWISSINT gives instructions to soldiers and officers preparing a mission abroad. These instructions (e.g. Mine Risk Education) raise awareness and assure the correct behaviour regarding mines, unexploded remnants of war and booby traps. The Swiss EOD Center (Competence center for explosive ordnance disposal, military and humanitarian demining) instructs its international deployed supervisors on the CCW and its Protocols as part of the internal humanitarian demining course

Information to the civilian population

The civilian population has been informed on several occasions on the results of the Annual Conferences of the States Parties to the amended Protocol II by public statements of Government representatives and annual public reports on the implementation of the Mine Action Strategy of the Swiss Confederation. At the occasion of the internal ratification-process of the amended Protocol II and the Mine Ban Treaty as well as at the introduction of the Swiss Federal Act on War Material, the Swiss Parliament and the civilian population have been informed repeatedly about the new obligations arising from the said legal instruments.

Form B **Mine clearance and rehabilitation programmes**

Article 13 / 4 / b ”The High Contracting Parties shall provide annual reports to the Depositary ... on:

(b) mine clearance and rehabilitation programmes;”

Remark: The territory of Switzerland contains neither mined areas nor areas suspected to contain mines.

High Contracting Party SWITZERLAND reporting for time period from **1 January 2011** to **31 December 2011**

<u>Mine clearance programs</u> not applicable
<u>Rehabilitation programs</u> not applicable

Form C Technical requirements and relevant information

Article 13 / 4 / c "The High Contracting Parties shall provide annual reports to the Depositary ... on:
(c) steps taken to meet technical requirements of this Protocol and any other relevant information pertaining thereto;

Remark:

High Contracting Party SWITZERLAND reporting for time period from **1 January 2011** to **31 December 2011**

Technical requirements

Switzerland destroyed all its anti-personnel landmines by 15 March 1999.

All anti-tank mines held by the Swiss Armed Forces fulfil the requirements of the amended Protocol II.

Any other relevant information

Switzerland has taken all anti-tank mines of the type Pz Mi 60 out of service. They have all been destroyed by early 2003.

Form D **Legislation**

Article 13 / 4 / d ”The High Contracting Parties shall provide annual reports to the Depositary ... on:

(d) legislation related to this Protocol;

Remark:

High Contracting Party SWITZERLAND

reporting for time period from 1 January 2011 to 31 December 2011

Legislation

On 13 December 1996, the Swiss Parliament enacted national legislation prohibiting the development, production, brokerage, acquisition, import, export, transfer, stockpiling, use and possession of and any other activity relating to APM (Swiss Federal Law on War Material). The only activities permitted are those which are directly related to the destruction of or the protection against APM. With entry into force of the amended Protocol II on 3 December 1998 and the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction of 1997 (Mine Ban Treaty) on 1 March 1999 for Switzerland, these international legal instruments became integral parts of the Swiss legislation. The definition of ”APM” applied in the Swiss Federal Law on War Material was extended to the definition used in the Mine Ban Treaty and the amended Protocol II. According to the modified Article 8 of the Swiss Federal Law on War Material, ”APM” is defined as any explosive device that is placed in or on the ground or any other surface or in their proximity and is designed or modified to explode by the presence, proximity or contact of a person and that is intended to incapacitate, injure or kill one or more persons. Mines designed to detonate upon the presence, proximity or contact of a vehicle as opposed to a person and those are equipped with anti-handling devices, are not considered anti-personnel mines as a result of being so equipped. This amendment entered into force on 1 March 1999. In addition, the Swiss Parliament adapted art. 8 of the Swiss Federal Law on War Material to the exact wording of art. 2 (3) and art. 3 (1) of the Mine Ban Treaty. This amendment entered into force on 1 June 2004.

Form E

International technical information exchange, co-operation on mine clearance, technical co-operation and assistance

Article 13 / 4 / e

"The High Contracting Parties shall provide annual reports to the Depositary ... on:

(e) measures taken on international technical information exchange, on international co-operation on mine clearance, and on technical co-operation and assistance;

Remark:--

High Contracting Party

SWITZERLAND

reporting for time period from 1 January 2011 to 31 December 2011

International technical information exchange

The Federal Department of Defence, Civil Protection and Sport (DDPS) participated in international information exchanges in various ways, among others, by providing technical information and practical demonstrations on Explosive Ordnance Disposal (EOD) systems for the contact-free disposal of Unexploded Ordnance (UXO) and mines, but also by organising training courses with the Geneva International Centre for Humanitarian Demining (GICHD) for Mine Action Specialists within the EAPC/PPF framework

International co-operation on mine clearance

The Swiss policy on Mine Action follows a holistic approach that bases on all relevant regimes; it addresses the negative impact of mines and explosive remnants of war (ERW), including cluster munitions. The Mine Action Strategy of the Swiss Confederation for the period 2008-2011 outlines the relevant aspects of Switzerland's contribution to mine action and the disposal of explosive remnants of war.

In 2011 the Swiss Government spent about CHF 16 millions on projects related to mine action in general (see annual reports on CCW and CCW Protocol V).

The Federal Department of Foreign Affairs (FDFA) supports clearing-projects, projects integrating mine action into development, risk warning campaigns and victim assistance projects mainly with financial contributions in priority countries such as: BiH, Colombia, Laos, Libya, Niger, Sudan or Somaliland for about CHF 6 millions. The FDFA also substantially supported the Geneva International Center for Humanitarian Demining with about CHF 8 millions in 2011.

The Federal Department of Defence, Civil Protection and Sport (DDPS) is providing experts for Mine Action Programmes by the UN and selected NGOs on a voluntary basis. During the reporting period, Swiss experts participated in missions to, Albania, Democratic Republic of Congo (DRC), Laos, Nepal, Somaliland/Puntland, South Sudan, UNOPS HQ in New York and Western Sahara. During the reporting period, 1.8 million Swiss francs have been spent for the assignment of personnel. The DDPS further developed and updated its specific training courses for future experts to be sent to international Mine Action Programs.

Technical co-operation and assistance

Furthermore, in 2011, the Swiss Government offered EOD systems. This offer includes not only the material but also training and support (follow-up deliveries may take place upon request). However, during the reporting period January to December 2011, there were no pending requests and thus no EOD System were delivered.

Since 2000 Switzerland has been offering international training courses on the Information Management System for Mine Action (IMSMA) via the channels of the Partnership for Peace Program (PfP). In the reporting period January to December 2011 three courses took place: a general course on "Humanitarian Mine Action and the Military" (April 2011, Geneva), a course on "Information Management and Mine Action" (April 2011, Geneva), and a course on "Evaluation of Mine Action Programmes" (October 2011, Geneva) were offered by the DDPS at the GICHD.

Form F Other relevant matters

Article 13 / 4 / f "The High Contracting Parties shall provide annual reports to the Depositary ... on:

(f) other relevant matters.

Remark:

High Contracting Party SWITZERLAND

reporting for time period from 1 January 2011 to 31 December 2011

Other relevant matters

According to the new mine action policy 2012-2015, the Swiss Government will continue its contributions to the Geneva International Centre for Humanitarian Demining

Form G Information to the UN-database on mine clearance

Article 11 para 2

The High Contracting Parties shall provide information to the database on mine clearance established within the United Nations System, especially on:

- information concerning various means and technologies of mine clearance, and lists of experts, expert agencies or national points of contact on mine clearance

High Contracting Party SWITZERLAND

reporting for time period from 1 January 2011 to 31 December 2011

Means and technologies of mine clearance

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Lists of experts and experts agencies

Swiss EOD Centre (Komp Zen ABC KAMIR)

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National points of contact on mine clearance

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