

## **Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (Ottawa Treaty)**

### **Preamble**

The States Parties,

**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 defenseless 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,

**Believing** it necessary to do their utmost to contribute in an efficient and coordinated manner to face the challenge of removing anti-personnel mines placed throughout the world, and to assure their destruction,

**Wishing** to do their utmost in providing assistance for the care and rehabilitation, including the social and economic reintegration of mine victims,

**Recognizing** that a total ban of anti-personnel mines would also be an important confidence-building measure,

**Welcoming** the adoption 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 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, and calling for the early ratification of this Protocol by all States which have not yet done so,

**Welcoming** also United Nations General Assembly Resolution 51/45 S of 10 December 1996 urging all States to pursue vigorously an effective, legally-binding international agreement to ban the use, stockpiling, production and transfer of anti-personnel landmines,

**Welcoming** furthermore the measures taken over the past years, both unilaterally and multilaterally, aiming at prohibiting, restricting or suspending the use, stockpiling, production and transfer of anti-personnel mines,

**Stressing** the role of public conscience in furthering the principles of humanity as evidenced by the call for a total ban of anti-personnel mines and recognizing the efforts to that end undertaken by the International Red Cross and Red Crescent Movement, the International Campaign to Ban Landmines and numerous other non-governmental organizations around the world,

**Recalling** the Ottawa Declaration of 5 October 1996 and the Brussels Declaration of 27 June 1997 urging the international community to negotiate an international and legally

binding agreement prohibiting the use, stockpiling, production and transfer of anti-personnel mines,

**Emphasizing** the desirability of attracting the adherence of all States to this Convention, and determined to work strenuously towards the promotion of its universalization in all relevant fora including, inter alia, the United Nations, the Conference on Disarmament, regional organizations, and groupings, and review conferences of 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,

**Basing** themselves on the principle of international humanitarian law that the right of the parties to an armed conflict to choose methods or means of warfare is not unlimited, on the principle that prohibits the employment in armed conflicts of weapons, projectiles and materials and methods of warfare of a nature to cause superfluous injury or unnecessary suffering and on the principle that a distinction must be made between civilians and combatants,

Have agreed as follows:

## **Article 1**

### **General obligations**

1. Each State Party undertakes never under any circumstances:
  - a. To use anti-personnel mines;
  - b. To develop, produce, otherwise acquire, stockpile, retain or transfer to anyone, directly or indirectly, anti-personnel mines;
  - c. To assist, encourage or induce, in any way, anyone to engage in any activity prohibited to a State Party under this Convention.
2. Each State Party undertakes to destroy or ensure the destruction of all anti-personnel mines in accordance with the provisions of this Convention.

## **Article 2**

### **Definitions**

1. "Anti-personnel mine" means a mine designed to be exploded by the presence, proximity or contact of a person and that will incapacitate, injure or kill one or more persons. 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.
2. "Mine" means a munition designed to be placed under, on or near the ground or other surface area and to be exploded by the presence, proximity or contact of a person or a vehicle.
3. "Anti-handling device" means a device intended to protect a mine and which is part of, linked to, attached to or placed under the mine and which activates when an attempt is made to tamper with or otherwise intentionally disturb the mine.

4. "Transfer" involves, in addition to the physical movement of anti-personnel mines into or from national territory, the transfer of title to and control over the mines, but does not involve the transfer of territory containing emplaced anti-personnel mines.
5. "Mined area" means an area which is dangerous due to the presence or suspected presence of mines.

### **Article 3**

#### **Exceptions**

1. Notwithstanding the general obligations under Article 1, the retention or transfer of a number of anti-personnel mines for the development of and training in mine detection, mine clearance, or mine destruction techniques is permitted. The amount of such mines shall not exceed the minimum number absolutely necessary for the above-mentioned purposes.
2. The transfer of anti-personnel mines for the purpose of destruction is permitted.

### **Article 4**

#### **Destruction of stockpiled anti-personnel mines**

Except as provided for in Article 3, each State Party undertakes to destroy or ensure the destruction of all stockpiled anti-personnel mines it owns or possesses, or that are under its jurisdiction or control, as soon as possible but not later than four years after the entry into force of this Convention for that State Party.

### **Article 5**

#### **Destruction of anti-personnel mines in mined areas**

1. Each State Party undertakes to destroy or ensure the destruction of all anti-personnel mines in mined areas under its jurisdiction or control, as soon as possible but not later than ten years after the entry into force of this Convention for that State Party.
2. Each State Party shall make every effort to identify all areas under its jurisdiction or control in which anti-personnel mines are known or suspected to be emplaced and shall ensure as soon as possible that all anti-personnel mines in mined areas under its jurisdiction or control are perimeter-marked, monitored and protected by fencing or other means, to ensure the effective exclusion of civilians, until all anti-personnel mines contained therein have been destroyed. The marking shall at least be to the standards set out in 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 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.
3. If a State Party believes that it will be unable to destroy or ensure the destruction of all anti-personnel mines referred to in paragraph 1 within that time period, it may submit a request to a Meeting of the States Parties or a Review Conference for an

extension of the deadline for completing the destruction of such anti-personnel mines, for a period of up to ten years.

4. Each request shall contain:
  - a. The duration of the proposed extension;
  - b. A detailed explanation of the reasons for the proposed extension, including:
    - i. The preparation and status of work conducted under national demining programs;
    - ii. The financial and technical means available to the State Party for the destruction of all the anti-personnel mines; and
    - iii. Circumstances which impede the ability of the State Party to destroy all the anti-personnel mines in mined areas;
  - c. The humanitarian, social, economic, and environmental implications of the extension; and
  - d. Any other information relevant to the request for the proposed extension.
5. The Meeting of the States Parties or the Review Conference shall, taking into consideration the factors contained in paragraph 4, assess the request and decide by a majority of votes of States Parties present and voting whether to grant the request for an extension period.
6. Such an extension may be renewed upon the submission of a new request in accordance with paragraphs 3, 4 and 5 of this Article. In requesting a further extension period a State Party shall submit relevant additional information on what has been undertaken in the previous extension period pursuant to this Article.

## **Article 6**

### **International cooperation and assistance**

1. In fulfilling its obligations under this Convention each State Party has the right to seek and receive assistance, where feasible, from other States Parties to the extent possible.
2. Each State Party undertakes to facilitate and shall have the right to participate in the fullest possible exchange of equipment, material and scientific and technological information concerning the implementation of this Convention. The States Parties shall not impose undue restrictions on the provision of mine clearance equipment and related technological information for humanitarian purposes.
3. Each State Party in a position to do so shall provide assistance for the care and rehabilitation, and social and economic reintegration, of mine victims and for mine awareness programs. Such assistance may be provided, inter alia, through the United Nations system, international, regional or national organizations or institutions, the International Committee of the Red Cross, national Red Cross and Red Crescent societies and their International Federation, non-governmental organizations, or on a bilateral basis.
4. Each State Party in a position to do so shall provide assistance for mine clearance and related activities. Such assistance may be provided, inter alia, through the United Nations system, international or regional organizations or institutions, non-governmental organizations or institutions, or on a bilateral basis, or by contributing

to the United Nations Voluntary Trust Fund for Assistance in Mine Clearance, or other regional funds that deal with demining.

5. Each State Party in a position to do so shall provide assistance for the destruction of stockpiled anti-personnel mines.
6. Each State Party undertakes to provide information to the database on mine clearance established within the United Nations system, especially information concerning various means and technologies of mine clearance, and lists of experts, expert agencies or national points of contact on mine clearance.
7. States Parties may request the United Nations, regional organizations, other States Parties or other competent intergovernmental or non-governmental fora to assist its authorities in the elaboration of a national demining program to determine, inter alia:
  - a. The extent and scope of the anti-personnel mine problem;
  - b. The financial, technological and human resources that are required for the implementation of the program;
  - c. The estimated number of years necessary to destroy all anti-personnel mines in mined areas under the jurisdiction or control of the concerned State Party;
  - d. Mine awareness activities to reduce the incidence of mine-related injuries or deaths;
  - e. Assistance to mine victims;
  - f. The relationship between the Government of the concerned State Party and the relevant governmental, inter-governmental or non-governmental entities that will work in the implementation of the program.
8. Each State Party giving and receiving assistance under the provisions of this Article shall cooperate with a view to ensuring the full and prompt implementation of agreed assistance programs.

## **Article 7**

### **Transparency measures**

1. Each State Party shall report to the Secretary-General of the United Nations as soon as practicable, and in any event not later than 180 days after the entry into force of this Convention for that State Party on:
  - a. The national implementation measures referred to in Article 9;
  - b. The total of all stockpiled anti-personnel mines owned or possessed by it, or under its jurisdiction or control, to include a breakdown of the type, quantity and, if possible, lot numbers of each type of anti-personnel mine stockpiled;
  - c. To the extent possible, the location of all mined areas that contain, or are suspected to contain, anti-personnel mines under its jurisdiction or control, to include as much detail as possible regarding the type and quantity of each type of anti-personnel mine in each mined area and when they were emplaced;
  - d. The types, quantities and, if possible, lot numbers of all anti-personnel mines retained or transferred for the development of and training in mine detection, mine clearance or mine destruction techniques, or transferred for

- the purpose of destruction, as well as the institutions authorized by a State Party to retain or transfer anti-personnel mines, in accordance with Article 3;
- e. The status of programs for the conversion or de-commissioning of anti-personnel mine production facilities;
  - f. The status of programs for the destruction of anti-personnel mines in accordance with Articles 4 and 5, including details of the methods which will be used in destruction, the location of all destruction sites and the applicable safety and environmental standards to be observed;
  - g. The types and quantities of all anti-personnel mines destroyed after the entry into force of this Convention for that State Party, to include a breakdown of the quantity of each type of anti-personnel mine destroyed, in accordance with Articles 4 and 5, respectively, along with, if possible, the lot numbers of each type of anti-personnel mine in the case of destruction in accordance with Article 4;
  - h. The technical characteristics of each type of anti-personnel mine produced, to the extent known, and those currently owned or possessed by a State Party, giving, where reasonably possible, such categories of information as may facilitate identification and clearance of anti-personnel mines; at a minimum, this information shall include the dimensions, fusing, explosive content, metallic content, colour photographs and other information which may facilitate mine clearance; and
  - i. The measures taken to provide an immediate and effective warning to the population in relation to all areas identified under paragraph 2 of Article 5.
2. The information provided in accordance with this Article shall be updated by the States Parties annually, covering the last calendar year, and reported to the Secretary-General of the United Nations not later than 30 April of each year.
  3. The Secretary-General of the United Nations shall transmit all such reports received to the States Parties.

## **Article 8**

### **Facilitation and clarification of compliance**

1. The States Parties agree to consult and cooperate with each other regarding the implementation of the provisions of this Convention, and to work together in a spirit of cooperation to facilitate compliance by States parties with their obligations under this Convention.
2. If one or more States Parties wish to clarify and seek to resolve questions relating to compliance with the provisions of this Convention by another State Party, it may submit, through the Secretary-General of the United Nations, a Request for Clarification of that matter to that State Party. Such a request shall be accompanied by all appropriate information. Each State Party shall refrain from unfounded Requests for Clarification, care being taken to avoid abuse. A State Party that receives a Request for Clarification shall provide, through the Secretary-General of the United Nations, within 28 days to the requesting State Party all information which would assist in clarifying this matter.

3. If the requesting State Party does not receive a response through the Secretary-General of the United Nations within that time period, or deems the response to the Request for Clarification to be unsatisfactory, it may submit the matter through the Secretary-General of the United Nations to the next Meeting of the States Parties. The Secretary-General of the United Nations shall transmit the submission, accompanied by all appropriate information pertaining to the Request for Clarification, to all States Parties. All such information shall be presented to the requested State Party which shall have the right to respond.
4. Pending the convening of any meeting of the States Parties, any of the States Parties concerned may request the Secretary-General of the United Nations to exercise his or her good offices to facilitate the clarification requested.
5. The requesting State Party may propose through the Secretary-General of the United Nations the convening of a Special Meeting of the States Parties to consider the matter. The Secretary-General of the United Nations shall thereupon communicate this proposal and all information submitted by the States Parties concerned, to all States Parties with a request that they indicate whether they favour a Special Meeting of the States Parties, for the purpose of considering the matter. In the event that within 14 days from the date of such communication, at least one-third of the States Parties favours such a Special Meeting, the Secretary-General of the United Nations shall convene this Special Meeting of the States Parties within a further 14 days. A quorum for this Meeting shall consist of a majority of States Parties.
6. The Meeting of the States Parties or the Special Meeting of the States Parties, as the case may be, shall first determine whether to consider the matter further, taking into account all information submitted by the States Parties concerned. The Meeting of the States Parties or the Special Meeting of the States Parties shall make every effort to reach a decision by consensus. If despite all efforts to that end no agreement has been reached, it shall take this decision by a majority of States Parties present and voting.
7. All States Parties shall cooperate fully with the Meeting of the States Parties or the Special Meeting of the States Parties in the fulfilment of its review of the matter, including any fact-finding missions that are authorized in accordance with paragraph 8.
8. If further clarification is required, the Meeting of the States Parties or the Special Meeting of the States Parties shall authorize a fact-finding mission and decide on its mandate by a majority of States Parties present and voting. At any time the requested State Party may invite a fact-finding mission to its territory. Such a mission shall take place without a decision by a Meeting of the States Parties or a Special Meeting of the States Parties to authorize such a mission. The mission, consisting of up to 9 experts, designated and approved in accordance with paragraphs 9 and 10, may collect additional information on the spot or in other places directly related to the alleged compliance issue under the jurisdiction or control of the requested State Party.
9. The Secretary-General of the United Nations shall prepare and update a list of the names, nationalities and other relevant data of qualified experts provided by States Parties and communicate it to all States Parties. Any expert included on this list shall be regarded as designated for all fact-finding missions unless a State Party

declares its non-acceptance in writing. In the event of non-acceptance, the expert shall not participate in fact-finding missions on the territory or any other place under the jurisdiction or control of the objecting State Party, if the non-acceptance was declared prior to the appointment of the expert to such missions.

10. Upon receiving a request from the Meeting of the States Parties or a Special Meeting of the States Parties, the Secretary-General of the United Nations shall, after consultations with the requested State Party, appoint the members of the mission, including its leader. Nationals of States Parties requesting the fact-finding mission or directly affected by it shall not be appointed to the mission. The members of the fact-finding mission shall enjoy privileges and immunities under Article VI of the Convention on the Privileges and Immunities of the United Nations, adopted on 13 February 1946.
11. Upon at least 72 hours notice, the members of the fact-finding mission shall arrive in the territory of the requested State Party at the earliest opportunity. The requested State Party shall take the necessary administrative measures to receive, transport and accommodate the mission, and shall be responsible for ensuring the security of the mission to the maximum extent possible while they are on territory under its control.
12. Without prejudice to the sovereignty of the requested State Party, the fact-finding mission may bring into the territory of the requested State Party the necessary equipment which shall be used exclusively for gathering information on the alleged compliance issue. Prior to its arrival, the mission will advise the requested State Party of the equipment that it intends to utilize in the course of its fact-finding mission.
13. The requested State Party shall make all efforts to ensure that the fact-finding mission is given the opportunity to speak with all relevant persons who may be able to provide information related to the alleged compliance issue.
14. The requested State Party shall grant access for the fact-finding mission to all areas and installations under its control where facts relevant to the compliance issue could be expected to be collected. This shall be subject to any arrangements that the requested State Party considers necessary for:
  - a. The protection of sensitive equipment, information and areas;
  - b. The protection of any constitutional obligations the requested State Party may have with regard to proprietary rights, searches and seizures, or other constitutional rights; or
  - c. The physical protection and safety of the members of the fact-finding mission.

In the event that the requested State Party makes such arrangements, it shall make every reasonable effort to demonstrate through alternative means its compliance with this Convention.

15. The fact-finding mission may remain in the territory of the State Party concerned for no more than 14 days, and at any particular site no more than 7 days, unless otherwise agreed.
16. All information provided in confidence and not related to the subject matter of the fact-finding mission shall be treated on a confidential basis.

17. The fact-finding mission shall report, through the Secretary-General of the United Nations, to the Meeting of the States Parties or the Special Meeting of the States Parties the results of its findings.
18. The Meeting of the States Parties or the Special Meeting of the States Parties shall consider all relevant information, including the report submitted by the fact-finding mission, and may request the requested State Party to take measures to address the compliance issue within a specified period of time. The requested State Party shall report on all measures taken in response to this request.
19. The Meeting of the States Parties or the Special Meeting of the States Parties may suggest to the States Parties concerned ways and means to further clarify or resolve the matter under consideration, including the initiation of appropriate procedures in conformity with international law. In circumstances where the issue at hand is determined to be due to circumstances beyond the control of the requested State Party, the Meeting of the States Parties or the Special Meeting of the States Parties may recommend appropriate measures, including the use of cooperative measures referred to in Article 6.
20. The Meeting of the States Parties or the Special Meeting of the States Parties shall make every effort to reach its decisions referred to in paragraphs 18 and 19 by consensus, otherwise by a two-thirds majority of States Parties present and voting.

## **Article 9**

### **National implementation measures**

Each State Party shall take all appropriate legal, administrative and other measures, including the imposition of penal sanctions, to prevent and suppress any activity prohibited to a State Party under this Convention undertaken by persons or on territory under its jurisdiction or control.

## **Article 10**

### **Settlement of disputes**

1. The States Parties shall consult and cooperate with each other to settle any dispute that may arise with regard to the application or the interpretation of this Convention. Each State Party may bring any such dispute before the Meeting of the States Parties.
2. The Meeting of the States Parties may contribute to the settlement of the dispute by whatever means it deems appropriate, including offering its good offices, calling upon the States parties to a dispute to start the settlement procedure of their choice and recommending a time-limit for any agreed procedure.
3. This Article is without prejudice to the provisions of this Convention on facilitation and clarification of compliance.

## **Article 11**

### **Meetings of the States Parties**

1. The States Parties shall meet regularly in order to consider any matter with regard to the application or implementation of this Convention, including:
  - a. The operation and status of this Convention;
  - b. Matters arising from the reports submitted under the provisions of this Convention;
  - c. International cooperation and assistance in accordance with Article 6;
  - d. The development of technologies to clear anti-personnel mines;
  - e. Submissions of States Parties under Article 8; and
  - f. Decisions relating to submissions of States Parties as provided for in Article 5.
2. The First Meeting of the States Parties shall be convened by the Secretary-General of the United Nations within one year after the entry into force of this Convention. The subsequent meetings shall be convened by the Secretary-General of the United Nations annually until the first Review Conference.
3. Under the conditions set out in Article 8, the Secretary-General of the United Nations shall convene a Special Meeting of the States Parties.
4. States not parties to this Convention, as well as the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations may be invited to attend these meetings as observers in accordance with the agreed Rules of Procedure.

## **Article 12**

### **Review Conferences**

1. A Review Conference shall be convened by the Secretary-General of the United Nations five years after the entry into force of this Convention. Further Review Conferences shall be convened by the Secretary-General of the United Nations if so requested by one or more States Parties, provided that the interval between Review Conferences shall in no case be less than five years. All States Parties to this Convention shall be invited to each Review Conference.
2. The purpose of the Review Conference shall be:
  - a. To review the operation and status of this Convention;
  - b. To consider the need for and the interval between further Meetings of the States Parties referred to in paragraph 2 of Article 11;
  - c. To take decisions on submissions of States Parties as provided for in Article 5; and
  - d. To adopt, if necessary, in its final report conclusions related to the implementation of this Convention.
3. States not parties to this Convention, as well as the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations may be

invited to attend each Review Conference as observers in accordance with the agreed Rules of Procedure.

## **Article 13**

### **Amendments**

1. At any time after the entry into force of this Convention any State Party may propose amendments to this Convention. Any proposal for an amendment shall be communicated to the Depositary, who shall circulate it to all States Parties and shall seek their views on whether an Amendment Conference should be convened to consider the proposal. If a majority of the States Parties notify the Depositary no later than 30 days after its circulation that they support further consideration of the proposal, the Depositary shall convene an Amendment Conference to which all States Parties shall be invited.
2. States not parties to this Convention, as well as the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations may be invited to attend each Amendment Conference as observers in accordance with the agreed Rules of Procedure.
3. The Amendment Conference shall be held immediately following a Meeting of the States Parties or a Review Conference unless a majority of the States Parties request that it be held earlier.
4. Any amendment to this Convention shall be adopted by a majority of two-thirds of the States Parties present and voting at the Amendment Conference. The Depositary shall communicate any amendment so adopted to the States Parties.
5. An amendment to this Convention shall enter into force for all States Parties to this Convention which have accepted it, upon the deposit with the Depositary of instruments of acceptance by a majority of States Parties. Thereafter it shall enter into force for any remaining State Party on the date of deposit of its instrument of acceptance.

## **Article 14**

### **Costs**

1. The costs of the Meetings of the States Parties, the Special Meetings of the States Parties, the Review Conferences and the Amendment Conferences shall be borne by the States Parties and States not parties to this Convention participating therein, in accordance with the United Nations scale of assessment adjusted appropriately.
2. The costs incurred by the Secretary-General of the United Nations under Articles 7 and 8 and the costs of any fact-finding mission shall be borne by the States Parties in accordance with the United Nations scale of assessment adjusted appropriately.

## **Article 15**

### **Signature**

This Convention, done at Oslo, Norway, on 18 September 1997, shall be open for signature at Ottawa, Canada, by all States from 3 December 1997 until 4 December 1997, and at the United Nations Headquarters in New York from 5 December 1997 until its entry into force.

## **Article 16**

### **Ratification, acceptance, approval or accession**

1. This Convention is subject to ratification, acceptance or approval of the Signatories.
2. It shall be open for accession by any State which has not signed the Convention.
3. The instruments of ratification, acceptance, approval or accession shall be deposited with the Depositary.

## **Article 17**

### **Entry into force**

1. This Convention shall enter into force on the first day of the sixth month after the month in which the 40th instrument of ratification, acceptance, approval or accession has been deposited.
2. For any State which deposits its instrument of ratification, acceptance, approval or accession after the date of the deposit of the 40th instrument of ratification, acceptance, approval or accession, this Convention shall enter into force on the first day of the sixth month after the date on which that State has deposited its instrument of ratification, acceptance, approval or accession.

## **Article 18**

### **Provisional application**

Any State may at the time of its ratification, acceptance, approval or accession, declare that it will apply provisionally paragraph 1 of Article 1 of this Convention pending its entry into force.

## **Article 19**

### **Reservations**

The Articles of this Convention shall not be subject to reservations.

## **Article 20**

### **Duration and withdrawal**

1. This Convention shall be of unlimited duration.

2. Each State Party shall, in exercising its national sovereignty, have the right to withdraw from this Convention. It shall give notice of such withdrawal to all other States Parties, to the Depositary and to the United Nations Security Council. Such instrument of withdrawal shall include a full explanation of the reasons motivating this withdrawal.
3. Such withdrawal shall only take effect six months after the receipt of the instrument of withdrawal by the Depositary. If, however, on the expiry of that six-month period, the withdrawing State Party is engaged in an armed conflict, the withdrawal shall not take effect before the end of the armed conflict.
4. The withdrawal of a State Party from this Convention shall not in any way affect the duty of States to continue fulfilling the obligations assumed under any relevant rules of international law.

## **Article 21**

### **Depositary**

The Secretary-General of the United Nations is hereby designated as the Depositary of this Convention.

## **Article 22**

### **Authentic texts**

The original of this Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

## **Treaty Members**

**As of 11 Jul 05, 153 signatories/accessions and 145 ratifications or accessions (a).**

8 have signed the treaty but not ratified, these are show in bold below.

1. Afghanistan 11 Sep 02 (a)
2. Albania 8 Sep 98; 29 Feb 00
3. Algeria 3 Dec 97; 9 Oct 01
4. Andorra 3 Dec 97; 29 Jun 98
5. Angola 4 Dec 97; 5 Jul 02
6. Antigua and Barbuda 3 Dec 97; 3 May 99
7. Argentina 4 Dec 97; 14 Sep 99
8. Australia 3 Dec 97; 14 Jan 99
9. Austria 3 Dec 97; 29 Jun 98
10. Bahamas 3 Dec 97; 31 Jul 98
11. Bangladesh 7 May 98; 6 Sep 00
12. Barbados 3 Dec 97; 26 Jan 99
13. Belarus 3 Sep 03 (a)

14. Belgium 3 Dec 97; 4 Sep 98
15. Belize 27 Feb 98; 23 Apr 98
16. Benin 3 Dec 97; 25 Sep 98
17. Bolivia 3 Dec 97; 9 Jun 98
18. Bosnia and Herzegovina 3 Dec 97; 8 Sep 98
19. Botswana 3 Dec 97; 1 Mar 00
20. Brazil 3 Dec 97; 30 Apr 99
21. **Brunei Darussalem 4 Dec 97**
22. Bulgaria 3 Dec 97; 4 Sep 98
23. Burkina Faso 3 Dec 97; 16 Sep 98
24. Burundi 3 Dec 97; 22 Oct 03
25. Cambodia 3 Dec 97; 28 Jul 99
26. Cameroon 3 Dec 97; 19 Sep 02
27. Canada 3 Dec 97; 3 Dec 97
28. Cape Verde 4 Dec 97; 14 May 01
29. Central African Republic 8 Nov 02 (a)
30. Chad 6 Jul 98; 6 May 99
31. Chile 3 Dec 97; 10 Sep 01
32. Colombia 3 Dec 97; 6 Sep 00
33. Comoros 9 Sep 02 (a)
34. Congo (Brazzaville) 4 May 01 (a)
35. Congo, Democratic Rep. Of 2 May 02 (a)
36. **Cook Islands 3 Dec 97**
37. Costa Rica 3 Dec 97; 17 Mar 99
38. Cote d Ivoire 3 Dec 97; 30 Jun 00
39. Croatia 4 Dec 97; 20 May 98
40. Cyprus 4 Dec 97; 17 Jan 03
41. Czech Republic 3 Dec 97; 26 Oct 99
42. Denmark 4 Dec 97; 8 Jun 98
43. Djibouti 3 Dec 97; 18 May 98
44. Dominica 3 Dec 97; 26 Mar 99
45. Dominican Republic 3 Dec 97; 30 Jun 00
46. Ecuador 4 Dec 97; 29 Apr 99
47. El Salvador 4 Dec 97; 27 Jan 99
48. Equatorial Guinea 16 Sep 98 (a)
49. Eritrea 27 Aug 01 (a)
50. Estonia 12 May 04 (a)
51. Ethiopia 3 Dec 97; 17 Dec 04
52. Fiji 3 Dec 97; 10 Jun 98
53. France 3 Dec 97; 23 Jul 98
54. Gabon 3 Dec 97; 8 Sep 00
55. Gambia 4 Dec 97; 23 Sep 02
56. Germany 3 Dec 97; 23 Jul 98
57. Ghana 4 Dec 97; 30 Jun 00
58. Greece 3 Dec 97; 25 Sep 03
59. Grenada 3 Dec 97; 19 Aug 98
60. Guatemala 3 Dec 97; 26 Mar 99

61. Guinea 4 Dec 97; 8 Oct 98
62. Guinea-Bissau 3 Dec 97; 22 May 01
63. Guyana 4 Dec 97; 5 Aug 03
64. **Haiti 3 Dec 97**
65. Holy See 4 Dec 97; 17 Feb 98
66. Honduras 3 Dec 97; 24 Sep 98
67. Hungary 3 Dec 97; 6 Apr 98
68. Iceland 4 Dec 97; 5 May 99
69. **Indonesia 4 Dec 97**
70. Ireland 3 Dec 97; 3 Dec 97
71. Italy 3 Dec 97; 23 Apr 99
72. Jamaica 3 Dec 97; 17 Jul 98
73. Japan 3 Dec 97; 30 Sep 98
74. Jordan 11 Aug 98; 13 Nov 98
75. Kenya 5 Dec 97; 23 Jan 01
76. Kiribati 7 Sep 00 (a)
77. Latvia 1 Jul 05 (a)
78. Lesotho 4 Dec 97; 2 Dec 98
79. Liberia 23 Dec 99 (a)
80. Liechtenstein 3 Dec 97; 5 Oct 99
81. Lithuania 26 Feb 99; 12 May 03
82. Luxembourg 4 Dec 97; 14 Jun 99
83. Macedonia FYR 9 Sep 98 (a)
84. Madagascar 4 Dec 97; 16 Sep 99
85. Malawi 4 Dec 97; 13 Aug 98
86. Malaysia 3 Dec 97; 22 Apr 99
87. Maldives 1 Oct 98; 7 Sep 00
88. Mali 3 Dec 97; 2 Jun 98
89. Malta 4 Dec 97; 7 May 01
90. **Marshall Islands 4 Dec 97**
91. Mauritania 3 Dec 97; 21 Jul 00
92. Mauritius 3 Dec 97; 3 Dec 97
93. Mexico 3 Dec 97; 9 Jun 98
94. Moldova 3 Dec 97; 8 Sep 00
95. Monaco 4 Dec 97; 17 Nov 98
96. Mozambique 3 Dec 97; 25 Aug 98
97. Namibia 3 Dec 97; 21 Sep 98
98. Nauru 7 Aug 00 (a)
99. Netherlands 3 Dec 97; 12 Apr 99
100. New Zealand 3 Dec 97; 27 Jan 99
101. Nicaragua 4 Dec 97; 30 Nov 98
102. Niger 4 Dec 97; 23 Mar 99
103. Nigeria 27 Sep 01 (a)
104. Niue 3 Dec 97; 15 Apr 98
105. Norway 3 Dec 97; 9 Jul 98
106. Panama 4 Dec 97; 7 Oct 98
107. Papua New Guinea 28 Jun 04 (a)

108. Paraguay 3 Dec 97; 13 Nov 98
109. Peru 3 Dec 97; 17 Jun 98
110. Philippines 3 Dec 97; 15 Feb 00
111. **Poland 4 Dec 97**
112. Portugal 3 Dec 97; 19 Feb 99
113. Qatar 4 Dec 97; 13 Oct 98
114. Romania 3 Dec 97; 30 Nov 00
115. Rwanda 3 Dec 97; 8 Jun 00
116. Saint Kitts and Nevis 3 Dec 97; 2 Dec 98
117. Saint Lucia 3 Dec 97; 13 Apr 99
118. Saint Vincent and the Grenadines 3 Dec 97; 1 Aug 01
119. Samoa 3 Dec 97; 23 Jul 98
120. San Marino 3 Dec 97; 18 Mar 98
121. Sao Tome e Principe 30 Apr 98; 31 Mar 03
122. Senegal 3 Dec 97; 24 Sep 98
123. Serbia and Montegro 18 Sep 03 (a)
124. Seychelles 4 Dec 97; 2 Jun 00
125. Sierra Leone 29 Jul 98; 25 Apr 01
126. Slovak Republic 3 Dec 97; 25 Feb 99
127. Slovenia 3 Dec 97; 27 Oct 98
128. Solomon Islands 4 Dec 97; 26 Jan 99
129. South Africa 3 Dec 97; 26 Jun 98
130. Spain 3 Dec 97; 19 Jan 99
131. Sudan 4 Dec 97; 13 Oct 03
132. Suriname 4 Dec 97; 23 May 02
133. Swaziland 4 Dec 97; 22 Dec 98
134. Sweden 4 Dec 97; 30 Nov 98
135. Switzerland 3 Dec 97; 24 Mar 98
136. Tajikistan 12 Oct 99 (a)
137. Tanzania 3 Dec 97; 13 Nov 00
138. Thailand 3 Dec 97; 27 Nov 98
139. Timor-Leste 7 May 03 (a)
140. Togo 4 Dec 97; 9 Mar 00
141. Trinidad and Tobago 4 Dec 97; 27 Apr 98
142. Tunisia 4 Dec 97; 9 Jul 99
143. Turkey 25 Sep 03 (a)
144. Turkmenistan 3 Dec 97; 19 Jan 98
145. Uganda 3 Dec 97; 25 Feb 99
146. **Ukraine 24 Feb 99**
147. United Kingdom 3 Dec 97; 31 Jul 98
148. Uruguay 3 Dec 97; 7 Jun 01
149. **Vanuatu 4 Dec 97**
150. Venezuela 3 Dec 97; 14 Apr 99
151. Yemen 4 Dec 97; 1 Sep 98
152. Zambia 12 Dec 97; 23 Feb 01
153. Zimbabwe 3 Dec 97; 18 Jun 98

**Protocol II – Convention on Prohibitions or Restrictions on the Use of Certain  
Conventional Weapons Which May Be Excessively Injurious or To Have  
Indiscriminate Effects.**

**PROTOCOL ON PROHIBITIONS OR RESTRICTIONS ON THE USE OF  
MINES, BOOBY TRAPS AND OTHER DEVICES  
(PROTOCOL II) 2 December 1983**

*Article 1*

**Material scope of application**

This Protocol relates to the use on land of the mines, booby-traps and other devices defined herein, including mines laid to interdict beaches, waterway crossings or river crossings, but does not apply to the use of anti-ship mines at sea or in inland waterways.

*Article 2*

**Definitions**

For the purpose of this Protocol:

1. "Mine" means any munition placed under, on or near the ground or other surface area and designed to be detonated or exploded by the presence, proximity or contact of a person or vehicle, and "remotely delivered mine" means any mine so defined delivered by artillery, rocket, mortar or similar means or dropped from an aircraft.
2. "Booby-trap" means any device or material which is designed, constructed or adapted to kill or injure and which functions unexpectedly when a person disturbs or approaches an apparently harmless object or performs an apparently safe act.
3. "Other devices" means manually-emplaced munitions and devices designed to kill, injure or damage and which are actuated by remote control or automatically after a lapse of time.
4. "Military objective" means, so far as objects are concerned, any object which by its nature, location, purpose or use makes an effective contribution to military action and whose total or partial destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage.
5. "Civilian objects" are all objects which are not military objectives as defined in paragraph 4.
6. "Recording" means a physical, administrative and technical operation designed to obtain, for the purpose of registration in the official records, all available information facilitating the location of minefields, mines and booby-traps.

*Article 3*  
**General restrictions on the use of mines, booby-traps  
and other devices**

1. This Article applies to:

- (a) mines;
- (b) booby-traps; and
- (c) other devices.

2. It is prohibited in all circumstances to direct weapons to which this Article applies, either in offence, defence or by way of reprisals, against the civilian population as such or against individual civilians.

3. The indiscriminate use of weapons to which this Article applies is prohibited. Indiscriminate use is any placement of such weapons:

- (a) which is not on, or directed at, a military objective; or
- (b) which employs a method or means of delivery which cannot be directed at a specific military objective; or
- (c) which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated.

4. All feasible precautions shall be taken to protect civilians from the effects of weapons to which this Article applies. Feasible precautions are those precautions which are practicable or practically possible taking into account all circumstances ruling at the time, including humanitarian and military considerations.

*Article 4*  
**Restrictions on the use of mines other than remotely delivered mines,  
booby-traps and other devices in populated areas**

1. This Article applies to:

- (a) mines other than remotely delivered mines;
- (b) booby-traps; and
- (c) other devices.

2. It is prohibited to use weapons to which this Article applies in any city, town, village or other area containing a similar concentration of civilians in which combat between ground forces is not taking place or does not appear to be imminent, unless either:

(a) they are placed on or in the close vicinity of a military objective belonging to or under the control of an adverse party; or

(b) measures are taken to protect civilians from their effects, for example, the posting of warning signs, the posting of sentries, the issue of warnings or the provision of fences.

#### *Article 5*

#### **Restrictions on the use of remotely delivered mines**

1. The use of remotely delivered mines is prohibited unless such mines are only used within an area which is itself a military objective or which contains military objectives, and unless:

(a) their location can be accurately recorded in accordance with Article 7(1)(a); or

(b) an effective neutralizing mechanism is used on each such mine, that is to say, a self-actuating mechanism which is designed to render a mine harmless or cause it to destroy itself when it is anticipated that the mine will no longer serve the military purpose for which it was placed in position, or a remotely-controlled mechanism which is designed to render harmless or destroy a mine when the mine no longer serves the military purpose for which it was placed in position.

2. Effective advance warning shall be given of any delivery or dropping of remotely delivered mines which may affect the civilian population, unless circumstances do not permit.

#### *Article 6*

#### **Prohibition on the use of certain booby traps**

1. Without prejudice to the rules of international law applicable in armed conflict relating to treachery and perfidy, it is prohibited in all circumstances to use:

(a) any booby-trap in the form of an apparently harmless portable object which is specifically designed and constructed to contain explosive material and to detonate when it is disturbed or approached; or

(b) booby-traps which are in any way attached to or associated with:

(i) internationally recognized protective emblems, signs or signals;

(ii) sick, wounded or dead persons;

(iii) burial or cremation sites or graves;

(iv) medical facilities, medical equipment, medical supplies or medical transportation;

(v) children's toys or other portable objects or products specially designed for the feeding, health, hygiene, clothing or education of children;

(vi) food or drink;

(vii) kitchen utensils or appliances except in military establishments, military locations or military supply depots;

(viii) objects clearly of a religious nature;

- (ix) historic monuments, works of art or places of worship which constitute the cultural or spiritual heritage of peoples;
- (x) animals or their carcasses.

2. It is prohibited in all circumstances to use any booby-trap which is designed to cause superfluous injury or unnecessary suffering.

#### *Article 7*

### **Recording and publication of the location of minefields, mines and booby-traps**

1. The parties to a conflict shall record the location of:

- (a) all pre-planned minefields laid by them; and
- (b) all areas in which they have made large-scale and pre-planned use of booby-traps.

2. The parties shall endeavour to ensure the recording of the location of all other minefields, mines and booby-traps which they have laid or placed in position.

3. All such records shall be retained by the parties who shall:

(a) immediately after the cessation of active hostilities:

(i) take all necessary and appropriate measures, including the use of such records, to protect civilians from the effects of minefields, mines and booby-traps; and either

(ii) in cases where the forces of neither party are in the territory of the adverse party, make available to each other and to the Secretary-General of the United Nations all information in their possession concerning the location of minefields, mines and booby-traps in the territory of the adverse party; or

(iii) once complete withdrawal of the forces of the parties from the territory of the adverse party has taken place, make available to the adverse party and to the Secretary-General of the United Nations all information in their possession concerning the location of minefields, mines and booby traps in the territory of the adverse party;

(b) When a United Nations force or mission performs functions in any area, make available to the authority mentioned in Article 8 such information as is required by that Article;

(c) whenever possible, by mutual agreement, provide for the release of information concerning the location of minefields, mines and booby traps, particularly in agreements governing the cessation of hostilities.

#### *Article 8*

### **Protection of United Nations forces and missions from the effects of minefields, mines and booby-traps**

1. When a United Nations force or mission performs functions of peace-keeping,

observation or similar functions in any area, each party to the conflict shall, if requested by the head of the United Nations force or mission in that area, as far as it is able:

(a) remove or render harmless all mines or booby-traps in that area;

(b) take such measures as may be necessary to protect the force or mission from the effects of minefields, mines and booby-traps while carrying out its duties; and

(c) make available to the head of the United Nations force or mission in that area, all information in the party's possession concerning the location of minefields, mines and booby-traps in that area.

2. When a United Nations fact-finding mission performs functions in any area, any party to the conflict concerned shall provide protection to that mission except where, because of the size of such mission, it cannot adequately provide such protection. In that case it shall make available to the head of the mission the information in its possession concerning the location of minefields, mines and booby-traps in that area.

#### *Article 9*

#### **International co-operation in the removal of minefields, mines and booby-traps**

After the cessation of active hostilities, the parties shall endeavour to reach agreement, both among themselves and, where appropriate, with other States and with international organizations, on the provision of information and technical and material assistance--including, in appropriate circumstances, joint operations--necessary to remove or otherwise render ineffective minefields, mines and booby-traps placed in position during the conflict.

#### **TECHNICAL ANNEX TO THE PROTOCOL ON PROHIBITIONS OR RESTRICTIONS ON THE USE OF MINES, BOOBY TRAPS AND OTHER DEVICES (PROTOCOL II)**

#### **GUIDELINES ON RECORDING**

Whenever an obligation for the recording of the location of minefields, mines and booby traps arises under the Protocol, the following guidelines shall be taken into account.

1. With regard to pre-planned minefields and large-scale and pre-planned use of booby-traps:

(a) maps, diagrams or other records should be made in such a way as to indicate the extent of the minefield or booby-trapped area; and

(b) the location of the minefield or booby-trapped area should be specified by relation to the co-ordinates of a single reference point and by the estimated dimensions of the area containing mines and booby traps in relation to that single reference point.

2. With regard to other minefields, mines and booby-traps laid or placed in position:

In so far as possible, the relevant information specified in paragraph 1 above should be recorded so as to enable the areas containing minefields, mines and booby-traps to be identified.

**Documents of the Review Conference of the States Parties to the  
Convention on Certain Conventional Weapons  
Vienna, 25 September-13 October 1995  
Geneva, 22 April-3 May 1996 (Resumed Session)**

**Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps  
and Other Devices  
as Amended on 3 May 1996  
(Protocol II as amended on 3 May 1996)  
Annexed to the Convention**

**Article 1: Amended Protocol**

The Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices (Protocol II), 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 ("the Convention") is hereby amended. The text of the amended Protocol shall read as follows:

**Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other  
Devices (Protocol II as amended on 3 May 1996)**

*Article 1*  
**Scope of application**

1. This Protocol relates to the use on land of the mines, booby-traps and other devices, defined herein, including mines laid to interdict beaches, waterway crossings or river crossings, but does not apply to the use of anti-ship mines at sea or in inland waterways.
2. This Protocol shall apply, in addition to situations referred to in Article 1 of this Convention, to situations referred to in Article 3 common to the Geneva Conventions of 12 August 1949. This Protocol shall not apply to situations of internal disturbances and tensions, such as riots, isolated and sporadic acts of violence and other acts of a similar nature, as not being armed conflicts.
3. In case of armed conflicts not of an international character occurring in the territory of one of the High Contracting Parties, each party to the conflict shall be bound to apply the prohibitions and restrictions of this Protocol.

4. Nothing in this Protocol shall be invoked for the purpose of affecting the sovereignty of a State or the responsibility of the Government, by all legitimate means, to maintain or re-establish law and order in the State or to defend the national unity and territorial integrity of the State.

5. Nothing in this Protocol shall be invoked as a justification for intervening, directly or indirectly, for any reason whatever, in the armed conflict or in the internal or external affairs of the High Contracting Party in the territory of which that conflict occurs.

6. The application of the provisions of this Protocol to parties to a conflict, which are not High Contracting Parties that have accepted this Protocol, shall not change their legal status or the legal status of a disputed territory, either explicitly or implicitly.

## *Article 2* **Definitions**

For the purpose of this Protocol:

1. "Mine" means a munition placed under, on or near the ground or other surface area and designed to be exploded by the presence, proximity or contact of a person or vehicle.

2. "Remotely-delivered mine" means a mine not directly emplaced but delivered by artillery, missile, rocket, mortar, or similar means, or dropped from an aircraft. Mines delivered from a land-based system from less than 500 metres are not considered to be "remotely delivered", provided that they are used in accordance with Article 5 and other relevant Articles of this Protocol.

3. "Anti-personnel mine" means a mine primarily designed to be exploded by the presence, proximity or contact of a person and that will incapacitate, injure or kill one or more persons.

4. "Booby-trap" means any device or material which is designed, constructed, or adapted to kill or injure, and which functions unexpectedly when a person disturbs or approaches an apparently harmless object or performs an apparently safe act.

5. "Other devices" means manually-emplaced munitions and devices including improvised explosive devices designed to kill, injure or damage and which are actuated manually, by remote control or automatically after a lapse of time.

6. "Military objective" means, so far as objects are concerned, any object which by its nature, location, purpose or use makes an effective contribution to military action and whose total or partial destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage.

7. "Civilian objects" are all objects which are not military objectives as defined in paragraph 6 of this Article.

8. "Minefield" is a defined area in which mines have been emplaced and "mined area" is an area which is dangerous due to the presence of mines. "Phoney minefield" means an area free of mines that simulates a minefield. The term "minefield" includes phoney minefields.

9. "Recording" means a physical, administrative and technical operation designed to obtain, for the purpose of registration in official records, all available information facilitating the location of minefields, mined areas, mines, booby-traps and other devices.

10. "Self-destruction mechanism" means an incorporated or externally attached automatically-functioning mechanism which secures the destruction of the munition into which it is incorporated or to which it is attached.

11. "Self-neutralization mechanism" means an incorporated automatically-functioning mechanism which renders inoperable the munition into which it is incorporated.

12. "Self-deactivating" means automatically rendering a munition inoperable by means of the irreversible exhaustion of a component, for example, a battery, that is essential to the operation of the munition.

13. "Remote control" means control by commands from a distance.

14. "Anti-handling device" means a device intended to protect a mine and which is part of, linked to, attached to or placed under the mine and which activates when an attempt is made to tamper with the mine.

15. "Transfer" involves, in addition to the physical movement of mines into or from national territory, the transfer of title to and control over the mines, but does not involve the transfer of territory containing emplaced mines.

### *Article 3*

#### **General restrictions on the use of mines, booby-traps and other devices**

1. This Article applies to:

- (a) mines;
- (b) booby-traps; and
- (c) other devices.

2. Each High Contracting Party or party to a conflict is, in accordance with the provisions of this Protocol, responsible for all mines, booby-traps, and other devices employed by it and undertakes to clear, remove, destroy or maintain them as specified in Article 10 of this Protocol.

3. It is prohibited in all circumstances to use any mine, booby-trap or other device which is designed or of a nature to cause superfluous injury or unnecessary suffering.

4. Weapons to which this Article applies shall strictly comply with the standards and limitations specified in the Technical Annex with respect to each particular category.

5. It is prohibited to use mines, booby-traps or other devices which employ a mechanism or device specifically designed to detonate the munition by the presence of commonly available mine detectors as a result of their magnetic or other non-contact influence during normal use in detection operations.

6. It is prohibited to use a self-deactivating mine equipped with an anti-handling device that is designed in such a manner that the anti-handling device is capable of functioning after the mine has ceased to be capable of functioning.

7. It is prohibited in all circumstances to direct weapons to which this Article applies, either in offence, defence or by way of reprisals, against the civilian population as such or against individual civilians or civilian objects.

8. The indiscriminate use of weapons to which this Article applies is prohibited. Indiscriminate use is any placement of such weapons:

(a) which is not on, or directed against, a military objective. In case of doubt as to whether an object which is normally dedicated to civilian purposes, such as a place of worship, a house or other dwelling or a school, is being used to make an effective contribution to military action, it shall be presumed not to be so used;

(b) which employs a method or means of delivery which cannot be directed at a specific military objective; or

(c) which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantage anticipated.

9. Several clearly separated and distinct military objectives located in a city, town, village or other area containing a similar concentration of civilians or civilian objects are not to be treated as a single military objective.

10. All feasible precautions shall be taken to protect civilians from the effects of weapons to which this Article applies. Feasible precautions are those precautions which are practicable or practically possible taking into account all circumstances ruling at the time, including humanitarian and military considerations. These circumstances include, but are not limited to:

(a) the short- and long-term effect of mines upon the local civilian population for the duration of the minefield;

(b) possible measures to protect civilians (for example, fencing, signs, warning and monitoring);

(c) the availability and feasibility of using alternatives; and

(d) the short- and long-term military requirements for a minefield.

11. Effective advance warning shall be given of any emplacement of mines, booby-traps and other devices which may affect the civilian population, unless circumstances do not permit.

***Article 4***

**Restrictions on the use of anti-personnel mines**

It is prohibited to use anti-personnel mines which are not detectable, as specified in paragraph 2 of the Technical Annex.

***Article 5***

**Restrictions on the use of anti-personnel mines  
other than remotely-delivered mines**

1. This Article applies to anti-personnel mines other than remotely-delivered mines.
2. It is prohibited to use weapons to which this Article applies which are not in compliance with the provisions on self-destruction and self-deactivation in the Technical Annex, unless:
  - (a) such weapons are placed within a perimeter-marked area which is monitored by military personnel and protected by fencing or other means, to ensure the effective exclusion of civilians from the area. The marking must be of a distinct and durable character and must at least be visible to a person who is about to enter the perimeter-marked area; and
  - (b) such weapons are cleared before the area is abandoned, unless the area is turned over to the forces of another State which accept responsibility for the maintenance of the protections required by this Article and the subsequent clearance of those weapons.
3. A party to a conflict is relieved from further compliance with the provisions of subparagraphs 2 (a) and 2 (<