AMENDED PROTOCOL II ON PROHIBITIONS OR RESTRICTIONS ON THE USE OF MINES, BOOBY-TRAPS AND OTHER DEVICES GROUP OF EXPERTS

(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)

Geneva, 22 August 2019

Statement by Germany (II)

Germany would like to thank once again GICHD and UNODA for the interesting side-event on the important topic of Mines other than Anti-Personnel Mines (MOTAPM).

Germany welcomes any progress within the CCW and accompanying consultations in addressing the humanitarian risks posed by Mines other than Anti-Personnel Mines.

Two aspects could make a real difference: those are detectability and lifespan limitations. Germany, on a national basis, applies the following policy:

(i) MOTAPM used by the German armed forces are detectable.
(ii) MOTAPM used by the German armed forces are equipped with a mechanism ensuring their active life to be limited.

(iii) MOTAPM transferred to third states must meet the requirements of detectability and active life.

Furthermore, a decision taken by the German parliament, with the title “Promoting the Further Development of Humanitarian Arms Control in the Field of Land Mines” of 13 June 2002, complements and tightens the provisions of international law contained in Amended Protocol II of the CCW and in the Ottawa Convention as regards land mines used by the Bundeswehr.

According to the above-mentioned Bundestag decision, “all mines with activation mechanisms which by their design may also be triggered by persons shall be considered anti-personnel mines” (in the sense of the Ottawa Convention). The decision refers explicitly to “anti-vehicle mines, especially those with sensitive activation mechanisms (e.g. magnetic field sensors)”. The main purpose of this political declaration by the Bundestag is to reduce or exclude “potential hazards to the civilian population”.

Under usual operational conditions, MOTAPM used by the Bundeswehr can generally not be activated by the presence, proximity or contact of a person not involved in combat operations. Although risks can never be absolutely excluded, the residual risk connected to Bundeswehr MOTAPM is extremely low.

In 2006 Germany deposited in addition a unilateral declaration on MOTAPM clearly stating the restriction it is undertaking to minimize the humanitarian harm caused by Anti-Vehicle Mines.
We would encourage and welcome further exchange between High Contracting Parties on the issue of Mines Other Than Anti-Personnel Mines.

Thank you.