



BOOK III: REFERENCE MATERIAL

This part contains a range of reference material, including:

- > guidance on data gathering/analysis, risk education and survey/clearance
- > cooperation and capacity building
- > legal texts and guidance on their application
- > dealing with human remains in contaminated areas
- > glossary
- > sources of additional information



ICRC

Preface

This manual has been written to act as the ICRC's institutional reference and to provide guidance for those working in weapon-contaminated areas. This includes to a greater or lesser extent any situation where the persisting presence of contamination continues to impact people physically, socially or economically.

The manual consists of three books and is based on the "Preventive Mine Action Operations Framework", approved by the ICRC in 2005. It outlines a broad and flexible approach which includes rapid response, multisectoral approach (the application of assistance and protection to reduce impact) and cooperation/capacity building.

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TECHNICAL REFERENCE SECTION

1

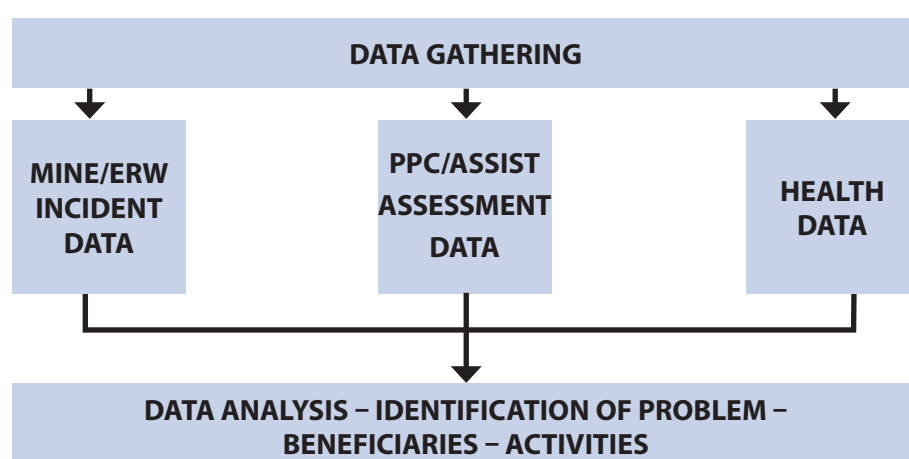
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1.1 Data gathering and analysis

ICRC data gathering is carried out in three ways:

- > as a specific activity;
- > as part of other assessments such as field, protection and assistance;
- > through health activities.

This section will explain the nature of data gathering, outline key considerations when gathering data, and specific technical aspects of analysing and managing data.



Why collect data?

The first major obstacle encountered when dealing with the problems of contamination is that relevant data is generally lacking in a conflict or post-conflict situation. Without the requisite statistics and facts, priorities cannot be established, policy articulated and programmes planned. The gathering and analysis of data is the foundation of all mine action activities. Data gathering informs of the location, scale and scope of potential risk reduction, risk education and whether there is a need (or not) for the ICRC to become involved in clearance activities.

Data is required not only to prioritize and target the ICRC's own activities but also to support mine action more broadly within an area.

What data to collect

Data and information should be collected on:

- > the physical impact – to understand the nature and scope of the problem:
 - deaths and injuries from mines and ERW;
 - information on vulnerable groups, dangerous areas and high risk activities;
- > the socio-economic impact – to identify appropriate solutions:
 - information on the impact on daily and seasonal activities;
- > the types and volumes of ordnance – to inform clearance, risk education, conduct of hostilities analysis and staff safety:
 - estimation of failure rates of different ordnance;
 - types used;
 - quantities fired and target areas.

In effect, data informs all ICRC risk reduction and risk education activities. Activities must be tailored according to needs and the actual situation identified through the analysis of the data collected.

Minimum information required from victim data (physical impact):

- > date
- > time
- > location
- > number of victims per incident
- > ages
- > sex
- > activity at time

Experience has shown that such basic data can be collected relatively easily even in immediate post-conflict situations.

Additional information which can also be collected from victims:

- > what was the type of device involved?
- > how long did it take to reach medical assistance?
- > had the victim received risk education prior to incident?
- > is he/she the head of his/her household?
- > had the person been to/through the area before?
- > is the person a local or not? (i.e. local knowledge?)
- > is the person a returnee? how long has he/she been back?
- > what is the type of injury?

An effective incident surveillance system aims to capture data on all new mine and ERW victims, both injuries and fatalities, in a given area. A single explosion may wound several people – this is especially common with anti-vehicle mines and ERW – and it is important to record details of each of the victims, wherever possible.

Generic data gathering form

[Full data set Version 4,
October 26, 2006]

LANDMINE / ERW CASUALTY FORM

Complete one form
for each casualty

Case ID Number _____

1 Person collecting the information
Interviewer Name: _____
Agency/Address: _____

2 Person giving the information
Name: _____
Address: _____

3 Place of Interview: ☐ Casualty home ☐ Other
☐ Health Facility

4 Date of Interview _____
day month year

5 Family name _____

6 Given name _____

7 Other name _____

8 Sex ☐ Female ☐ Male

9 Date of birth _____
day month year

10 Current address (if applicable)
Village/town _____
Sub-district _____
District _____
Province _____

11 Address at time of accident (if different)
Village/town _____
Sub-district _____
District _____
Province _____

12 Home Status at time of accident → ☐ Refugee ☐ Settled ☐ Unknown
☐ Returnee ☐ IDP

13 Current Family status → ☐ Never married ☐ Widow/Widower
☐ Married ☐ Unknown
☐ Divorced/Seperated
Number of children under 16 _____ ☐ Unknown

14 Occupation at time of accident (A) and current (C)

A	C	A	C	A	C
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Deminer		Farmer		Police	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NGO		Sheperd		Military	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Government		Fisher		Religious leader	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Company		Driver		Unknown	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Homemaker		Not working		Other _____	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Labourer		Student		Not applicable	

15 Date of accident _____
day month year

16 Time of accident ☐ Morning ☐ Afternoon ☐ Evening ☐ Night

17 Name of town/village or closest village to accident site
Village/town _____
Sub-district _____
District _____
Province _____
Locator Code: _____

18 Did the accident occur inside or outside the town/village
☐ Inside ☐ Outside ☐ Unknown

19 Direction of accident from town/village centre
☐ N ☐ S ☐ W ☐ E
☐ NW ☐ SE ☐ SW ☐ NE

GPS Information
Longitude: _____
Latitude: _____

20 Distance of accident site from centre of the town/village ☐ <500m ☐ 500m-2km ☐ 2-5km ☐ >5km

21 Area where the accident occurred → ☐ Building ☐ Non-agricultural land ☐ Unknown
☐ Road/path/street ☐ Bank of waterway ☐ Other _____
☐ Agricultural land ☐ Military position

22 Area type of accident
☐ Rural area
☐ Urban area
☐ Unknown

23 Did the casualty know there were mines/ERW in the area ☐ Yes ☐ No ☐ Unknown

24 If they knew the area was dangerous why did they go there → ☐ Economic necessity ☐ Curiosity ☐ Unknown
☐ No other access ☐ Other

25 How often did the casualty go to the area ☐ First time ☐ Less than once a month ☐ More than once a month ☐ Unknown

26 Was there any mine/ERW clearance in the area ☐ Yes ☐ No ☐ Unknown
By whom ☐ MAC ☐ NGO ☐ Army ☐ Local people ☐ NSA ☐ Company ☐ Unknown

27 Was the accident site marked as dangerous ☐ Yes ☐ No ☐ Unknown
What kind of marking ☐ Unofficial ☐ Official ☐ Unknown

28 Did casualty receive formal mine risk education before the accident ☐ Yes ☐ No ☐ Unknown

29 What type of device caused the accident	
<input type="checkbox"/> Anti-tank mine	<input type="checkbox"/> Cluster Munition
<input type="checkbox"/> Anti-personnel mine	<input type="checkbox"/> Other UXO
<input type="checkbox"/> Abandoned Ordnance	<input type="checkbox"/> Improvised Explosive Device
<input type="checkbox"/> Booby trap	<input type="checkbox"/> Fuse/detonator
<input type="checkbox"/> Unknown	<input type="checkbox"/> Other _____
30 What was the casualty doing when the accident occurred	
<input type="checkbox"/> Playing/recreation	<input type="checkbox"/> Farming
<input type="checkbox"/> Hunting	<input type="checkbox"/> Military Activity
<input type="checkbox"/> Fishing	<input type="checkbox"/> Construction
<input type="checkbox"/> Housework	<input type="checkbox"/> Collecting water
<input type="checkbox"/> Grazing animals	<input type="checkbox"/> Gathering food/wood
<input type="checkbox"/> Scrap metal collection	<input type="checkbox"/> Official demining
<input type="checkbox"/> Local Demining	<input type="checkbox"/> Travelling on foot/bicycle
<input type="checkbox"/> Travelling by vehicle	<input type="checkbox"/> Unknown
<input type="checkbox"/> Other _____	
31 Who activated the mine/ERW	
<input type="checkbox"/> The Casualty <input type="checkbox"/> Someone else <input type="checkbox"/> Vehicle <input type="checkbox"/> Animal <input type="checkbox"/> Other _____	
32 What caused the device to explode	
Intentionally touched mine/ERW	Accidentally touched mine/ERW
<input type="checkbox"/> To move it	<input type="checkbox"/> To use metal/explosives
<input type="checkbox"/> To make it explode	<input type="checkbox"/> Stood/drove over it
<input type="checkbox"/> To dismantle/destroy	<input type="checkbox"/> Moved it
<input type="checkbox"/> Play/curiosity	<input type="checkbox"/> Unknown
<input type="checkbox"/> Other _____	
33 Were others injured/killed in the accident	
<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	
How many Killed _____ Injured _____	
34 From the mine/ERW accident, was the casualty <input type="checkbox"/> Killed <input type="checkbox"/> Injured	
35 If the casualty died, how long after the accident did they die <input type="checkbox"/> Immediately <input type="text" value="hours"/> <input type="text" value="days"/> <input type="text" value="weeks"/>	
36 If the casualty died, where did they die	
<input type="checkbox"/> At place of accident <input type="checkbox"/> On the way to health facility/hospital <input type="checkbox"/> Unknown	
<input type="checkbox"/> In health facility/hospital <input type="checkbox"/> After leaving health facility/hospital <input type="checkbox"/> Other _____	
37 What injuries did the casualty suffer	
Amputation	
Right	<input type="checkbox"/> Arm <input type="checkbox"/> Fore Arm <input type="checkbox"/> Hand <input type="checkbox"/> Finger <input type="checkbox"/> Above Knee <input type="checkbox"/> Below Knee <input type="checkbox"/> Foot <input type="checkbox"/> Toe
Left	<input type="checkbox"/> Arm <input type="checkbox"/> Fore Arm <input type="checkbox"/> Hand <input type="checkbox"/> Finger <input type="checkbox"/> Above Knee <input type="checkbox"/> Below Knee <input type="checkbox"/> Foot <input type="checkbox"/> Toe
Wounds	
<input type="checkbox"/> Face <input type="checkbox"/> Upper Limb <input type="checkbox"/> Upper Body <input type="checkbox"/> Lower Limb <input type="checkbox"/> Lower Body <input type="checkbox"/> Entire Body	
Burns	
<input type="checkbox"/> Face <input type="checkbox"/> Upper Limb <input type="checkbox"/> Upper Body <input type="checkbox"/> Lower Limb <input type="checkbox"/> Lower Body <input type="checkbox"/> Entire Body	
Permanent blind	
<input type="checkbox"/> One eye <input type="checkbox"/> Both eyes Permanent deaf <input type="checkbox"/> One ear <input type="checkbox"/> Both ears	
Paralysis	
<input type="checkbox"/> Face <input type="checkbox"/> Upper Limb <input type="checkbox"/> Upper Body <input type="checkbox"/> Lower Limb <input type="checkbox"/> Lower Body <input type="checkbox"/> Entire Body	
38 What was the highest level of medical care the casualty received	
<input type="checkbox"/> None <input type="checkbox"/> Treated Self <input type="checkbox"/> Hospital <input type="checkbox"/> Clinic <input type="checkbox"/> Community member	
<input type="checkbox"/> Traditional doctor <input type="checkbox"/> Unknown <input type="checkbox"/> Ambulance/medic <input type="checkbox"/> Other _____	
39 How long before the casualty received FIRST medical care	
<input type="checkbox"/> <30min <input type="checkbox"/> <60min <input type="checkbox"/> Unknown	
<input type="checkbox"/> < 2 hrs <input type="checkbox"/> > 2 hrs <input type="checkbox"/> Not needed	
40 Hospital/clinic name _____ Address _____	
Complete this section for casualties who were permanently disabled in the accident	
41 Does the casualty receive financial/in-kind support <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not needed <input type="checkbox"/> Unknown	
From whom <input type="radio"/> NGO <input type="radio"/> Govt <input type="radio"/> Private/family	
42 Does the casualty have a prosthesis <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not needed <input type="checkbox"/> Unknown	
43 Does the casualty have a wheelchair <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not needed <input type="checkbox"/> Unknown	
44 Does the casualty have other walking aids <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not needed <input type="checkbox"/> Unknown	
45 If the casualty is between 5-15 years is s/he attending school <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Not applicable <input type="checkbox"/> Unknown	
OFFICE USE	
Receipt date: _____	Report checked by: _____
Computer entry by: _____	Entry checked by: _____

Data of this type, when analysed, provides a wealth of information on:

- > age or occupation groups most exposed to the dangers of ERW and mines;
- > likely dangerous areas;
- > existing local knowledge;
- > gaps in service provision;
- > effectiveness (or not) of risk education sessions.

Additionally, it is important that information be collected and shared on:

- > specific known or suspected mine/ERW locations;
- > type of infrastructure or land blocked by the existence (or fear) of mines/ERW;
- > animals killed by mines – when mines are common people often forget to mention the death of livestock, however this can be a very useful indication of the extent of contamination in an area;
- > activities impeded or prevented owing to mine/ERW risk;
- > type of munitions.

Depending on the scenario, incident data gathering is a sustainable key role for National Societies to play within a national mine action plan. In this scenario, the emphasis is on surveillance, not the storage or analysis of data, which is the role of the National Authority.

In emergency situations information on mine/ERW contamination is normally integrated into a survey form that incorporates information on a broad range of humanitarian issues. These include the level of destruction of shelter and infrastructure, supply of clean water, food, the location of displaced people and other data. These forms are normally multi-agency, developed by the UN's OCHA and the weapon contamination element inserted by the UN Mine Action Coordination team. The data gathered through these forms is often an excellent source of information.

Data gathering approaches

The most important consideration from a programme management point of view is how such a data gathering system can best be implemented. In effect the choice is between a *dedicated* mine action data collection system, and a light *integrated* approach.

Incident data gathering as a specific mine action activity

Incident data gathering is the ongoing collection of comprehensive incident data from multiple sources to enable and inform preventive mine action planning. This data enables mine action operations to identify dangerous areas, high-risk activities, the scope and type of contamination, the ages, gender and location of vulnerable groups and the reasons for deliberate risk-taking. This in turn determines the prioritization and design of clearance, survey, marking, risk education, risk reduction and protection. Often relatively costly in terms of resources and time, this role can be extremely important, particularly in immediate post-conflict scenarios, not only for the ICRC, but also for other mine action agencies. Developing a dedicated mine action information gathering structure can provide a rapid and effective means of developing a clear understanding of the scale and scope of the mine/ERW problem. It may be more effective still to combine this data gathering role with another mine action activity, such as risk education initiatives.

Incident data gathering is a key, sustainable role for National Societies to play within a national mine action plan. In this scenario, the emphasis is on surveillance, not the storage or analysis of data, which is the role of the National Mine Action Authority or MAC. The National Society in Afghanistan is currently responsible (2007) for gathering over 90% of the casualty data which in turn plays a crucial role in informing one of the largest humanitarian mine clearance programmes in the world.

Data gathering as part of other activities

In the field, staff involved in protection, assistance or other activities may be asked to carry with them a data collection form and to use it to report any incidents or other information on contamination and impact they come across during their work. The form used should be a standard format agreed between mine action organizations working in that area. The data should be passed on to the relevant NMAA or MAC, unless the ICRC is the sole mine action actor.

Training assistance and protection staff, and including mine incident data gathering forms in activities undertaken during and immediately after conflict can be an appropriate and resource-light approach that still allows valuable information to be collected. While this has implications for staff training, such a transversal approach helps ensure that all staff are aware of mines/ERW, their impact and the danger they pose – not just to the local population but to ICRC and other humanitarian staff as well.

Data on injuries gathered through health activities

Data on those treated at health facilities for mine- and ERW-related injuries is important. This data can be used to check and cross-reference with other sources of data, although care must be taken to:

- > ensure that mine action specific data is routinely recorded and that this covers only those injured accidentally by mines and ERW – data which includes combatants injured during combat, other traumatic injuries from vehicle accidents, etc. or those who have been shot must not be included;
- > ensure that those patients recorded at the health facility are not reported twice – the incident may have been recorded at the place of incident and then re-recorded at the health facility as an incident.

The ICRC should consider sharing victim data from health and physical rehabilitation centres. This data usually gives an incomplete picture of the impact of contamination as many victims will not reach or be reported to the health network, but is an important element of surveillance networks. Although not implementing a specific preventive mine action operation, by making victim data available from health activities the ICRC makes an essential contribution to the impact of mine action operations. Precautions to be taken when sharing such data are outlined below.

Using existing networks for data gathering

It is preferable to use existing networks to gather data wherever possible rather than seek to set up new ones. A convenient and appropriate network is one that uses the National Society volunteers, as is the case with the Cambodian Red Cross. The volunteers not only gather data on mine and ERW victims, they also, wherever possible, administer first aid at local level.

Sharing data – when and how?

Wherever possible, the ICRC should seek to share non-confidential

information. An important consideration is that data is often collected not only for ICRC internal use, but also to assist mine action activities of other organizations. ICRC health activities can provide a valuable source of information. The ICRC should consider sharing incident data from health and physical rehabilitation centres. Where the ICRC is not implementing a specific preventive mine action operation, by making incident data available from health activities the ICRC makes an essential contribution to the impact of mine action operations. Additionally, ICRC assistance and protection teams working during and immediately post conflict can provide valuable information to UN and specialized clearance organizations, which can be used to identify the nature of the threat and assist in the rapid prioritization of clearance activities.

If the ICRC is the only organization able to establish mine action activities, for example when the ICRC is the only one with access to the contaminated area, then establishing a data gathering and analysis capacity is crucial to ensuring that the activities planned match the needs. In many cases the ICRC may collect data and later share it with mine action organizations when they step in. In certain circumstances, however, incident or victim data may be regarded as sensitive and it will not be appropriate to share it. In such cases, whether or not other organizations are present and active, the ICRC should consider very carefully whether it is necessary or appropriate for it to set up its own data collecting system.

In a post-conflict context, data on mine and ERW incidents is generally not confidential. The only data that is (potentially) confidential is the name of the person. Data on ERW and mine incidents can be shared with other organizations if this aids a coordinated and informed mine action response.

Considerations when gathering data

There are a number of issues that must be taken into account when gathering incident data; these are set out below.

- > Ideally, the team gathering incident data from victims should consist of two data collectors, one man and one woman.
- > Wherever possible, men should interview men and boys, and women should interview women and girls.
- > An interview should only be conducted with the full consent of the victim or the victim's family. You must explain who you are, why you are collecting information, and what will be done with it.
- > Be sensitive and tactful when asking questions. Collecting data from mine or ERW victims is sometimes difficult. It may be upsetting to the victim to talk about the accident and discretion is essential.
- > Confidentiality is often required and this must be respected if the trust of the community is to be maintained.
- > If the interviewee does not want to answer a question, do not put pressure on them to do so. Write on the form that the interviewee does not want to answer. This will enable anyone engaged in quality assurance to understand why the information is missing.
- > Be prepared to answer questions from the interviewee, including those on why specific questions in the questionnaire are asked.
- > Do not raise expectations. Be careful not to raise false hopes, while stressing that the data is being collected for a purpose – which is ultimately to help communities in need.
- > Make sure the needs of women are considered. Gender, social and educational background may affect the way people respond.

Storing and analysing data

There are in effect three options when considering how best to analyse data in ascending orders of complexity:

- > a simple Excel spreadsheet;
- > EpilInfo programme, mine action module;
- > the industry's standard system, IMSMA.

All three have advantages and disadvantages depending on the specific context.

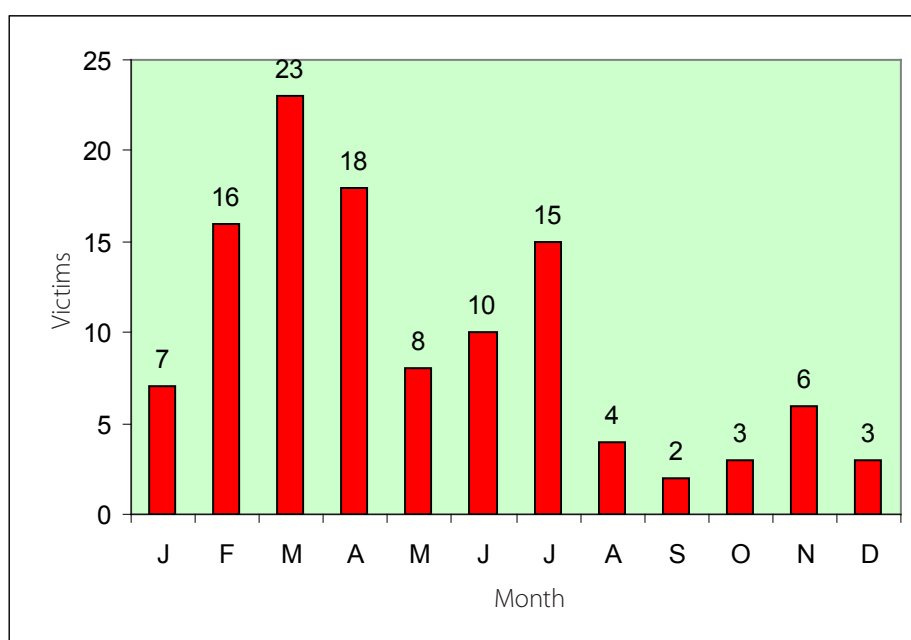
Excel spreadsheets

A simple Excel spreadsheet is often sufficient. To be effective and to provide meaningful analysis, the following basic fields are mandatory:

- > location of incident;
- > age of those injured and killed;
- > gender of those injured and killed;
- > activity at the time of incident;
- > date and time.

An incident may involve one or more victims. The victims of an incident must be recorded as part of that one incident, which should be given an “incident code”. Simple Excel analytical graphs should be programmed to give breakdowns of victims as required.

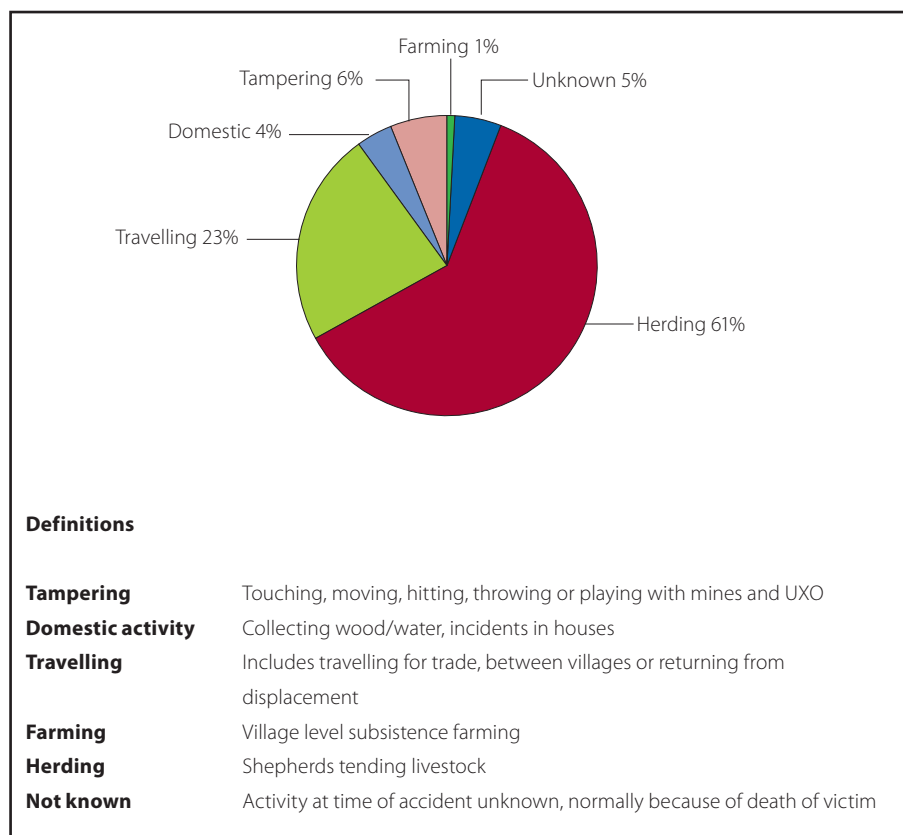
Example of Excel victim data analysis for the year 2000 in the Tigray Region of Ethiopia



The peak of victims in March corresponds with the advance of Ethiopian troops who captured Badme. By mid-March, local administrative structures had been re-established in the area. This tempted people to move back in order to check their property and also re-opened access to grazing areas. As in 2000, following the Ethiopian advance through the Eastern zone, the vast majority (84%) of the victims were herders and travellers. Ethiopian advances continued until July, when victim levels fell off, from 15 in July, to 4 in August. Limited demining and battle area clearance¹ by the military, although not to acceptable international standards, probably reduced victim figures overall, once control had been established over the captured areas.

¹ Battle area clearance is the destruction and/or collection of unexploded and discarded ordnance of all types.

Example of Excel analysis of high risk activities in the Tigray region of Ethiopia in the year 2000



EpilInfo - mine action module

EpilInfo is the primary database to be used by the ICRC in situations where incident data has to be recorded. It is available as part of authorized ICRC software. In addition to the basic EpilInfo, there is a specific mine and ERW module which is available from the mine action sector or mine action regional advisers. This module allows both the storage and analysis of data. Information in an EpilInfo database can be downloaded into IMSMA easily.

EpilInfo does not have the built-in GIS software that IMSMA has (although it can link to ArcView and represent data spatially). Mine and ERW information can be plotted on ICRC GIS systems where they are being used in delegations. The water and habitat sector (WATHAB) has responsibility for GIS.

EpilInfo is a tool initially designed as a field-compatible analytic programme to assist epidemiologists and other public health specialists to conduct infectious outbreak investigations. Public health practitioners use it to create questionnaires (forms) for disease outbreak investigations, studies or surveillance activities, and to enter, manage and analyse data both statistically and geographically.

EpilInfo is also useful in assessing knowledge, attitudes, and practices and to measure theoretical concepts associated with behavioural interventions. It is applicable to a wide range of questionnaire-based inquiries, such as community needs assessment and programme evaluations. EpilInfo is compatible with IMSMA and allows for the easy importing and exporting of data files. It is public domain software, which means that people anywhere can download the programme free from the internet.

Information Management System for Mine Action (IMSMA)

The IMSMA system has become the standard for mine action information management. Almost all UN and national managed mine action programmes are using IMSMA. The IMSMA software is available as a standard software within the ICRC. The IMSMA system should only be used by a delegation following expert advice from a mine action delegate or adviser. For ICRC purposes EpilInfo, simple Excel spreadsheets and water and habitat GIS are quite sufficient.

IMSMA map products should be requested from MACs as they are invaluable aids to security, mission planning and field assessments.

Incident data trends

These systems will help determine three key variables : who, where, when. While every context is different, there are usually a number of “constants” that hold true in most contexts.

Casualties normally peak immediately after hostilities cease, as a mine/ERW-unaware population tries to leave displaced and refugee camps and return home. Returnees, often unaware of what a mine may be, and usually unaware of how they can minimize their exposure and keep themselves and their family safe, are highly exposed to death or injury from mines and ERW.

Common injury trends – clues to who is usually at risk, and when:

- > males between 10 and 35 are at highest risk;
- > women and female children are lowest risk;
- > herding leads to high risk (in particular adolescent boys);
- > travellers/nomads are at high risk;
- > often accidents are related to economic need;
- > accidents increase again as people gain confidence;
- > accidents increase as population returns and there is competition for land;
- > seasonal variations;
- > usually peak just after ceasefire/peace.

Common factors influencing injury rates:

- > degree and type of contamination;
 - > population movement;
 - > population growth;
 - > agricultural season;
 - > access to basic needs ;
 - > economic need;
 - > cultural dynamics (macho, etc.);
 - > religious beliefs;
 - > superstition/coping beliefs.
-

Quality assurance of data

Of course, data is only as useful – and usable – as it is reliable, so great care must be taken to ensure accuracy. The following monitoring questions must be asked systematically by ICRC staff supervising the data gathering system.

- > Is the finalized victim surveillance questionnaire understood and used by all personnel collecting data on mine and ERW victims? If not, why not?
- > Are girls and women being adequately covered by the victim surveillance system?
- > Are all victim surveillance questionnaires reviewed prior to submission to the National Mine Action Authority to check that the fields of the questionnaire have been filled out correctly?
- > Are hospitals and rehabilitation centres visited regularly – at least monthly – to ensure that all mine and ERW victims are being identified by the surveillance system?
- > Is all the data collected on mine and ERW victims – subject to any issues of confidentiality – regularly submitted to the National Mine Action Authority?
- > Are all victim surveillance questionnaires entered swiftly and systematically into the relevant mine action information database?

It can be very difficult to spot inaccurate reporting. Additional issues to consider when assessing the quality of the information system are listed below. Lack of an integrated system often results in:

- > double reporting: other organizations reporting the same casualties, for example if hospitals the ICRC visits also provide information directly to the mine action authority;
- > inaccurate reporting: mines may be misreported to exaggerate or understate the scale of the problem;
- > the including of gunshot/other traumatic injuries for a variety of reasons such as the lack of a specific code for mine injuries;
- > non-reporting: perhaps because of fear of consequences or remoteness, particularly as regards marginalized groups (physically remote, or economically excluded).

In addition:

- > previous under-reporting may lead to a seeming increase in the scale of the problem;
- > the reach of the data gathering system may not be comprehensive and there may be geographic or social exclusion;
- > poor training/numeracy of data gatherers may affect the quality of the primary data received.

Memorandums of understanding (MOUs) for data sharing

Data on mine and ERW incidents is not confidential – the only data collected that is confidential is the name of the person. Data on mine and ERW accidents can be shared with other organizations through a memorandum of understanding: names of victims can be shared for the purpose of cross-checking data although they cannot be subsequently shared with others.

If the ICRC is to systematically share incident data with a mine action centre or national authority, an MOU should be signed. The MOU should include a description of the data that will be shared and the data that will not. For instance, personal details are not required for the purposes of mine action prioritization and do not have to be included in the data shared. Data used for the purposes of victim assistance does require that the personal data be shared.

The MOU should also specify the agreed uses that the data can be put to and who the data may be transmitted to. It should also include the duration of the MOU, how it is to be reviewed and the procedure for extension.

Example of a data-sharing MOU, between the ICRC and the United Nations in Afghanistan

Terms of agreement on the exchange of mine and UXO victim data in Afghanistan

Data collection on mine and Explosive Remnants of War (ERW) victims was initiated in 1990 in Afghanistan by the ICRC through the health structures. This information is essential for mine action planning monitoring and allocation of resources of actors concerned.

A) Exchange of data

1. The MAPA is compiling all information on mine and UXO victims collected by other agencies.
2. All data collected by the ICRC will be handed out to MAPA on a monthly basis and on a regional basis at least once a month to the UN Regional Mine Action Centre. Names of victims will also be shared providing that the confidentiality principle is strictly respected by all actors involved in the data collection process or those having access to the database.
3. The other data handled by MAPA will be handed out to the ICRC on a monthly basis in electronic or other form. A copy of the IMSMA software will be put at the disposal of the ICRC by MAPA, with the understanding that this software will not be further distributed by the ICRC to any third parties.

The ICRC can have access to all reports/documents/publications/analysis (using or referring to mine/UXO victim data) produced by other actors participating in the data collection process.

B) Reporting

1. Annual or special reports produced by one of the above-mentioned organizations using data of the other, should be sent to the other organization for consultation prior to publication. This process will permit to verify that the information released conforms to the fundamental principles guiding the Red Cross and Red Crescent Movement. Any report containing mine/UXO victim data should not include explicit or implicit statements which could compromise the Red Cross and Red Crescent fundamental principles especially the neutrality and impartiality of the ICRC in Afghanistan.
2. Each organization will give its agreement or comments on the relevant reports of the other organization within one week (maximum) of the reception of the document.
3. The actors involved in data gathering should be accredited for their work in all reports, documents or publication including mine/UXO victim data analysis. The percentage of data provided by the organization concerned should be mentioned.

C) Termination of the data exchange

1. The exchange of data will be established for a one-year period, starting on 10 February 2004. At the end of this period, the exchange process will be automatically renewed unless objected to by one of the two parties.
2. The exchange of data can be terminated if one of the terms mentioned above is not respected.

Summary guide to appropriate data gathering activity

This table outlines Movement data gathering activities and acts as a guide to good practice. However it is recognized that there are many considerations regarding ICRC and National Society involvement and that each real life situation has its own dynamic. Therefore the table below is a guide and, depending on need and circumstances, other activities may be considered.

SCENARIO	POSSIBLE MOVEMENT DATA GATHERING INVOLVEMENT
1. Armed conflict and other situations of violence	<p>Role of data gathering within mine action “menu”</p> <ul style="list-style-type: none"> > With the objective of minimizing the impact of mines and ERW on the civilian population, improving security of staff, supporting access for field activities and laying the foundations for a post-conflict mine action response, data gathering as part of ongoing protection/assessment/assistance activities should be considered a strong component of mine action activities. <p>Likely focus of activities</p> <ul style="list-style-type: none"> > Collecting information as a component of other actions, for example during medical or assistance activities. Data should seek to gather a picture of the scale, nature and location of the threat in preparation for post-conflict activities. <p>Is there a potential role for National Society involvement (NSs in their own country or working internationally)?</p> <ul style="list-style-type: none"> > If so, there is a potential for operational partnerships with National Societies, or operational partnerships with NSs working internationally. This will of course depend on issues of access and security.
2. Immediate post armed conflict and other situations of violence	<p>Role of data gathering within mine action “menu”</p> <ul style="list-style-type: none"> > With the objective of responding rapidly to minimize civilian casualties, and establishing emergency protection and assistance activities, data gathering is likely to be a major focus of mine action activities (database creation in preparation for prioritization of clearance activities, and understanding the scale and nature of the mine /ERW threat) along with risk education and possibly risk reduction activities. <p>Likely focus of activities</p> <ul style="list-style-type: none"> > Gathering information for use by clearance or other actors arriving for post-conflict reconstruction; establishing a database and initial prioritization list for mine action; and providing information for risk education in refugee camps or specific information on the expected threat in home villages, and known safe and dangerous routes and locations. <p>Is there a potential role for National Society involvement (NSs in their own country or working internationally)?</p> <ul style="list-style-type: none"> > If so, there is a potential in particular for operational partnerships with National Societies, or possibly operational partnerships with NSs working internationally.
3. Extended post conflict and other situations of violence	<p>Role of data gathering within mine action “menu”</p> <ul style="list-style-type: none"> > With the objective of minimizing the socio-economic impact of mines, supporting the national mine action structure and helping the National Society integrate its activities and focus on long-term programming (if necessary), data gathering and mine risk reduction activities are likely to be the main focus of activities – where necessary backed up with risk education activities. <p>Likely focus of activities</p> <ul style="list-style-type: none"> > Data on victims may also be provided by ICRC health and field activity records. The ICRC may assist with, or benefit from mapping and analysis carried out by the national authority or UN for its own operational and planning use. <p>Is there a potential role for National Society involvement (NSs in their own country or working internationally)?</p> <ul style="list-style-type: none"> > If so, the ICRC should seek to strengthen National Societies in order to undertake this activity and seek operational partnerships with the National Society as the preferred partner. There is a potential for combining data gathering activities with other mine action or non-mine action inputs to ensure sustainability (if necessary).

SCENARIO	POSSIBLE MOVEMENT DATA GATHERING INVOLVEMENT (continued)
4. Normal peacetime activities	<p>Role of data gathering within mine action “menu”</p> <ul style="list-style-type: none"> > With the objective of helping the National Society prepare for future threats and assist the national mine action structure develop its capacity to manage the threat, data gathering may be considered. <p>Likely focus of activities</p> <ul style="list-style-type: none"> > Training the National Society on the implementation of surveillance activities to define dangerous areas and vulnerable groups. <p>Is there a potential role for National Society involvement (NSs in their own country or working internationally)?</p> <ul style="list-style-type: none"> > If so, the focus will be on strengthening the capacity of the National Society to respond effectively to the potential future threat.
5. Natural disasters in contaminated areas	<p>Role of mine risk education within mine action “menu”</p> <ul style="list-style-type: none"> > Reducing the civilian population’s vulnerability, ensuring staff safety and supporting field activities. Depending on the specific nature of the threat, data gathering may be central to mine action activities. <p>Likely focus of activities</p> <ul style="list-style-type: none"> > Providing data gathering and analysis to enhance staff and civilian population safety. <p>Is there a potential role for National Society involvement (NSs in their own country or working internationally)?</p> <ul style="list-style-type: none"> > If so, there is a potential for operational partnerships with National Societies and, in the short term, operational support from NSs working internationally.

1.2 Risk education

What is risk education?

This is something of a “catch all” phrase that includes a number of separate, but linked aspects. A common misunderstanding is that risk education is simply about the design and development of public education posters on the dangers of mines and ERW. It is more than this – the ICRC defines risk education as comprising four elements:

- > community liaison,
- > public awareness,
- > education, and
- > training.

Risk education is not so much a communication driven initiative, as an “integrated approach” closely linked to protection and assistance initiatives.

Community liaison is the basis for all preventive mine action planning, putting communities at the centre of the planning process. It is based on the exchange of information between the community and the mine action organization. The aim is to establish priorities for action and the identification of effective approaches to adopt within communities to reduce impact, whether through an alternative water source, a safe play area, targeted awareness or a combination of activities. Community liaison also seeks to act as the link between communities and clearance teams, ensuring that the community understands, agrees with and trusts the scope and quality of the clearance.

Awareness is the application of communication techniques to sensitize vulnerable elements of the population to the threat posed by contamination. Awareness is most effective in the early stages of an emergency, when returning refugees or internally displaced persons may have little or no knowledge of the threat posed by mines or ERW.

In addition to this mass public awareness approach, targeted awareness can be implemented once vulnerable groups have been identified, and in conjunction with risk reduction, marking and survey. Targeted awareness activities that seek to change behaviour should be tailored to vulnerable groups and identified through the analysis of incident data. Activities should be community-based and work through existing social and administrative structures.

Education aimed at young people may entail the integration of mine and ERW awareness into school curricula as a part of public awareness campaigns or “Exploring Humanitarian Law” (EHL) programmes. This long-term education approach should only be attempted if the mine and ERW problem appears to be a long-term problem.

Staff safety training is the provision of technical advice and (in support of the security unit) safety training for ICRC and Movement staff working in mine- and ERW-contaminated areas.

Community liaison and awareness are complex issues, requiring a number of important components to ensure success. However it should also be remembered that risk education is not a long-term solution, but may be an effective interim measure to limit the impact mines and ERW have on a population.

Why should the ICRC consider undertaking risk education activities?

It is crucial that the ICRC ask itself why it should become involved in risk education activities and what added value it may bring to the process that others do not. Possible reasons for undertaking such activities include the following.

- > The presence of contamination is in itself a protection issue, and thus a mine action response is required. Mines/ERW represent (just) another source of vulnerability impacting on conflict-affected populations that the ICRC may need to address.
- > There is no one else in a position to respond or the existing response is inadequate.
- > There may be a specific “added value” that ICRC involvement can bring. For example by linking risk education activities to assistance solutions which reduce a population’s exposure to the risk of injury from mines or ERW.

When should the ICRC consider stopping, or changing the focus of risk education?

It is important to constantly re-evaluate the situation. As time goes by, the situation faced by an impacted community will change: more mine action players may arrive and begin operating, be they clearance organizations, NGOs engaged in risk education, or UN entities. Substantial clearance may take place, meaning that the communities’ knowledge of the problem, and the nature and severity of the threat may change substantially.

The ICRC should seek to ensure that these changes are taken into consideration and the need for continued activities constantly re-evaluated. This review and re-evaluation process should take place regularly, as often as once every 3–6 months in a rapidly changing environment.

Two questions in particular should be borne in mind:

- > why is the ICRC continuing to be involved – does it still have a distinct added value in this regard?
- > is it more appropriate for the ICRC to consider assisting other actors, in particular the National Society, rather than implementing risk education directly?

While it is acknowledged that every mine action situation that the ICRC faces will have its own dynamic, the need for long-term ICRC risk education much beyond the immediate post-conflict period is unlikely. At this point it is likely that more mine action NGOs will be active, and the ICRC will be able to concentrate on capacity building of the National Society as an integrated element of a national mine action plan.

The role of the National Societies in risk education

While it is likely that the direct operational involvement of the ICRC in risk education is likely to be relatively short, National Societies can and do play a crucial role in ensuring that effective, well-targeted and relevant messages continue to be directed at the people who remain at risk from mines/ERW (*see example in box below*).

In such situations the most appropriate role for the ICRC may be to assist and support the development of effective programming through cooperation support to National Societies. This again demonstrates the advantages of the transversal approach to mine action programming, and the important role that all operational departments play in supporting this approach.

Community liaison

The need for community liaison became apparent as the limitations of “standard” awareness/risk education became clear. Knowledge of safe behaviour is not enough to ensure safety when the situation forces people to take risks in order to survive. Telling a poor, hungry person who knowingly enters a mined area to collect water or food “not to go there” will be ineffective. It is critical to help them find realistic options to minimize risks.

The process of adopting new behaviour and the role of risk education in assisting it

As one of the main aims of risk education is to encourage the adoption of safe behaviour, it is important to understand why and how people change what they do.

A large body of behavioural research shows that people react differently to accepting and adopting new behaviour. As a rule, they do not suddenly begin to do something they have never done before: they learn and weigh the benefits of doing it or not doing it; they look around to see if anyone else is doing it – and whether their friends and community accept the new behaviour. If it seems socially acceptable, valuable and practical, people learn the skills to undertake the new behaviour and may apply it to their own lives. They then evaluate whether it is worthwhile to continue. From their experiences they may reject the new behaviour, or may encourage others to follow their example.

The objectives of a risk education communication strategy should therefore be to:

- > provide the information, assurance and encouragement that are needed to encourage safe behaviour;
- > identify and promote model safe behaviour;
- > teach the skills that are needed and ensure people can use the new skills;
- > provide a social environment that supports safe behaviour;
- > provide ongoing encouragement to continue with safe behaviour; and
- > encourage people to pass the information and new skills on to others.

This requires knowledge and understanding of what information is the most useful and practical to the target audience, which people and communication channels they trust, when the best time to communicate with those communities is, and what the effective communication approaches are. It also requires a knowledge of appropriate messages to be shared with the various communities.

Community liaison attempts to strengthen mine action planning by putting communities at the centre of the planning process. This participatory approach is based on the exchange of information between affected communities and mine action and/or relief and development organizations. The primary aim of community liaison is to establish priorities for action and identify effective approaches to adopt within communities to reduce impact, whether through an alternative water source, a safe play area, targeted awareness or a combination of activities.

Community liaison also serves as the link between communities and clearance teams, ensuring the community understands, agrees with and trusts the scope and quality of the clearance.

The ultimate goal of community liaison is to place the needs and priorities of mine- and ERW-affected communities at the centre of the planning of mine action and other activities. The following are some of the key objectives of liaising with a community to address its mine or ERW impact in pursuit of that goal:

- > to obtain relevant background information on the community itself (e.g. population size and movements, main livelihoods or sources of income and other socio-economic concerns);
- > to obtain information about the background to the mine/ERW problem in a specific community (history of local battles/conflicts);
- > to identify specific at-risk groups in the community and understand the extent of and underlying reasons for ongoing risk-taking in mined or ERW-contaminated areas;
- > to provide accurate information on the location or types of contamination to clearance and marking teams, which is necessary to direct mine action operations effectively;
- > to ensure that community representatives are consulted on and involved in prioritizing mine action interventions; and
- > to support community development based on community participation – known as building social capital.

There are, however, no hard and fast rules to implementing community liaison and no “standing operating procedures”. This flexibility may be threatening to organizations used to working in a more structured environment.

Certainly, taking time to build relationships within the developmental and the local community may be time consuming and the results may not always correlate smoothly with the stated objectives of a given organization. Participatory community liaison tools can throw up unpredictable results and do need time to be effective. Communities can consist of very diverse groups with conflicting interests, and some have little interest in communal assistance or collaboration, and a high degree of insularity. However, the humanitarian benefits are considered significant by organizations that have included a community liaison component in their programmes.

Awareness

Awareness involves communication among and between different individuals and different groups, or audiences. To achieve safe behaviour it is important not only to inform and educate communities on safe behaviour but also to provide an environment

that supports this behaviour. This could include having legislation that supports safe behaviour or local or national political support.

An effective awareness programme will usually have one or more communication “audiences”. It is important that these audiences be clearly defined. This is the purpose of a needs assessment.

Know your audience : the four main categories of risk-takers around mines and ERW

Most mine risk education professionals put risk-takers into the following four broad categories:

- > **“The Unaware”** (the person does not know about the danger of mines or ERW);
- > **“The Uninformed”** (the person knows that mines or ERW are dangerous but does not know about safe behaviour);
- > **“The Reckless”** (the person knows about mine- and ERW-safe behaviour but chooses to ignore it); and
- > **“The Forced”** (the person has little option but to intentionally adopt unsafe behaviour in order to survive).

Developing effective approaches – key considerations

Message development involves decision-making in five main areas:

- > determining the needs of your audience before you start your activities;
- > determining message concepts that will bring about the desired behaviour change;
- > selecting the most appropriate means of communicating with your audience;
- > choosing the message appeal or tone;
- > ensuring your messages are clear and understandable.

To do this will require a basic understanding of the scale and scope of the problem faced by the communities affected by the presence of mines/ERW. Usually the establishment of mine risk education programmes, particularly in conflict or immediate post-conflict scenarios, takes place in a situation characterized by a lack of information, a lack of time, and a pressing need. However there are a number of golden rules that need to be observed.

Rule 1

Needs assessments are crucial

Something is better than nothing – and even in conflict or immediate post-conflict scenarios needs assessments must be undertaken to determine *who* is at risk, *why*, and *what* can be done about it.

A needs assessment in a conflict or immediate post-conflict scenario should seek at the very least to determine the following elements.

- > **The location of the problem.** How widespread (or contained) is the problem?
- > **Who is most at risk?** This may be specific social groups, those doing certain jobs, specific age groups, or those undertaking specific risk-taking activities, either knowingly or unknowingly.
- > **The medical response.** What happens to victims and their families? What medical and other support facilities are available?

- > **Change agents.** Who or what are considered to be respected and authoritative sources of information and authority in the community, and could they possibly be used to assist dissemination of risk education information?
- > **Existing programming.** Mine action programmes may already be operating, or there may be ongoing relief or development projects or programmes that could benefit from mine action in their area.
- > **How information is spread.** The assessment should find out what the important communication channels are – either the traditional community means by which information is shared or the wider media, such as radio, newspapers or government channels.
- > **Risk education programme objectives.** What should the programme seek to do, how should it seek to do it, by when, and what will be required to achieve its goals? Of course, it may become clear after a needs assessment that a risk education approach is not appropriate or necessary, or that other non-educational interventions are more appropriate.

Rule 2

Be sure of the needs of your target audience

What information does your audience require? Information can generally be grouped into eight categories:

- > how to recognize mines and UXO;
- > what effects mines and UXO have, physically, psychologically, socially and economically;
- > areas liable to be mined;
- > clues indicating possible mines or mined areas;
- > signs and markings indicating mine- or UXO-contaminated areas;
- > what to do before travelling in unknown (and therefore possibly dangerous) areas;
- > what to do when a mine or suspected mine/UXO is encountered; and
- > what to do in case of an accident.

Rule 3

Consider the most effective means of disseminating your message

It is important to consider how to disseminate your chosen message. A variety of tools or approaches exist – each with advantages and disadvantages.

- > **Mass media approaches:** radio, TV, posters, leaflets, etc. These are appropriate in emergency situations where there is a need to disseminate a basic message to large numbers of people. They are generally not appropriate, however, for a more nuanced and targeted long-term activities approach.
- > **Micro media approaches:** community-based or school discussions, and presentations, using for example “hands on” materials as props for verbal presentations – mine models, games, puppets, child to child activities, educational materials for schools, etc. These are often effective in longer-term programming when there is time to undertake participative activities with small groups, and have proved effective when targeted at refugee populations preparing to return. However using these approaches may not be appropriate when you need to target large numbers of people in a short period of time, for instance during mass displacements.

Rule 4**There must be a positive message**

People need to feel that they can take action and that by taking action they can improve their own and their families' lives. Be very careful with risk education – the wrong message can kill.

Messages to be communicated depend on target audiences, the behaviour to be promoted and the factors likely to encourage target audiences to adopt the desired behaviour. But, in general, good messages should do the following:

- > reinforce positive factors;
- > address misunderstandings and areas of deficient knowledge;
- > address attitudes;
- > explain the benefits of the behaviour being promoted;
- > urge specific action;
- > state where to find the services being promoted;
- > state where to find help, if needed; and
- > address barriers to action.

Rule 5**The need to ensure your message is clearly understandable: pre-testing messages and materials is essential**

One of the most common mistakes in risk education is to omit to pre-test the ideas and channels to be used – or to test them only in the office corridor and not among the people for whom they are intended. This can result in messages that are meaningless, or potentially culturally offensive, or in producing materials that many of the target group cannot access. For example, written brochures are of little value to the illiterate, and TV spots have little effect if the target audience has no electricity.

Pre-testing must be done among the target audience. If the target audience is young male farmers of a specific ethnic group, pre-testing must be undertaken among these people – not among young male farmers of an ethnic group living closer to your office.

Pre-testing means trying out ideas, messages and pilot programmes with a representative sample of the target audiences and colleagues – before they are finalized. Pre-testing can be done at various levels of sophistication with various costs. It does not have to take long.

Pre-testing aims to ensure that messages or materials are:

- > understandable;
- > socially acceptable;
- > relevant;
- > attractive; and
- > persuasive.

Bearing in mind that the target audiences are the ultimate judges of the messages, the process for pre-testing is to:

- > start by consulting local colleagues in your own organization to check technical information;
- > discuss messages and show proposed materials to experts in other MRE or mine action bodies;
- > if the message or material has been prepared by a man, get a woman's view – and vice versa;

- > if changes are necessary, make them and then pre-test the idea/message/material with your target audience, for example, by using a focus group discussion;
- > carry out group or individual interviews – if the primary audience is young men in rural villages, test the messages with a sample of these young men; if a secondary audience is mothers and/or school teachers, test these messages directly with them;
- > if necessary, make changes based on the target audience's responses and go through the process again.

It is also crucial to remember that messages should always be appropriate for the given context. It undermines the credibility of the message and the messenger if this is not done. Therefore it is important never to use messages developed in one context in another, since rarely will these materials focus on the correct target group, threat or solution.

Rule 6

Ensure that the message remains relevant

In a rapidly changing environment it is crucial to ensure that the message promoted remains relevant to the needs of the target population. For instance messages designed for a threat from mines may no longer be relevant if the main threat is now from cluster munitions or mortar bombs. Alternatively it may be that messages geared around mine recognition may need to evolve to take into account activities or beliefs of the target population that lead to risk-taking behaviour. Failing to regularly review messages and compare these with the real world situation can lead to a loss of programme relevance and the credibility of the organization, amongst beneficiary populations or other international organizations and NGOs.

Integrating risk education into other activities

The ICRC seeks to take a transversal approach to mine action wherever possible, combining mine action activities within other programming where possible and appropriate. Just as data gathering activities do not necessarily need to be “stand alone” projects in their own right, neither do risk education activities. It may be more effective, quicker and operationally easier to combine the dissemination of risk education with other activities. For example distributing information during assistance activities such as the distribution of emergency relief items, or perhaps with protection activities for instance at the same time as the registration of IDPs or returnees.

However in chronic long-term programme contexts such as Cambodia and Afghanistan, risk education has developed through the National Societies as part of a wider and integrated Movement mine action response. Such an approach focuses on longer-term goals, usually linked to national mine action strategy.

DO	DON'T
> Analyse the available data to determine who is at risk and how they are at risk: analysis decides what information to give and how to prepare relevant messages of advice.	> Independently decide what information and advice people living with a mine/ERW threat need: always rely on the analysis of data to determine the information need.
> Check what information people already have about the mine/ERW problem and how they have shared this: use questions or scenarios to determine what information people have passed on to others.	> Use posters as the main material: people often misunderstand the information given through a poster. Leaflets have more value when working with a literate population – otherwise prepare stories that people can share among each other.
> Ensure that an information sheet is prepared for each type of material; the information sheet is a reference for teachers, religious and village leaders to inform and remind people of the danger.	> Print a material without having made a field test of the design and the message: field testing ensures that people understand the information and recognize the relevance of this as they plan to return to their homes or to plant crops.
> Use existing communication channels: most people learn through dialogue rather than from materials. The majority of people have never seen materials and rely on information being passed on by “word of mouth”.	> Lecture people on what mines look like: in the majority of cases most people will never see the mine that they step on. This is different for ERW as the majority of people “see” the ERW prior to causing a detonation.
> Include the message “Find out where the dangerous areas are around your village” during any discussion and presentation. This is one of the first actions to be taken when someone returns to their village – asking about the dangerous areas could save their life.	> Use the message “don’t touch . . .” for mines. This advice does not prevent accidents: the majority of mine accidents are not caused by people touching mines. People need to know where the dangerous areas are and how to recognize that an area is dangerous.
> Make sure that you have an end point: generic messages have a value when people are on the move whereas specific messages need to be prepared for when people return to their villages and are in the midst of carrying out daily tasks and seasonal activities.	> Just stop awareness activities. People have become reliant on information provided and need time to adjust to put their own systems in place. Only stop activities when they are no longer needed or you know that others from the local community or NS are going to take over.
> RISK EDUCATION IS ABOUT PEOPLE, NOT ABOUT MATERIALS: THE EMPHASIS NEEDS TO BE ON WORKING WITH PEOPLE RATHER THAN PROVIDING THEM WITH MATERIALS WHICH WE THINK WILL TEACH THEM ABOUT THE DANGER. > KEEP INFORMATION SIMPLE: PEOPLE WILL NOT APPLY “SPECIFIC” ADVICE IF THEY DO NOT YET UNDERSTAND HOW THIS RELATES TO THEM.	

Risk education in various scenarios

Below is a table outlining the potential for Movement activities, and the likely focus of activities. This table acts as a guide to good practice and to help decision-makers identify potential programming approaches. However there are many considerations to take into account regarding ICRC and National Society involvement and each “real life” situation has its own dynamic. Therefore the table below is only a guide to programming – depending on need and circumstance other activities may be considered.

SCENARIO	POSSIBLE MOVEMENT RISK EDUCATION INVOLVEMENT
1. Armed conflict and other situations of violence	<p>Role of risk education within mine action “menu”</p> <p>> With the objective of minimizing the impact of mines and ERW on the civilian population, improving security of staff, supporting access for field activities and laying the foundations for a post-conflict mine action response, risk education should be considered a strong component of mine action activities along with data gathering (where possible, and as part of ongoing protection/assessment/assistance activities), and possibly risk reduction inputs for resident population.</p> <p>Likely focus of activities</p> <p>> Implementing a mass awareness campaign in affected areas and amongst IDPs and refugees likely to return to, or currently living in, a contaminated area.</p> <p>> Integrating mine/ERW related concerns into FAS and protection activities and other structural support to the relevant authorities.</p> <p>> Including warning and safety messages on food and non-food items, or include MRE sessions at distribution points.</p> <p>Is there a potential role for National Society involvement (NSs in their own country or working internationally)?</p> <p>> If so, there is a potential for operational partnerships with National Societies, or operational partnerships with NSs working internationally.</p>

SCENARIO	POSSIBLE MOVEMENT RISK EDUCATION INVOLVEMENT (continued)
2. Immediate post armed conflict and other situations of violence	<p>Role of risk education within mine action “menu”</p> <ul style="list-style-type: none"> > With the objective of responding rapidly to minimize civilian casualties, and establishing emergency protection and assistance activities risk education is likely to be a major focus of mine action activities, along with data gathering (database creation in preparation for prioritization of clearance activities, and understanding scale and nature of the mine /ERW threat) and risk reduction activities. <p>Likely focus of activities</p> <ul style="list-style-type: none"> > Mass awareness activities alerting returning refugees or those travelling through or settling in contaminated areas of the potential danger. > Information provision in refugee camps to those returning home. Focus on both “recognition” messages and the provision of specific information concerning the location of known safe and dangerous routes and locations. <p>Is there a potential role for National Society involvement (NSs in own countries or working internationally)</p> <ul style="list-style-type: none"> > If so, there is a potential for operational partnerships with National Societies, or operational partnerships with NSs working internationally.
3. Extended post conflict and other situations of violence	<p>Role of risk education within mine action “menu”</p> <ul style="list-style-type: none"> > With the objective of supporting the national mine action structure and assisting the National Society integrate its activities into the national plan. There remains a need to continually monitor exit strategies and whether there is a need for direct ICRC involvement. <p>Likely focus of activities</p> <ul style="list-style-type: none"> > Risk education activity should be carried out (wherever possible) by the National Society and as part of a coordinated national mine action plan. Wherever possible, nationally produced and well-tested materials or methodologies should be used. The ICRC should ensure there is Movement input into the development of these. <p>Is there a potential role for National Society involvement (NSs in their own country or working internationally)?</p> <ul style="list-style-type: none"> > If so, the ICRC should seek to strengthen National Societies’ capacities to undertake this activity and seek operational partnerships with the National Society as the preferred partner if long-term risk education and mine action activities are considered necessary.
4. Normal peacetime activities	<p>Role of risk education within mine action “menu”</p> <ul style="list-style-type: none"> > With the objective of supporting the National Society prepare for future threats, and assist the national mine action structure develop its capacity to manage the threat, risk education may be considered. However, it is likely that developing incident data gathering capacity and training the National Society in risk reduction will be more central to any mine action activities that may take place. <p>Likely focus of activities</p> <ul style="list-style-type: none"> > Training the National Society on the implementation of emergency awareness, and including risk education in FAS activities and other activities offering structural support. <p>Is there a potential role for National Society involvement (NSs in their own country or working internationally)?</p> <ul style="list-style-type: none"> > If so, the focus should be on strengthening the capacity of the National Society to respond effectively to the potential future threat.
5. Natural disasters in contaminated areas	<p>Role of risk education within mine action “menu”</p> <ul style="list-style-type: none"> > With the objective of reducing the civilian population’s vulnerability, ensuring staff safety and supporting field activities, risk education potentially has a role in a coordinated mine action response. Depending on the specific nature of the threat, it may be less central than data gathering or survey and clearance. <p>Likely focus of activities</p> <ul style="list-style-type: none"> > Similar to scenario 2 – the focus of risk education activities is likely to be on the rapid dissemination of information on dangerous areas and appropriate safe behaviour. In addition an important role will likely include providing safety training to ICRC and Movement staff. <p>Is there a potential role for National Society involvement (NSs in their own country or working internationally)?</p> <ul style="list-style-type: none"> > If so, there is a potential for operational partnerships with National Societies, and in the short term operational support from NSs working internationally.

1.3 Survey and clearance

The ICRC approach to survey and clearance

In certain circumstances, it may be necessary for the ICRC to directly coordinate or to mobilize survey and clearance:

- > immediately post conflict to ensure the safety of staff, safe access for relief or protection activities or to save lives;
- > in any scenario, when implementing activities in contaminated areas;
- > when only the ICRC has access to a contaminated area where mines/ERW have a notable impact on the population, are blocking ICRC relief activities or posing a threat to the safety of staff.

The mine action sector at headquarters is the technical point of reference for the survey and clearance of mines and ERW.

Two ways in which the ICRC can coordinate or mobilize survey and clearance

1. Directly through the global clearance MOU

A memorandum of understanding (MOU) exists which enables the ICRC to draw on explosive ordnance disposal (EOD) staff. The MOU is with the Swedish Rescue Services Agency (SRSA), Swedish civil defence. SRSA EOD staff deployed under the MOU will always work within a delegation under the direct management of an ICRC mine action specialist. They work under the identity of the Red Cross as members of the delegation and under the ultimate authority of the head of delegation. The ICRC – in conjunction with the Swedish Red Cross – provides training to those SRSA staff included in the ICRC roster with a view to ensuring that they are familiar with the ICRC and the way it works prior to any deployment.

Although the MOU is designed primarily to address emergency response situations, it can also be mobilized when the ICRC has sole access to an area, and survey and/or clearance is considered necessary by the delegation either to protect the population or to facilitate the safe implementation of ICRC field activities.

The composition of teams can be adapted to address the required tasks, depending on the situation. This could range from one SRSA staff member simply undertaking a visual survey of contamination and impact under the supervision of an ICRC team leader, to the deployment of a full team of four EOD operators, capable of surveying, marking, moving, neutralizing or destroying contamination in specifically designated areas (around a health clinic, a National Society office, a warehouse, a vital water installation etc.) according to the instructions of the delegation.

The rapid response aspect of the MOU is available at 72 hours notice and can be requested through the transmission of a formal request to the respective ICRC operational “region”. Delegation analysis of the need for support and specific requirements should be supported by the mine action sector and/or the relevant regional mine action adviser.

2. Request to a national mine action authority, mine action coordination centre or clearance organization working locally

Delegations may request clearance organizations to carry out survey/clearance activities if necessary. The clearance organization selected must be accredited under the national mine action authority.

The exact nature of the tasks required and the clearance capacity required must be agreed with the clearance organization depending on the task, terrain, type of contamination and end use of the cleared area.

When requesting clearance support, the following should be remembered:

- > wherever possible, support should be requested through the national or UN mine action coordination body – for small and occasional tasks, clearance organizations may be approached directly;
- > before making a request, an ICRC assessment of the scope of the work required should be made with the technical support of an ICRC mine action adviser;
- > only organizations accredited under national, international mine action standards or both should be approached for support;
- > It is essential that the exact scope of the area cleared be confirmed with the ICRC, marking for any partially completed task be explained and understood, and any communities in the vicinity informed of the area cleared and any area still considered dangerous.
- > The task should be quality assured and handed over according to the applicable national mine action standards.

Approaches to clearance

Battle area clearance

Battle area clearance involves checking areas that are known not to be mined, for explosive remnants both at ground level (surface) and below ground level (sub-surface). Sub-surface clearance tends to take place if there is a requirement for the land to be excavated or dug, in other words, cultivated or prepared for foundations or irrigation ditches. Surface clearance consisting mainly of a visual search supported by metal detectors takes a lot less time than sub-surface. Dogs may also be used to support this task. Surface clearance is particularly important when dealing with cluster munitions, as it tends to be the visible munitions that pose the main threat to civilians. Sub-surface cluster munitions pose a longer-term threat. Farmers in South East Asia, for example, continue to be killed and injured whilst tending their fields where cluster munitions were dropped over 30 years ago.

Spot tasks

Spot tasks are small targeted actions to achieve a specific aim. A spot task may be to clear an entry lane to access water infrastructure for repair, the removal of ammunition from a potential warehouse or food distribution area, the destruction of a limited number of unexploded munitions (for instance in a village which people are returning to) or just a survey to check and mark a specified area is safe.

Minefield/mined area clearance

The clearance of minefields or mined areas involves checking every square centimetre of ground in a given area defined as the “suspected dangerous area” down to a specified depth. The depth depends on the types of mine used, the mine-laying tactics, soil type and probable future land use. The area suspected will already have been reduced in size from the initial report through a process of investigation and technical survey to locate the edge of the mined area.

If the suspected area is not too heavily contaminated with metal fragments (domestic or from fighting), or if the laterite content of the soil does not mask the metal content of the mines used, then a metal detector will be used. If the ground is too contaminated then detectors will not be used. A metal prodding implement will be inserted into the earth every 2.5 centimetres across a one-metre front to the agreed depth and any objects encountered uncovered and visually identified. In certain circumstances, a whole layer of soil will be removed to the agreed depth, a process known as sapping. This process continues until the suspected area is covered and/or no more mines are found.

Clearing roads and routes

There is no magic way to completely ensure that a route is free of mines. This is partly because of the length of most routes, and the laterite content of soil or bitumen. Sampling and risk assessment approaches are commonly used. On dirt roads, the route will have changed every wet season making the area to be checked more difficult to identify. It also means that a cleared route may change course, taking traffic into an unchecked but contaminated area. Opening routes up to traffic can draw people into mined areas previously inaccessible. Decisions therefore have to be made on how far to clear each side of the route.

Dogs, machines and high technology

Neither dogs nor machines provide an answer to clearing contaminated areas. Each can be a useful tool in addition to manual mine clearance and if available are normally deployed as part of a “toolbox” approach. There are many rumours, particularly in the press, of new high technology solutions that will revolutionize clearance. So far (2007), there is nothing to replace a man with a metal detector and a prod, a dog and a simple machine to cut vegetation or process soil. This was exactly the situation at the end of the Second World War and apart from incremental improvements in equipment, remains unchanged today.



1



2

1. Pearson armoured tractor with blast-resistant wheels and segmented roller. This roller is well suited to area reduction and quality assurance work.

2. An explosive-sensing dog being used for battle area clearance.

Reporting suspected dangerous areas

When conducting assessments, delegates may come across areas that appear to be, or are reported as, contaminated by mines or ERW. If this happens, it is important that an accurate report be made. This report can then be used either to directly task the clearance element of an ICRC rapid response team or to mobilize clearance support from an NGO, the UN or other accredited clearance operators. At no time should delegates put themselves at risk whilst completing a report.

On the opposite page is an example of a suspected dangerous area report form which was used in Iraq in 2003. This should be modified to suit the context in which it is used. One of the roles of a mine action delegate is to ensure that these report forms are developed and used.

Suspected dangerous area report form

ICRC Information

ICRC no: _____

Given to EOD* _____

WARNING: DO NOT APPROACH EXPLOSIVE REMNANTS OR SUSPECTED SITE(S).
DO NOT PUT YOURSELF AT RISK TO GATHER THIS INFORMATION!

GOVERNORATE	
DISTRICT	
VILLAGE & P-CODE	
DESCRIPTION OF AREA (Nearest building etc.)	
GRID REFERENCE (8 figure grid)	
AGENCY & CONTACT NUMBER	
NAME OF REPORTER	
DATE OF REPORT	

ESTIMATED NUMBER OF SUSPECTED ERW SITES IN VILLAGE					
None	1 Site	2 Sites	3-5 Sites	>5 Sites	Unknown

TYPE OF ERW REPORTED AND QUANTITY		
AP mine	AT/AV mine	Missile
Rocket	Grenade	Mortar
RPG	Cluster bomb munitions	Small arms ammunition
Other UXO	Armoured Fighting Vehicle	Weapons

CONDITION OF THE AMMUNITION		
Boxed	Loose	Fired
Degraded	Other information:	

TYPE OF SUSPECTED SITES (Tick all relevant sites)							
Residential building		Garden		Hospital		School	
Other building:							
Agricultural area		Road		Road verges		Path	
Military position		Bridge		Railway		Electricity pylons	
Water source		Other:					
INCIDENTS							
Have there been incidents?		YES			NO		
If there have been incidents:							
How many?				When?			
Victims:							
Child		Civilian adult		Military adult		Animal	
						Unknown	

*Explosive Ordnance Disposal

COOPERATION AND CAPACITY BUILDING

2

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2.1 Movement cooperation

National Societies acting internationally or working in their own countries have an important role to play in all mine action scenarios. The extent to which they are able to do so will depend on their capacity, level of interest, level of access and the particular situation. In its lead role for mine action within the Movement, the ICRC is responsible for ensuring that Movement partners are involved when appropriate in mine action. In this regard, the following points apply.

- > The preferred partner for mine action activities is the National Society working in its own country, owing to its local knowledge and network, and the shared commitment to the same principles. In such partnerships the institutional capacity of the host National Society is to be taken into consideration.
- > In capacity-building agreements, and unless the National Society is well funded and supported, incident data gathering and community liaison are often the only appropriate long-term, sustainable activities.
- > Where feasible, the National Society should be involved in the planning and development of mine action operations. In situations requiring a rapid, intensive response, the National Society is more likely to take on the role of operational partner. In extended post-conflict scenarios and normal peacetime activities, and depending on their actual or potential capacity, they should be supported so that they may take on a lead operational role, with capacity-building support from the ICRC.
- > For capacity-building operations, the ICRC's objectives focus on the five key elements of the Cooperation Policy (i.e. ownership, structure and organization, competencies, relationships, tools and working resources).
- > The mine action roles and responsibilities of the National Society, the ICRC and other partners should be defined and formalized in an agreement.
- > In its dialogue with external partners, the ICRC should promote the integration of the National Society into national mine action plans, and ensure recognition of the National Society by key stakeholders, including donors.

In some cases, where the ICRC decides not to implement mine action operations, the National Society may be approached by the UN or international NGOs. It is important that in these cases the ICRC have the ability to offer technical support and guidance, not only at delegation level, but in discussions at policy level. In coordination with the National Society, the ICRC will promote the application of international mine action standards and tools. In cases where the National Society implements activities independently, the ICRC will maintain a regular exchange of information and views. National Societies working independently will be included by the ICRC in any Movement training or other capacity-building activities.

2.2 Strengthening the capacity of National Societies to conduct mine action

Desired impact of the mine action programme of the National Society

As long as there is mine/ERW contamination in a country, the National Society (NS) may have an important role to play in reducing impact. Its ability to act will depend on the reach and coherence of its network in contaminated areas, its management capacity and the status and attitude of donors, and any national mine action authorities. The most appropriate and sustainable role for the National Society will often be providing national mine/ERW incident surveillance and community liaison capacity as an integral element of the national mine action plan.

Objectives for building National Society capacity in mine action

- > Prepare a National Society to implement emergency mine action activities in the event of a conflict or natural disaster.
- > Ensure that a National Society can implement sustainable mine/ERW action activities which are a coordinated element of national mine action efforts.
- > Support the setting up or strengthening of Movement mine action capability – i.e. of National Societies working internationally (PNS).

The five elements of capacity-building for the mine action programme of the National Society

1. Ownership

- > If the ICRC initiates the programme, the National Society is included at the earliest possible stage, taking into consideration all levels and starting at the top (headquarters).
- > If the National Society initiates the programme, the ICRC commits itself to working through National Society headquarters to support its branches.
- > The needs assessment, programme capacity assessment, proposal, budget and plan of action are formulated by the National Society with technical support from the ICRC.
- > The National Society person or unit responsible for mine action is explicitly included in the organigram of the National Society.
- > National Society leadership at all levels has knowledge of, and commitment to, planned mine action activities.
- > The leadership of the National Society recognizes and responds to the requirements for the implementation of the Ottawa Convention and of the CCW and its additional Protocols.
- > Responsibilities are clearly defined in an MOU between the ICRC, the National Society and where appropriate the national authorities and donors (including PNS).

2. Structures and organization

- > Mine action is integrated into other National Society activities where carried out in areas impacted by mines and ERW.
- > At branch and headquarters level, there are focal points responsible for the management of mine action (including volunteer management).
- > Wherever possible, people directly impacted by mines and ERW are selected as volunteers.
- > All those involved in mine action activities have job descriptions which are realistic and agreed upon.
- > Volunteers are involved in implementation; they are compensated for their work, and managed by coordinators at headquarters and branch level according to the National Society's volunteer management system.
- > The National Society's mine action activities operate under the same conditions as other National Society activities; e.g. salary scales, *per diem* policy etc.

3. Competencies

- > The coordinator/focal person, headquarters/branch leadership understand the basic provisions of the policies guiding Movement involvement in mine action.
- > The coordinator/focal persons at headquarters and branch levels have the skills to assess needs, write proposals, develop working tools, implement, monitor and report.
- > The National Coordinator and persons responsible for mine action at branch level have public relation skills to address the media and other actors involved in mine action.
- > Volunteers at branch level have the skills and motivation necessary to conduct mine action activities.
- > Where a national mine action authority exists and has an accreditation system, the National Society is successfully accredited to work in mine action.

4. Relationships

- > National authorities accept and support the role of the National Society as a significant actor within the national mine action plan.
- > Relevant ministries/government institutions give legitimacy and recognition to the mine action role of the National Society, notably through its involvement in the national body or bodies dealing with mine action.
- > The local authorities support the National Society to implement activities in affected areas.
- > The National Society shares information and cooperates with other mine action actors on a regular basis, via systematic coordination meetings.
- > Where appropriate, the National Society lobbies government authorities/parliamentarians concerning the need to sign, ratify, and implement the Ottawa Convention and the CCW and its Protocols.
- > National Society activities are recognized and respected by the people living in the affected areas (image and credibility of National Society) and by all armed groups.
- > The National Society establishes and maintains contacts with existing and potential donors for mine action.

5. Tools and working resources

- > The programme is properly budgeted and financially managed.
- > Sustainable sources of funding are identified within the country or externally; if there are no other alternative sources, the ICRC helps mobilize funds.
- > A reporting system is established, including monitoring and evaluation, guidelines, standards, and statistics.
- > A cooperation agreement is concluded regulating the extent of support and the financial procedures.

2.3 Considerations for providing structural support to government or national authorities

In some capacity-building situations it will be necessary for the ICRC to provide structural support to government or national authorities in order to help them better address the issue of weapon contamination within their own countries. In some contexts, it is necessary to work with government in parallel to the development of National Society capacity to ensure the latter's capacity is properly utilized. For instance there is no point in establishing an incident surveillance network if there is no government capacity to use the data or respond to identified needs.

The decision whether to support government or national authorities can be divided into four levels of consideration.

- > Is the ICRC willing to engage with the government in the broadest sense?
- > If so, is it possible to strengthen existing government mine action structures or would new structures have to be developed?
- > Realistically, would this approach have the desired result?
- > Is the ICRC technically able to provide the correct support?

Is engaging with the government possible or desirable?

- > What is the quality of governance and degree of transparency?
- > Does the ICRC have confidence in the government as a potentially close interlocutor in mine action (considerations concerning IHL etc)?
- > How much attention does the government give to mine action and its effective management? Is this broad based or reliant on a few key individuals?
- > Does the government wish to be a close interlocutor of the ICRC with regard to mine action?
- > What mode of action is required?
- > Which mine action scenario is applicable?
- > Which level of government should the ICRC be engaged with (federal, sub-regional)?
- > What are the risks of working closely with a government service provider?

If so, should the ICRC engage with the National Mine Action Structure?

- > What is the nature of the Mine Action Authority: is it predominantly civilian run or is it a military structure?
- > Are there any national mine action standards?
- > Is there a mine action strategic plan?
- > Does the government have confidence in the National Society/ICRC?
- > Has the ICRC been specifically asked to assist with a particular function?
- > Is there anyone else who can do it effectively (National Society, Participating National Society or a third party?)
- > What is the perception of external actors of ICRC/National Society involvement
 - UN, other agencies, political parties in country?

Would the chosen approach have the desired result?

- > Realistically, is the government structure likely to perform as required?
- > If not, is it worth engaging?
- > If the ICRC does not engage, what implications does this have for the National Society's programme?

What are the ICRC's capacities?

- > Does the ICRC have the capacity to assist?
- > What is the current focus of activities in the country, will these be affected (both mine action and non-mine action)?
- > What is the "opportunity cost" of engagement: what cannot be done if time and energy are devoted to supporting government structures (both with regard to mine action and non-mine action activities)?
- > How much time will this require (full time/part time)?
- > What is the focus of the mine action activity?
- > Who will undertake activities?
- > What financial commitment will this require?
- > What managerial back-up and support will be required?

LEGAL DOCUMENTS AND GUIDANCE

3

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3.1 The Ottawa Convention

Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction

Oslo, 18 September 1997

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 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,

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.

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 programmes;
 - 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 programmes. 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 programme 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 programme;
 - 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, intergovernmental or non-governmental entities that will work in the implementation of the programme.
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 programmes.

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 programmes for the conversion or de-commissioning of anti-personnel mine production facilities;
 - f) The status of programmes 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

This Convention is subject to ratification, acceptance or approval of the Signatories. It shall be open for accession by any State which has not signed the Convention. 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.

3.2 The Convention on Certain Conventional Weapons, Amended Protocol II and Protocol V

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, 10 October 1980

The High Contracting Parties,

Recalling that every State has the duty, in conformity with the Charter of the United Nations, to refrain in its international relations from the threat or use of force against the sovereignty, territorial integrity or political independence of any State, or in any other manner inconsistent with the purposes of the United Nations.

Further recalling the general principle of the protection of the civilian population against the effects of hostilities,

Basing themselves on the principle of international law that the right of the 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, projectiles and material and methods of warfare of a nature to cause superfluous injury or unnecessary suffering,

Also recalling that it is prohibited to employ methods or means of warfare which are intended, or may be expected, to cause widespread, long-term and severe damage to the natural environment,

Confirming their determination that in cases not covered by this Convention and its annexed Protocols or by other international agreements, the civilian population and the combatants shall at all times remain under the protection and authority of the principles of international law derived from established custom, from the principles of humanity and from the dictates of public conscience,

Desiring to contribute to international détente, the ending of the arms race and the building of confidence among States, and hence to the realization of the aspiration of all peoples to live in peace,

Recognizing the importance of pursuing every effort which may contribute to progress towards general and complete disarmament under strict and effective international control,

Reaffirming the need to continue the codification and progressive development of the rules of international law applicable in armed conflict,

Wishing to prohibit or restrict further the use of certain conventional weapons and believing that the positive results achieved in this area may facilitate the main talks on disarmament with a view to putting an end to the production, stockpiling and proliferation of such weapons.

Emphasizing the desirability that all States become parties to this Convention and its annexed Protocols, especially the militarily significant States,

Bearing in mind that the General Assembly of the United Nations and the United Nations Disarmament Commission may decide to examine the question of a possible broadening of the scope of the prohibitions and restrictions contained in this Convention and its annexed Protocols,

Further bearing in mind that the Committee on Disarmament may decide to consider the question of adopting further measures to prohibit or restrict the use of certain conventional weapons,

Have agreed as follows:

Article 1 – Scope of application

This Convention and its annexed Protocols shall apply in the situations referred to in Article 2 common to the Geneva Conventions of 12 August 1949 for the Protection of War Victims, including any situation described in paragraph 4 of Article 1 of Additional Protocol I to these Conventions.

Article 2 – Relations with other international agreements

Nothing in this Convention or its annexed Protocols shall be interpreted as detracting from other obligations imposed upon the High Contracting Parties by international humanitarian law applicable in armed conflict.

Article 3 – Signature

This Convention shall be open for signature by all States at United Nations Headquarters in New York for a period of twelve months from 10 April 1981.

Article 4 – Ratification, acceptance, approval or accession

1. This Convention is subject to ratification, acceptance or approval by the Signatories. Any State which has not signed this Convention may accede to it.
2. The instruments of ratification, acceptance, approval or accession shall be deposited with the Depositary.
3. Expressions of consent to be bound by any of the Protocols annexed to this Convention shall be optional for each State, provided that at the time of the deposit of its instrument of ratification, acceptance or approval of this Convention or of accession thereto, that State shall notify the Depositary of its consent to be bound by any two or more of these Protocols.
4. At any time after the deposit of its instrument of ratification, acceptance or approval of this Convention or of accession thereto, a State may notify the Depositary of its consent to be bound by any annexed Protocol by which it is not already bound.

5. Any Protocol by which a High Contracting Party is bound shall for that Party form an integral part of this Convention.

Article 5 – Entry into force

1. This Convention shall enter into force six months after the date of deposit of the twentieth instrument of ratification, acceptance, approval or accession.
2. For any State which deposits its instrument of ratification, acceptance, approval or accession after the date of the deposit of the twentieth instrument of ratification, acceptance, approval or accession, this Convention shall enter into force six months after the date on which that State has deposited its instrument of ratification, acceptance, approval or accession.
3. Each of the Protocols annexed to this Convention shall enter into force six months after the date by which twenty States have notified their consent to be bound by it in accordance with paragraph 3 or 4 of Article 4 of this Convention.
4. For any State which notifies its consent to be bound by a Protocol annexed to this Convention after the date by which twenty States have notified their consent to be bound by it, the Protocol shall enter into force six months after the date on which that State has notified its consent so to be bound.

Article 6 – Dissemination

The High Contracting Parties undertake, in time of peace as in time of armed conflict, to disseminate this Convention and those of its annexed Protocols by which they are bound as widely as possible in their respective countries and, in particular, to include the study thereof in their programmes of military instruction, so that those instruments may become known to their armed forces.

Article 7 – Treaty relations upon entry into force of this Convention

1. When one of the parties to a conflict is not bound by an annexed Protocol, the parties bound by this Convention and that annexed Protocol shall remain bound by them in their mutual relations.
2. Any High Contracting Party shall be bound by this Convention and any Protocol annexed thereto which is in force for it, in any situation contemplated by Article 1, in relation to any State which is not a party to this Convention or bound by the relevant annexed Protocol, if the latter accepts and applies this Convention or the relevant Protocol, and so notifies the Depositary.
3. The Depositary shall immediately inform the High Contracting Parties concerned of any notification received under paragraph 2 of this Article.
4. This Convention, and the annexed Protocols by which a High Contracting Party is bound, shall apply with respect to an armed conflict against that High Contracting Party of the type referred to in Article 1, paragraph 4, of Additional Protocol I to the Geneva Conventions of 12 August 1949 for the Protection of War Victims: (a) where the High Contracting Party is also a party to Additional Protocol I and an authority

referred to in Article 96, paragraph 3, of that Protocol has undertaken to apply the Geneva Conventions and Additional Protocol I in accordance with Article 96, paragraph 3, of the said Protocol, and undertakes to apply this Convention and the relevant annexed Protocols in relation to that conflict; or (b) where the High Contracting Party is not a party to Additional Protocol I and an authority of the type referred to in subparagraph (a) above accepts and applies the obligations of the Geneva Conventions and of this Convention and the relevant annexed Protocols in relation to that conflict. Such an acceptance and application shall have in relation to that conflict the following effects:

- (i) the Geneva Conventions and this Convention and its relevant annexed Protocols are brought into force for the parties to the conflict with immediate effect;
- (ii) the said authority assumes the same rights and obligations as those which have been assumed by a High Contracting Party to the Geneva Conventions, this Convention and its relevant annexed Protocols; and
- (iii) the Geneva Conventions, this Convention and its relevant annexed Protocols are equally binding upon all parties to the conflict.

The High Contracting Party and the authority may also agree to accept and apply the obligations of Additional Protocol I to the Geneva Conventions on a reciprocal basis.

Article 8 – Review and amendments

1. (a) At any time after the entry into force of this Convention any High Contracting Party may propose amendments to this Convention or any annexed Protocol by which it is bound. Any proposal for an amendment shall be communicated to the Depositary, who shall notify it to all the High Contracting Parties and shall seek their views on whether a conference should be convened to consider the proposal. If a majority, that shall not be less than eighteen of the High Contracting Parties so agree, he shall promptly convene a conference to which all High Contracting Parties shall be invited. States not parties to this Convention shall be invited to the conference as observers.

(b) Such a conference may agree upon amendments which shall be adopted and shall enter into force in the same manner as this Convention and the annexed Protocols, provided that amendments to this Convention may be adopted only by the High Contracting Parties and that amendments to a specific annexed Protocol may be adopted only by the High Contracting Parties which are bound by that Protocol.
2. (a) At any time after the entry into force of this Convention any High Contracting Party may propose additional protocols relating to other categories of conventional weapons not covered by the existing annexed Protocols. Any such proposal for an additional protocol shall be communicated to the Depositary, who shall notify it to all the High Contracting Parties in accordance with subparagraph 1 (a) of this Article. If a majority, that shall not be less than eighteen of the High Contracting Parties so agree, the Depositary shall promptly convene a conference to which all States shall be invited.
(b) Such a conference may agree, with the full participation of all States represented at the conference, upon additional protocols which shall be adopted in the same manner as this Convention, shall be annexed thereto

and shall enter into force as provided in paragraphs 3 and 4 of Article 5 of this Convention.3 (a) If, after a period of ten years following the entry into force of this Convention, no conference has been convened in accordance with subparagraph 1 (a) or 2 (a) of this Article, any High Contracting Party may request the Depositary to convene a conference to which all High Contracting Parties shall be invited to review the scope and operation of this Convention and the Protocols annexed thereto and to consider any proposal for amendments of this Convention or of the existing Protocols. States not parties to this Convention shall be invited as observers to the conference. The conference may agree upon amendments which shall be adopted and enter into force in accordance with subparagraph 1 (b) above.

(c) At such conference consideration may also be given to any proposal for additional protocols relating to other categories of conventional weapons not covered by the existing annexed Protocols. All States represented at the conference may participate fully in such consideration. Any additional protocols shall be adopted in the same manner as this Convention, shall be annexed thereto and shall enter into force as provided in paragraphs 3 and 4 of Article 5 of this Convention.

(d) Such a conference may consider whether provision should be made for the convening of a further conference at the request of any High Contracting Party if, after a similar period to that referred to in subparagraph 3 (a) of this Article, no conference has been convened in accordance with subparagraph 1 (a) or 2 (a) of this Article.

Article 9 – Denunciation

1. Any High Contracting Party may denounce this Convention or any of its annexed Protocols by so notifying the Depositary.
 2. Any such denunciation shall only take effect one year after receipt by the Depositary of the notification of denunciation. If, however, on the expiry of that year the denouncing High Contracting Party is engaged in one of the situations referred to in Article 1, the Party shall continue to be bound by the obligations of this Convention and of the relevant annexed Protocols until the end of the armed conflict or occupation and, in any case, until the termination of operations connected with the final release, repatriation or re-establishment of the person protected by the rules of international law applicable in armed conflict, and in the case of any annexed Protocol containing provisions concerning situations in which peace-keeping, observation or similar functions are performed by United Nations forces or missions in the area concerned, until the termination of those functions.
 3. Any denunciation of this Convention shall be considered as also applying to all annexed Protocols by which the denouncing High Contracting Party is bound.
 4. Any denunciation shall have effect only in respect of the denouncing High Contracting Party.
 5. Any denunciation shall not affect the obligations already incurred, by reason of an armed conflict, under this Convention and its annexed Protocols by such
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denouncing High Contracting Party in respect of any act committed before this denunciation becomes effective.

Article 10 – Depositary

The Secretary-General of the United Nations shall be the Depositary of this Convention.

Article 11 – Authentic texts

The original of this Convention with the annexed Protocols, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Depositary, who shall transmit certified true copies thereof to all States.

Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices as amended on 3 May 1996 (Protocol II to the 1980 Convention as amended on 3 May 1996)

Article 1 – Scope of application

1. This Protocol relates to the use on land of 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 I 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;
 - 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.
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 sub-paragraphs 2 (a) and 2 (b) of this Article only if such compliance is not feasible due to forcible loss of control of the area as a result of enemy military action, including situations where direct enemy military action makes it impossible to comply. If that party regains control of the area, it shall resume compliance with the provisions of sub-paragraphs 2 (a) and 2 (b) of this Article.
4. If the forces of a party to a conflict gain control of an area in which weapons to which this Article applies have been laid, such forces shall, to the maximum extent feasible, maintain and, if necessary, establish the protections required by this Article until such weapons have been cleared.
5. All feasible measures shall be taken to prevent the unauthorized removal, defacement, destruction or concealment of any device, system or material used to establish the perimeter of a perimeter-marked area.
6. Weapons to which this Article applies which propel fragments in a horizontal arc of less than 90 degrees and which are placed on or above the ground may be used without the measures provided for in sub-paragraph 2 (a) of this Article for a maximum period of 72 hours, if:
 - (a) they are located in immediate proximity to the military unit that emplaced them; and
 - (b) the area is monitored by military personnel to ensure the effective exclusion of civilians.

Article 6 – Restrictions on the use of remotely-delivered mines

1. It is prohibited to use remotely-delivered mines unless they are recorded in accordance with sub-paragraph I (b) of the Technical Annex.
2. It is prohibited to use remotely-delivered anti-personnel mines which are not in compliance with the provisions on self-destruction and self-deactivation in the Technical Annex.
3. It is prohibited to use remotely-delivered mines other than anti-personnel mines, unless, to the extent feasible, they are equipped with an effective self-destruction or self-neutralization mechanism and have a back-up self-deactivation feature, which is designed so that the mine will no longer function as a mine when the mine no longer serves the military purpose for which it was placed in position.
4. 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 7 – Prohibitions on the use of booby-traps and other devices

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 booby-traps and other devices which are in any way attached to or associated with:
 - (a) internationally recognized protective emblems, signs or signals;
 - (b) sick, wounded or dead persons;
 - (c) burial or cremation sites or graves;
 - (d) medical facilities, medical equipment, medical supplies or medical transportation;
 - (e) children's toys or other portable objects or products specially designed for the feeding, health, hygiene, clothing or education of children;
 - (f) food or drink;
 - (g) kitchen utensils or appliances except in military establishments, military locations or military supply depots;
 - (h) objects clearly of a religious nature;
 - (i) historic monuments, works of art or places of worship which constitute the cultural or spiritual heritage of peoples; or
 - (j) animals or their carcasses.
2. It is prohibited to use booby-traps or other devices in the form of apparently harmless portable objects which are specifically designed and constructed to contain explosive material.
3. Without prejudice to the provisions of Article 3, 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; or
 - (b) measures are taken to protect civilians from their effects, for example, the posting of warning sentries, the issuing of warnings or the provision of fences.

Article 8 – Transfers

1. In order to promote the purposes of this Protocol, each High Contracting Party:
 - (a) undertakes not to transfer any mine the use of which is prohibited by this Protocol;
 - (b) undertakes not to transfer any mine to any recipient other than a State or a State agency authorized to receive such transfers;
 - (c) undertakes to exercise restraint in the transfer of any mine the use of which is restricted by this Protocol. In particular, each High Contracting Party undertakes not to transfer any anti-personnel mines to States which are not bound by this Protocol, unless the recipient State agrees to apply this Protocol; and
 - (d) undertakes to ensure that any transfer in accordance with this Article takes place in full compliance, by both the transferring and the recipient State, with the relevant provisions of this Protocol and the applicable norms of international humanitarian law.

2. In the event that a High Contracting Party declares that it will defer compliance with specific provisions on the use of certain mines, as provided for in the Technical Annex, sub-paragraph I (a) of this Article shall however apply to such mines.
3. All High Contracting Parties, pending the entry into force of this Protocol, will refrain from any actions which would be inconsistent with sub-paragraph I (a) of this Article.

Article 9 – Recording and use of information on minefields, mined areas, mines, booby-traps and other devices

1. All information concerning minefields, mined areas, mines, booby-traps and other devices shall be recorded in accordance with the provisions of the Technical Annex.
2. All such records shall be retained by the parties to a conflict, who shall, without delay after the cessation of active hostilities, take all necessary and appropriate measures, including the use of such information, to protect civilians from the effects of minefields, mined areas, mines, booby-traps and other devices in areas under their control. At the same time, they shall also make available to the other party or parties to the conflict and to the Secretary-General of the United Nations all such information in their possession concerning minefields, mined areas, mines, booby-traps and other devices laid by them in areas no longer under their control; provided, however, subject to reciprocity, where the forces of a party to a conflict are in the territory of an adverse party, either party may withhold such information from the Secretary-General and the other party, to the extent that security interests require such withholding, until neither party is in the territory of the other. In the latter case, the information withheld shall be disclosed as soon as those security interests permit. Wherever possible, the parties to the conflict shall seek, by mutual agreement, to provide for the release of such information at the earliest possible time in a manner consistent with the security interests of each party.
3. This Article is without prejudice to the provisions of Articles 10 and 12 of this Protocol.

Article 10 – Removal of minefields, mined areas, mines, booby-traps and other devices and international cooperation

1. Without delay after the cessation of active hostilities, all minefields, mined areas, mines, booby-traps and other devices shall be cleared, removed, destroyed or maintained in accordance with Article 3 and paragraph 2 of Article 5 of this Protocol.
2. High Contracting Parties and parties to a conflict bear such responsibility with respect to minefields, mined areas, mines, booby-traps and other devices in areas under their control.

3. With respect to minefields, mined areas, mines, booby-traps and other devices laid by a party in areas over which it no longer exercises control, such party shall provide to the party in control of the area pursuant to paragraph 2 of this Article, to the extent permitted by such party, technical and material assistance necessary to fulfil such responsibility.
4. At all times necessary, the parties shall endeavour to reach agreement, both among themselves and, where appropriate, with other States and with international organizations, on the provision of technical and material assistance, including, in appropriate circumstances, the undertaking of joint operations necessary to fulfil such responsibilities.

Article 11 – Technological cooperation and assistance

1. Each High Contracting 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 Protocol and means of mine clearance. In particular, High Contracting Parties shall not impose undue restrictions on the provision of mine clearance equipment and related technological information for humanitarian purposes.
2. Each High Contracting 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.
3. Each High Contracting Party in a position to do so shall provide assistance for mine clearance through the United Nations System, other international bodies or on a bilateral basis, or contribute to the United Nations Voluntary Trust Fund for Assistance in Mine Clearance.
4. Requests by High Contracting Parties for assistance, substantiated by relevant information, may be submitted to the United Nations, to other appropriate bodies or to other States. These requests may be submitted to the Secretary-General of the United Nations, who shall transmit them to all High Contracting Parties and to relevant international organizations.
5. In the case of requests to the United Nations, the Secretary-General of the United Nations, within the resources available to the Secretary-General of the United Nations, may take appropriate steps to assess the situation and, in cooperation with the requesting High Contracting Party, determine the appropriate provision of assistance in mine clearance or implementation of the Protocol. The Secretary-General may also report to High Contracting Parties on any such assessment as well as on the type and scope of assistance required.
6. Without prejudice to their constitutional and other legal provisions, the High Contracting Parties undertake to cooperate and transfer technology to facilitate the implementation of the relevant prohibitions and restrictions set out in this Protocol.

7. Each High Contracting Party has the right to seek and receive technical assistance, where appropriate, from another High Contracting Party on specific relevant technology, other than weapons technology, as necessary and feasible, with a view to reducing any period of deferral for which provision is made in the Technical Annex.

Article 12 – Protection from the effects of minefields, mined areas, mines, booby-traps and other devices

1. Application
 - (a) With the exception of the forces and missions referred to in sub-paragraph 2(a) (i) of this Article, this Article applies only to missions which are performing functions in an area with the consent of the High Contracting Party on whose territory the functions are performed.
 - (b) The application of the provisions of this Article to parties to a conflict which are not High Contracting Parties shall not change their legal status or the legal status of a disputed territory, either explicitly or implicitly.
 - (c) The provisions of this Article are without prejudice to existing international humanitarian law, or other international instruments as applicable, or decisions by the Security Council of the United Nations, which provide for a higher level of protection to personnel functioning in accordance with this Article.
2. Peace-keeping and certain other forces and missions
 - (a) This paragraph applies to:
 - (i) any United Nations force or mission performing peace-keeping, observation or similar functions in any area in accordance with the Charter of the United Nations;
 - (ii) any mission established pursuant to Chapter VIII of the Charter of the United Nations and performing its functions in the area of a conflict.
 - (b) Each High Contracting Party or party to a conflict, if so requested by the head of a force or mission to which this paragraph applies, shall:
 - (i) so far as it is able, take such measures as are necessary to protect the force or mission from the effects of mines, booby-traps and other devices in any area under its control;
 - (ii) if necessary in order effectively to protect such personnel, remove or render harmless, so far as it is able, all mines, booby-traps and other devices in that area; and
 - (iii) inform the head of the force or mission of the location of all known minefields, mined areas, mines, booby-traps and other devices in the area in which the force or mission is performing its functions and, so far as is feasible, make available to the head of the force or mission all information in its possession concerning such minefields, mined areas, mines, booby-traps and other devices.
3. Humanitarian and fact-finding missions of the United Nations System
 - (a) This paragraph applies to any humanitarian or fact-finding mission of the United Nations System.
 - (b) Each High Contracting Party or party to a conflict, if so requested by the head of a mission to which this paragraph applies, shall:
 - (i) provide the personnel of the mission with the protections set out in sub-paragraph 2(b) (i) of this Article; and

- (ii) if access to or through any place under its control is necessary for the performance of the mission's functions and in order to provide the personnel of the mission with safe passage to or through that place:
 - (aa) unless on-going hostilities prevent, inform the head of the mission of a safe route to that place if such information is available; or
 - (bb) if information identifying a safe route is not provided in accordance with sub-paragraph (aa), so far as is necessary and feasible, clear a lane through minefields.

4. Missions of the International Committee of the Red Cross

- (a) This paragraph applies to any mission of the International Committee of the Red Cross performing functions with the consent of the host State or States as provided for by the Geneva Conventions of 12 August 1949 and, where applicable, their Additional Protocols.
- (b) Each High Contracting Party or party to a conflict, if so requested by the head of a mission to which this paragraph applies, shall:
 - (i) provide the personnel of the mission with the protections set out in sub-paragraph 2(b) (i) of this Article; and
 - (ii) take the measures set out in sub-paragraph 3(b) (ii) of this Article.

5. Other humanitarian missions and missions of enquiry

- (a) Insofar as paragraphs 2, 3 and 4 above do not apply to them, this paragraph applies to the following missions when they are performing functions in the area of a conflict or to assist the victims of a conflict:
 - (i) any humanitarian mission of a national Red Cross or Red Crescent Society or of their International Federation;
 - (ii) any mission of an impartial humanitarian organization, including any impartial humanitarian demining mission; and
 - (iii) any mission of enquiry established pursuant to the provisions of the Geneva Conventions of 12 August 1949 and, where applicable, their Additional Protocols.
- (b) Each High Contracting Party or party to a conflict, if so requested by the head of a mission to which this paragraph applies, shall, so far as is feasible:
 - (i) provide the personnel of the mission with the protections set out in sub-paragraph 2(b) (i) of this Article, and
 - (ii) take the measures set out in sub-paragraph 3(b) (ii) of this Article.

6. Confidentiality

All information provided in confidence pursuant to this Article shall be treated by the recipient in strict confidence and shall not be released outside the force or mission concerned without the express authorization of the provider of the information.

7. Respect for laws and regulations

Without prejudice to such privileges and immunities as they may enjoy or to the requirements of their duties, personnel participating in the forces and missions referred to in this Article shall:

- (a) respect the laws and regulations of the host State; and
 - (b) refrain from any action or activity incompatible with the impartial and international nature of their duties.
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Article 13 – Consultations of High Contracting Parties

1. The High Contracting Parties undertake to consult and cooperate with each other on all issues related to the operation of this Protocol. For this purpose, a conference of High Contracting Parties shall be held annually.
2. Participation in the annual conferences shall be determined by their agreed Rules of Procedure.
3. The work of the conference shall include:
 - (a) review of the operation and status of this Protocol;
 - (b) consideration of matters arising from reports by High Contracting Parties according to paragraph 4 of this Article;
 - (c) preparation for review conferences; and
 - (d) consideration of the development of technologies to protect civilians against indiscriminate effects of mines.
4. The High Contracting Parties shall provide annual reports to the Depositary, who shall circulate them to all High Contracting Parties in advance of the Conference, on any of the following matters:
 - (a) dissemination of information on this Protocol to their armed forces and to the civilian population;
 - (b) mine clearance and rehabilitation programmes;
 - (c) steps taken to meet technical requirements of this Protocol and any other relevant information pertaining thereto;
 - (d) legislation related to this Protocol;
 - (e) measures taken on international technical information exchange, on international cooperation on mine clearance, and on technical cooperation and assistance; and
 - (f) other relevant matters.
5. The cost of the Conference of High Contracting Parties shall be borne by the High Contracting Parties and States not parties participating in the work of the Conference, in accordance with the United Nations scale of assessment adjusted appropriately.

Article 14 – Compliance

1. Each High Contracting Party shall take all appropriate steps, including legislative and other measures, to prevent and suppress violations of this Protocol by persons or on territory under its jurisdiction or control.
2. The measures envisaged in paragraph 1 of this Article include appropriate measures to ensure the imposition of penal sanctions against persons who, in relation to an armed conflict and contrary to the provisions of this Protocol, wilfully kill or cause serious injury to civilians and to bring such persons to justice.
3. Each High Contracting Party shall also require that its armed forces issue relevant military instructions and operating procedures and that armed forces personnel receive training commensurate with their duties and responsibilities to comply with the provisions of this Protocol.

4. The High Contracting Parties undertake to consult each other and to cooperate with each other bilaterally, through the Secretary-General of the United Nations or through other appropriate international procedures, to resolve any problems that may arise with regard to the interpretation and application of the provisions of this Protocol.

Technical Annex

1. Recording
 - (a) Recording of the location of mines other than remotely-delivered mines, minefields, mined areas, booby-traps and other devices shall be carried out in accordance with the following provisions:
 - (i) the location of the minefields, mined areas and areas of booby-traps and other devices shall be specified accurately by relation to the coordinates of at least two reference points and the estimated dimensions of the area containing these weapons in relation to those reference points;
 - (ii) maps, diagrams or other records shall be made in such a way as to indicate the location of minefields, mined areas, booby-traps and other devices in relation to reference points, and these records shall also indicate their perimeters and extent;
 - (iii) for purposes of detection and clearance of mines, booby-traps and other devices, maps, diagrams or other records shall contain complete information on the type, number, emplacing method, type of fuse and life time, date and time of laying, anti-handling devices (if any) and other relevant information on all these weapons laid. Whenever feasible the minefield record shall show the exact location of every mine, except in row minefields where the row location is sufficient. The precise location and operating mechanism of each booby-trap laid shall be individually recorded.
 - (b) The estimated location and area of remotely-delivered mines shall be specified by coordinates of reference points (normally corner points) and shall be ascertained and when feasible marked on the ground at the earliest opportunity. The total number and types of mines laid, the date and time of laying and the self-destruction time periods shall also be recorded.
 - (c) Copies of records shall be held at a level of command sufficient to guarantee their safety as far as possible.
 - (d) The use of mines produced after the entry into force of this Protocol is prohibited unless they are marked in English or in the respective national language or languages with the following information:
 - (i) name of the country of origin;
 - (ii) month and year of production; and
 - (iii) serial number or lot number. The marking should be visible, legible, durable and resistant to environmental effects, as far as possible.
 2. Specifications on detectability
 - (a) With respect to anti-personnel mines produced after 1 January 1997, such mines shall incorporate in their construction a material or device that enables the mine to be detected by commonly-available technical mine detection equipment and provides a response signal equivalent to a signal from 8 grams or more of iron in a single coherent mass.
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- (b) With respect to anti-personnel mines produced before 1 January 1997, such mines shall either incorporate in their construction, or have attached prior to their emplacement, in a manner not easily removable, a material or device that enables the mine to be detected by commonly-available technical mine detection equipment and provides a response signal equivalent to a signal from 8 grams or more of iron in a single coherent mass.
 - (c) In the event that a High Contracting Party determines that it cannot immediately comply with sub-paragraph (b), it may declare at the time of its notification of consent to be bound by this Protocol that it will defer compliance with sub-paragraph (b) for a period not to exceed 9 years from the entry into force of this Protocol. In the meantime it shall, to the extent feasible, minimize the use of anti-personnel mines that do not so comply.
3. Specifications on self-destruction and self-deactivation
- (a) All remotely-delivered anti-personnel mines shall be designed and constructed so that no more than 10% of activated mines will fail to self-destruct within 30 days after emplacement, and each mine shall have a back-up self-deactivation feature designed and constructed so that, in combination with the self-destruction mechanism, no more than one in one thousand activated mines will function as a mine 120 days after emplacement.
 - (b) All non-remotely delivered anti-personnel mines, used outside marked areas, as defined in Article 5 of this Protocol, shall comply with the requirements for self-destruction and self-deactivation stated in sub-paragraph (a).
 - (c) In the event that a High Contracting Party determines that it cannot immediately comply with sub-paragraphs (a) and/or (b), it may declare at the time of its notification of consent to be bound by this Protocol, that it will, with respect to mines produced prior to the entry into force of this Protocol defer compliance with sub-paragraphs (a) and/or (b) for a period not to exceed 9 years from the entry into force of this Protocol.

During this period of deferral, the High Contracting Party shall:

- (i) undertake to minimize, to the extent feasible, the use of anti-personnel mines that do not so comply, and
 - (ii) with respect to remotely-delivered anti-personnel mines, comply with either the requirements for self-destruction or the requirements for self-deactivation and, with respect to other anti-personnel mines comply with at least the requirements for self-deactivation.
4. International signs for minefields and mined areas
- Signs similar to the example attached and as specified below shall be utilized in the marking of minefields and mined areas to ensure their visibility and recognition by the civilian population:
- (a) size and shape: a triangle or square no smaller than 28 centimetres (11 inches) by 20 centimetres (7.9 inches) for a triangle, and 15 centimetres (6 inches) per side for a square;
 - (b) colour: red or orange with a yellow reflecting border.

Protocol on Explosive Remnants of War (Protocol V to the 1980 Convention, 28 November 2003)

The High Contracting Parties,

Recognising the serious post-conflict humanitarian problems caused by explosive remnants of war,

Conscious of the need to conclude a Protocol on post-conflict remedial measures of a generic nature in order to minimise the risks and effects of explosive remnants of war,

And willing to address generic preventive measures, through voluntary best practices specified in a Technical Annex for improving the reliability of munitions, and therefore minimising the occurrence of explosive remnants of war,

Have agreed as follows:

Article 1 – General provision and scope of application

1. In conformity with the Charter of the United Nations and of the rules of the international law of armed conflict applicable to them, High Contracting Parties agree to comply with the obligations specified in this Protocol, both individually and in co-operation with other High Contracting Parties, to minimise the risks and effects of explosive remnants of war in post-conflict situations.
2. This Protocol shall apply to explosive remnants of war on the land territory including internal waters of High Contracting Parties.
3. This Protocol shall apply to situations resulting from conflicts referred to in Article 1, paragraphs 1 to 6, of the Convention, as amended on 21 December 2001.
4. Articles 3, 4, 5 and 8 of this Protocol apply to explosive remnants of war other than existing explosive remnants of war as defined in Article 2, paragraph 5 of this Protocol.

Article 2 – Definitions

For the purpose of this Protocol,

1. Explosive ordnance means conventional munitions containing explosives, with the exception of mines, booby traps and other devices as defined in Protocol II of this Convention as amended on 3 May 1996.
2. Unexploded ordnance means explosive ordnance that has been primed, fused, armed, or otherwise prepared for use and used in an armed conflict. It may have been fired, dropped, launched or projected and should have exploded but failed to do so.

3. Abandoned explosive ordnance means explosive ordnance that has not been used during an armed conflict, that has been left behind or dumped by a party to an armed conflict, and which is no longer under control of the party that left it behind or dumped it. Abandoned explosive ordnance may or may not have been primed, fused, armed or otherwise prepared for use.
4. Explosive remnants of war means unexploded ordnance and abandoned explosive ordnance.
5. Existing explosive remnants of war means unexploded ordnance and abandoned explosive ordnance that existed prior to the entry into force of this Protocol for the High Contracting Party on whose territory it exists.

Article 3 – Clearance, removal or destruction of explosive remnants of war

1. Each High Contracting Party and party to an armed conflict shall bear the responsibilities set out in this Article with respect to all explosive remnants of war in territory under its control. In cases where a user of explosive ordnance which has become explosive remnants of war, does not exercise control of the territory, the user shall, after the cessation of active hostilities, provide where feasible, inter alia technical, financial, material or human resources assistance, bilaterally or through a mutually agreed third party, including inter alia through the United Nations system or other relevant organizations, to facilitate the marking and clearance, removal or destruction of such explosive remnants of war.
2. After the cessation of active hostilities and as soon as feasible, each High Contracting Party and party to an armed conflict shall mark and clear, remove or destroy explosive remnants of war in affected territories under its control. Areas affected by explosive remnants of war which are assessed pursuant to paragraph 3 of this Article as posing a serious humanitarian risk shall be accorded priority status for clearance, removal or destruction.
3. After the cessation of active hostilities and as soon as feasible, each High Contracting Party and party to an armed conflict shall take the following measures in affected territories under its control, to reduce the risks posed by explosive remnants of war:
 - (a) survey and assess the threat posed by explosive remnants of war;
 - (b) assess and prioritise needs and practicability in terms of marking and clearance, removal or destruction;
 - (c) mark and clear, remove or destroy explosive remnants of war;
 - (d) take steps to mobilise resources to carry out these activities.
4. In conducting the above activities High Contracting Parties and parties to an armed conflict shall take into account international standards, including the International Mine Action Standards.
5. High Contracting Parties shall co-operate, where appropriate, both among themselves and with other states, relevant regional and international organizations and non-governmental organizations on the provision of inter alia

technical, financial, material and human resources assistance including, in appropriate circumstances, the undertaking of joint operations necessary to fulfil the provisions of this Article.

Article 4 – Recording, retaining and transmission of information

1. High Contracting Parties and parties to an armed conflict shall to the maximum extent possible and as far as practicable record and retain information on the use of explosive ordnance or abandonment of explosive ordnance, to facilitate the rapid marking and clearance, removal or destruction of explosive remnants of war, risk education and the provision of relevant information to the party in control of the territory and to civilian populations in that territory.
2. High Contracting Parties and parties to an armed conflict which have used or abandoned explosive ordnance which may have become explosive remnants of war shall, without delay after the cessation of active hostilities and as far as practicable, subject to these parties' legitimate security interests, make available such information to the party or parties in control of the affected area, bilaterally or through a mutually agreed third party including inter alia the United Nations or, upon request, to other relevant organizations which the party providing the information is satisfied are or will be undertaking risk education and the marking and clearance, removal or destruction of explosive remnants of war in the affected area.
3. In recording, retaining and transmitting such information, the High Contracting Parties should have regard to Part 1 of the Technical Annex.

Article 5 – Other precautions for the protection of the civilian population, individual civilians and civilian objects from the risks and effects of explosive remnants of war

1. High Contracting Parties and parties to an armed conflict shall take all feasible precautions in the territory under their control affected by explosive remnants of war to protect the civilian population, individual civilians and civilian objects from the risks and effects of explosive remnants of war. Feasible precautions are those precautions which are practicable or practicably possible, taking into account all circumstances ruling at the time, including humanitarian and military considerations. These precautions may include warnings, risk education to the civilian population, marking, fencing and monitoring of territory affected by explosive remnants of war, as set out in Part 2 of the Technical Annex.

Article 6 – Provisions for the protection of humanitarian missions and organizations from the effects of explosive remnants of war

1. Each High Contracting Party and party to an armed conflict shall:
 - (a) Protect, as far as feasible, from the effects of explosive remnants of war, humanitarian missions and organizations that are or will be operating in the area under the control of the High Contracting Party or party to an armed conflict and with that party's consent.

(b) Upon request by such a humanitarian mission or organization, provide, as far as feasible, information on the location of all explosive remnants of war that it is aware of in territory where the requesting humanitarian mission or organization will operate or is operating.

2. The provisions of this Article are without prejudice to existing International Humanitarian Law or other international instruments as applicable or decisions by the Security Council of the United Nations which provide for a higher level of protection.

Article 7 – Assistance with respect to existing explosive remnants of war

1. Each High Contracting Party has the right to seek and receive assistance, where appropriate, from other High Contracting Parties, from states non-party and relevant international organizations and institutions in dealing with the problems posed by existing explosive remnants of war.
2. Each High Contracting Party in a position to do so shall provide assistance in dealing with the problems posed by existing explosive remnants of war, as necessary and feasible. In so doing, High Contracting Parties shall also take into account the humanitarian objectives of this Protocol, as well as international standards including the International Mine Action Standards.

Article 8 – Cooperation and assistance

1. Each High Contracting Party in a position to do so shall provide assistance for the marking and clearance, removal or destruction of explosive remnants of war, and for risk education to civilian populations and related activities inter alia through the United Nations system, other relevant 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.
2. Each High Contracting Party in a position to do so shall provide assistance for the care and rehabilitation and social and economic reintegration of victims of explosive remnants of war. Such assistance may be provided inter alia through the United Nations system, relevant 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.
3. Each High Contracting Party in a position to do so shall contribute to trust funds within the United Nations system, as well as other relevant trust funds, to facilitate the provision of assistance under this Protocol.
4. Each High Contracting Party shall have the right to participate in the fullest possible exchange of equipment, material and scientific and technological information other than weapons related technology, necessary for the implementation of this Protocol. High Contracting Parties undertake to facilitate

such exchanges in accordance with national legislation and shall not impose undue restrictions on the provision of clearance equipment and related technological information for humanitarian purposes.

5. Each High Contracting Party undertakes to provide information to the relevant databases on mine action established within the United Nations system, especially information concerning various means and technologies of clearance of explosive remnants of war, lists of experts, expert agencies or national points of contact on clearance of explosive remnants of war and, on a voluntary basis, technical information on relevant types of explosive ordnance.
6. High Contracting Parties may submit requests for assistance substantiated by relevant information to the United Nations, to other appropriate bodies or to other states. These requests may be submitted to the Secretary-General of the United Nations, who shall transmit them to all High Contracting Parties and to relevant international organizations and non-governmental organizations.
7. In the case of requests to the United Nations, the Secretary-General of the United Nations, within the resources available to the Secretary-General of the United Nations, may take appropriate steps to assess the situation and in cooperation with the requesting High Contracting Party and other High Contracting Parties with responsibility as set out in Article 3 above, recommend the appropriate provision of assistance. The Secretary-General may also report to High Contracting Parties on any such assessment as well as on the type and scope of assistance required, including possible contributions from the trust funds established within the United Nations system.

Article 9 – Generic preventive measures

1. Bearing in mind the different situations and capacities, each High Contracting Party is encouraged to take generic preventive measures aimed at minimising the occurrence of explosive remnants of war, including, but not limited to, those referred to in part 3 of the Technical Annex.
2. Each High Contracting Party may, on a voluntary basis, exchange information related to efforts to promote and establish best practices in respect of paragraph 1 of this Article.

Article 10 – Consultations of High Contracting Parties

1. The High Contracting Parties undertake to consult and cooperate with each other on all issues related to the operation of this Protocol. For this purpose, a Conference of High Contracting Parties shall be held as agreed to by a majority, but no less than eighteen High Contracting Parties.
2. The work of the conferences of High Contracting Parties shall include:
 - (a) review of the status and operation of this Protocol;
 - (b) consideration of matters pertaining to national implementation of this Protocol, including national reporting or updating on an annual basis.
 - (c) preparation for review conferences.

3. The costs of the Conference of High Contracting Parties shall be borne by the High Contracting Parties and States not parties participating in the Conference, in accordance with the United Nations scale of assessment adjusted appropriately.

Article 11 – Compliance

1. Each High Contracting Party shall require that its armed forces and relevant agencies or departments issue appropriate instructions and operating procedures and that its personnel receive training consistent with the relevant provisions of this Protocol.
2. The High Contracting Parties undertake to consult each other and to cooperate with each other bilaterally, through the Secretary-General of the United Nations or through other appropriate international procedures, to resolve any problems that may arise with regard to the interpretation and application of the provisions of this Protocol.

Technical Annex

This Technical Annex contains suggested best practice for achieving the objectives contained in Articles 4, 5 and 9 of this Protocol. This Technical Annex will be implemented by High Contracting Parties on a voluntary basis.

1. Recording, storage and release of information for Unexploded Ordnance (UXO) and Abandoned Explosive Ordnance (AXO)
 - (a) Recording of information: Regarding explosive ordnance which may have become UXO a State should endeavour to record the following information as accurately as possible:
 - (i) the location of areas targeted using explosive ordnance;
 - (ii) the approximate number of explosive ordnance used in the areas under (i);
 - (iii) the type and nature of explosive ordnance used in areas under (i);
 - (iv) the general location of known and probable UXO;Where a State has been obliged to abandon explosive ordnance in the course of operations, it should endeavour to leave AXO in a safe and secure manner and record information on this ordnance as follows:
 - (v) the location of AXO;
 - (vi) the approximate amount of AXO at each specific site;
 - (vii) the types of AXO at each specific site.
 - (b) Storage of information: Where a State has recorded information in accordance with paragraph (a), it should be stored in such a manner as to allow for its retrieval and subsequent release in accordance with paragraph (c).
 - (c) Release of information: Information recorded and stored by a State in accordance with paragraphs (a) and (b) should, taking into account the security interests and other obligations of the State providing the information, be released in accordance with the following provisions:

(i) Content:

On UXO the released information should contain details on:

- (1) the general location of known and probable UXO;
- (2) the types and approximate number of explosive ordnance used in the targeted areas;
- (3) the method of identifying the explosive ordnance including colour, size and shape and other relevant markings;
- (4) the method for safe disposal of the explosive ordnance.

On AXO the released information should contain details on:

- (5) the location of AXO;
- (6) the approximate number of AXO at each specific site;
- (7) the types of AXO at each specific site;
- (8) the method of identifying the AXO, including colour, size and shape;
- (9) information on type and methods of packing for AXO;
- (10) state of readiness;
- (11) the location and nature of any booby traps known to be present in the area of AXO.

- ii) Recipient: The information should be released to the party or parties in control of the affected territory and to those persons or institutions that the releasing State is satisfied are, or will be, involved in UXO or AXO clearance in the affected area, in the education of the civilian population on the risks of UXO or AXO.
- iii) Mechanism: A State should, where feasible, make use of those mechanisms established internationally or locally for the release of information, such as through UNMAS, IMSMA, and other expert agencies, as considered appropriate by the releasing State.
- iv) Timing: The information should be released as soon as possible, taking into account such matters as any ongoing military and humanitarian operations in the affected areas, the availability of information and relevant security issues.

2. Warnings, risk education, marking, fencing and monitoring

Key terms

- (a) Warnings are the punctual provision of cautionary information to the civilian population, intended to minimise risks caused by explosive remnants of war in affected territories.
- (b) Risk education to the civilian population should consist of risk education programmes to facilitate information exchange between affected communities, government authorities and humanitarian organizations so that affected communities are informed about the threat from explosive remnants of war. Risk education programmes are usually a long term activity.

Best practice elements of warnings and risk education

- (c) All programmes of warnings and risk education should, where possible, take into account prevailing national and international standards, including the International Mine Action Standards.
- (d) Warnings and risk education should be provided to the affected civilian population which comprises civilians living in or around areas containing explosive remnants of war and civilians who transit such areas.

- (e) Warnings should be given, as soon as possible, depending on the context and the information available. A risk education programme should replace a warnings programme as soon as possible. Warnings and risk education always should be provided to the affected communities at the earliest possible time.
- (f) Parties to a conflict should employ third parties such as international organizations and non-governmental organizations when they do not have the resources and skills to deliver efficient risk education.
- (g) Parties to a conflict should, if possible, provide additional resources for warnings and risk education. Such items might include: provision of logistical support, production of risk education materials, financial support and general cartographic information.

Marking, fencing, and monitoring of an explosive remnants of war affected area

- (h) When possible, at any time during the course of a conflict and thereafter, where explosive remnants of war exist the parties to a conflict should, at the earliest possible time and to the maximum extent possible, ensure that areas containing explosive remnants of war are marked, fenced and monitored so as to ensure the effective exclusion of civilians, in accordance with the following provisions.
- (i) Warning signs based on methods of marking recognised by the affected community should be utilised in the marking of suspected hazardous areas. Signs and other hazardous area boundary markers should as far as possible be visible, legible, durable and resistant to environmental effects and should clearly identify which side of the marked boundary is considered to be within the explosive remnants of war affected area and which side is considered to be safe.
- (j) An appropriate structure should be put in place with responsibility for the monitoring and maintenance of permanent and temporary marking systems, integrated with national and local risk education programmes.

3. Generic preventive measures

States producing or procuring explosive ordnance should to the extent possible and as appropriate endeavour to ensure that the following measures are implemented and respected during the life-cycle of explosive ordnance.

- (a) Munitions manufacturing management
 - (i) Production processes should be designed to achieve the greatest reliability of munitions.
 - (ii) Production processes should be subject to certified quality control measures.
 - (iii) During the production of explosive ordnance, certified quality assurance standards that are internationally recognised should be applied.

- (iv) Acceptance testing should be conducted through live-fire testing over a range of conditions or through other validated procedures.
- (v) High reliability standards should be required in the course of explosive ordnance transactions and transfers.

(b) Munitions management

In order to ensure the best possible long-term reliability of explosive ordnance. States are encouraged to apply best practice norms and operating procedures with respect to its storage, transport, field storage, and handling in accordance with the following guidance.

- (i) Explosive ordnance, where necessary, should be stored in secure facilities or appropriate containers that protect the explosive ordnance and its components in a controlled atmosphere, if necessary.
- (ii) A State should transport explosive ordnance to and from production facilities, storage facilities and the field in a manner that minimises damage to the explosive ordnance.
- (iii) Appropriate containers and controlled environments, where necessary, should be used by a State when stockpiling and transporting explosive ordnance.
- (iv) The risk of explosions in stockpiles should be minimised by the use of appropriate stockpile arrangements.
- (v) States should apply appropriate explosive ordnance logging, tracking and testing procedures, which should include information on the date of manufacture of each number, lot or batch of explosive ordnance, and information on where the explosive ordnance has been, under what conditions it has been stored, and to what environmental factors it has been exposed.
- (vi) Periodically, stockpiled explosive ordnance should undergo, where appropriate, live-firing testing to ensure that munitions function as desired.
- (vii) Sub-assemblies of stockpiled explosive ordnance should, where appropriate, undergo laboratory testing to ensure that munitions function as desired.
- (viii) Where necessary, appropriate action, including adjustment to the expected shelf-life of ordnance, should be taken as a result of information acquired by logging, tracking and testing procedures, in order to maintain the reliability of stockpiled explosive ordnance.

(c) Training

The proper training of all personnel involved in the handling, transporting and use of explosive ordnance is an important factor in seeking to ensure its reliable operation as intended. States should therefore adopt and maintain suitable training programmes to ensure that personnel are properly trained with regard to the munitions with which they will be required to deal.

(d) Transfer

A State planning to transfer explosive ordnance to another State that did not previously possess that type of explosive ordnance should endeavour to ensure that the receiving State has the capability to store, maintain and use that explosive ordnance correctly.

(e) Future production

A State should examine ways and means of improving the reliability of explosive ordnance that it intends to produce or procure, with a view to achieving the highest possible reliability.

3.3 Possible representations related to the use or presence of mines, booby-traps, explosive remnants of war (ERW) or cluster munitions

Please note: this section is a shortened version of a document sent from the ICRC Protection Division and Legal Division to all delegations in January 2007 (OP_DIR/GVA07E42).

While the impacts of anti-personnel mines, anti-vehicle mines and ERW on civilians are similar and are usually addressed together as part of the humanitarian response at field-level, each weapon is subject to a different set of legal rules. This is partly because of the differences in their design and function and in the history of their use. Having separate legal frameworks for anti-personnel mines, anti-vehicle mines and ERW complicates the task of making representations to the parties to armed conflicts. In addition, it must be noted that other “victim-activated” explosive devices, such as booby-traps, raise humanitarian concerns similar to those of landmines and ERW, although they are not used on as wide a scale.

The table at the end of this chapter aims to make it easier for non-specialists to understand IHL rules applying to mines, booby-traps, ERW and cluster munitions. It also proposes key messages for ICRC delegates to use in their representations to parties to armed conflicts, whether during or after hostilities, as part of a delegation’s efforts to enhance the protection of the civilian population. The table is therefore of particular interest to Protection Coordinators, Legal Advisers and Mine Action delegates.

The particular objectives are to assist ICRC delegates in:

- (a) making representations to the authorities concerned where the presence of mines and ERW threatens the civilian population, regardless of whether or not a particular IHL rule has been violated;
- (b) reminding parties to a conflict of the IHL rules that apply to the use of mines and other explosive munitions and that require the protection of civilians from their effects; and
- (c) making representations to the parties concerned when these rules may have been violated.²

Why single out mines, booby-traps, ERW and cluster munitions?

The common features of anti-personnel mines, anti-vehicle mines, booby-traps, ERW and cluster munitions are as follows:

- > they are (or in the case of cluster munitions, they are highly likely to create) “victim-activated” explosive munitions, i.e. explosive devices that strike indiscriminately, by virtue of their design or function;
- > they continue to strike long after hostilities have ceased, i.e. even after they no longer serve a military purpose.

They therefore pose a particular threat to civilians.

² Such representations must be made in accordance with ICRC policy as set out in Doctrine 15 – 2005/10 – “Action by the International Committee of the Red Cross in the event of violations of international humanitarian law or of other fundamental rules protecting persons in situations of violence” and the guidelines set out in the forthcoming “Guide méthodologique – Protection de la population civile et d’autres personnes affectées en dehors des situations de détention”.

The essence of the specific IHL rules referred to in the table below is a requirement, on both the party using such weapons (except in States party to the Ottawa Convention, where there is an absolute prohibition to use anti-personnel mines) and the party controlling territory containing such weapons, that they take particular precautionary measures to prevent or in any event minimize the effects of such weapons on civilians.

It must be recalled that representations relating to mines, booby-traps, ERW and cluster munitions are an integral part of a delegation's overall strategy regarding the protection of the civilian population (PPC).³ These representations may take place either in specific démarches where only such issues are tackled or in more general démarches where a large range of violations are reported (i.e. synthesis or geographical report, etc.).

Reminders

It should be recalled that even if the specific rules listed in the table below do not apply in a given situation, the use of mines and other explosive munitions or devices, like all other weapons, means and methods of warfare, continue to be governed by the general rules of IHL applying to the conduct of hostilities. These general rules include, for example, the prohibition of indiscriminate attacks (including the prohibition to use weapons which are by nature indiscriminate), the rule of proportionality in attack and the rule of precautions in attack as they relate to the choice of means and methods of warfare. With regard to the situations to which the rules referred to in the table below apply, the following points should be kept in mind.

- > While most of the IHL treaty and customary rules listed below apply to situations of armed conflict, it is very important to note that the Ottawa Convention banning anti-personnel mines applies in all situations, i.e. both in conflict and in non-conflict situations. In other words, for States party to the Ottawa Convention, there is no need to qualify a situation because the use of anti-personnel mines (to name but one activity banned by the treaty) is prohibited at all times.
- > It is also important to note that although the CCW applies in armed conflict situations both international and non-international (pursuant to amended Article 1 of the framework treaty), CCW Protocol V dealing with ERW expressly applies in "situations resulting from conflicts";⁴ including "post-conflict" situations.
- > With regard to all other IHL treaty and customary rules referred to below, these would continue to apply after the end of an armed conflict to the extent that the mines and booby-traps were used, or ERW was created, during an armed conflict and are therefore the direct result of the conflict, i.e. "*les suites directes d'un conflit armé*" within the meaning of Doctrine 61.⁵

³ See the forthcoming "Guide méthodologique- Protection de la population civile et d'autres personnes affectées en dehors des situations de détention".

⁴ See Article 1(3) of Protocol V.

⁵ See Doctrine 61-2003/1 "L'action du CICR en période de transition", e.g. in Annex 2 (fondements juridiques). where populations threatened by mines ("les populations menacées par les mines") are identified as a category of persons that continue to benefit from the protection of IHL (further to both international and in non-international armed conflicts) after the end of active hostilities.

- > If mines and other explosive munitions are used in a non-conflict situation, for example in cases of internal disturbances and in other situations of internal violence, the IHL rules listed below (other than the Ottawa Convention – see first bullet above) do not formally apply, and the relevant laws are international human rights law (in particular art. 6 of the International Covenant on Civil and Political Rights regarding the right to life) and national laws.⁶ In such situations, the various regulations and elements held in the table below may be mentioned as principles of humanity or as guidance, being careful not to refer to them as binding law.

In some contexts, certain explosive munitions used by armed groups are referred to as “improvised explosive devices” (IEDs). This term has no legal significance *per se*. It is commonly used to refer to “home-made” devices produced and used primarily by armed non-State actors.

Whether or not an IED is governed by the IHL rules applying to mines and ERW referred to in the table below depends on how the IED is designed and functions. Thus, if the IED is designed to be “victim-activated”, i.e. triggered by the presence, proximity or contact of a person, it is an anti-personnel mine and its use is therefore subject to the IHL rules applying to anti-personnel mines. If it is designed to be triggered by a vehicle, it is an anti-vehicle mine and its use is subject to the rules applying to these weapons. If it is designed to explode on impact after being thrown or launched, but fails to do so, the ERW created by the failed IED will be governed by the rules applying to ERW. An example of ERW created by IEDs is found in Nepal, where armed groups have typically used “socket bombs”, which are intended to function as grenades but which in practice have a high failure rate.

In many contexts, the IEDs typically used are command-detonated bombs. As such, these IEDs are not mines, and unless they fail to detonate as intended, they do not become ERW. Their use is regulated by the general rules of IHL applying to all means and methods of warfare (*see above under “Reminder”*). In addition, for States that are party to CCW Amended Protocol II (or to the original Protocol II), these IEDs fall under the definition of “other explosive devices” of the Protocol, meaning “manually emplaced munitions... including improvised explosive devices designed to kill, injure or damage and which are actuated... by remote control or automatically after a lapse of time” – Art. 2(5) CCW Amended Protocol II. They are subject to general restrictions on their use aimed at protecting civilians from their effects – *inter alia* Art. 3. Because command-detonated bombs are not “victim-activated”, i.e. because they are not indiscriminate weapons *per se*, they are not included in the table.

⁶ For reference to human rights in representations, see Doctrine 63- 2006/1 “The invocation of Human Rights Law by the ICRC”.

Explanation of the table

The table is divided into five parts according to the type of weapon: anti-personnel mines, anti-vehicle mines, booby-traps, explosive remnants of war and cluster munitions. Each of these parts is divided into sections according to whether or not the State in which there is the particular weapon is party to the relevant treaties, i.e. according to the applicable law. Each section is divided into three columns as follows.

The first column describes the particular situation that ICRC delegates may encounter in the field, in terms of the use or presence of mines or ERW.

The second column indicates the specific treaty provisions or customary law rules applicable to the situation identified in the first column. As explained under the “reminder” section above, although most of the rules mentioned in the second column apply in situations of armed conflict (with the notable exception of the Ottawa Convention), most of these rules are intended to apply “after the end of active hostilities” and would continue to apply after the armed conflict has ceased, being IHL rules dealing with the direct consequences of an armed conflict (*“les suites directes d’un conflit armé”*).

The third column proposes possible representations that may be made to the relevant parties, to be considered in addition to simply reminding the parties of their legal obligations indicated in the second column. It also indicates the practical measures which the relevant party may need to take in order to fulfil its obligations and the services the ICRC may wish to offer to enhance the protection of civilians.

Delegations are strongly encouraged to raise the issues below in their dialogue with relevant parties and actors. However, given the complexity of some of the rules set out below, do not hesitate to refer back to the relevant units at ICRC headquarters (notably DC/JUR/ARMES via DC/JUR/OP, as well as OP/PROT and the mine action sector) for support through your regional coordination teams (ERC), especially if you are preparing formal written representations to the authorities.

**Possible representations related to the use or presence of mines,
ERW or cluster munitions**

ANTI-PERSONNEL (AP) MINES		
I. THE STATE IN WHICH THERE ARE ANTI-PERSONNEL MINES IS PARTY TO THE OTTAWA CONVENTION		
Situation	Key Ottawa Convention provisions	Possible recommendations in addition to reminding the parties of the rules in the preceding column and to informing them in cases of violations.
	N.B. These rules are applicable at all times – i.e. in international armed conflicts (IAC), non-international armed conflicts (NIAC) and in peacetime.	
> AP mines are being used	<p>General rule</p> <ul style="list-style-type: none"> > Absolute prohibition to use AP mines – Art. 1(1)(a). <p>N.B. All persons on the territory of a State Party to the Ottawa Convention, including armed non-State actors, must respect this prohibition.</p>	<p>The party, whether a State or a non-State actor must:</p> <ul style="list-style-type: none"> > cease new emplacement of AP mines; > mark and clear all mined areas – see below.
> Existence of mined areas, i.e. areas that are dangerous owing to the presence or suspected presence of AP mines	<ul style="list-style-type: none"> > Obligation to make every effort to identify all areas under the State's jurisdiction or control in which AP mines are known or suspected to be emplaced – Art.5(2). > Obligation to perimeter-mark (fence) and monitor these mined areas "as soon as possible" "to ensure the effective exclusion of civilians". Marking must use signs described in the Technical Annex to CCW Amended Protocol II – Art.5(2). > Obligation to provide "immediate and effective warning to the population" about such mined areas – Art.7(1)(i). > Obligation to destroy or ensure the destruction of all AP mines in mined areas, as soon as possible but not later than 10 years after the entry into force of the Convention for the State. 	<p>The State must:</p> <ul style="list-style-type: none"> > identify all mined areas through standard means (general assessment, impact surveys, technical surveys, maps, etc.); > mark, fence and monitor all mined areas as soon as possible and in a manner that ensures the effective exclusion of civilians; > ensure without delay that civilians, as well as humanitarian and other relevant organizations, are aware of the location and dangers of mined areas; > clear or ensure the clearance of all mined areas within 10 years, with priority given to those areas with the highest impact on civilians. <p>The State should:</p> <ul style="list-style-type: none"> > develop and implement a national plan to enable it to carry out the above-mentioned obligations. <p>Armed non-State actors with mined areas under their control should</p> <ul style="list-style-type: none"> > be encouraged to execute the above-mentioned tasks <i>mutatis mutandis</i>. <p>For its part, the ICRC could:</p> <ul style="list-style-type: none"> > offer to the party that controls the area containing mines the ICRC's services to provide mine action activities, such as incident data gathering, risk reduction through assistance and protection, mine risk education, surveying and clearance, etc.; > provide information to the relevant party regarding the location of mine-affected areas, in particular those that are a threat to civilians.
> AP mines are being produced or exported/traded or otherwise retained	<ul style="list-style-type: none"> > Absolute prohibition to "develop", "produce", "acquire", "retain", "transfer" "to anyone, directly or indirectly" – Art.1(1)(b). <p>N.B. All persons on the territory of a State Party to the Ottawa Convention, including armed non-State actors, must respect this prohibition.</p>	<p>The party, whether a State or a non-State actor, must:</p> <ul style="list-style-type: none"> > cease and refrain from the production, acquisition, transfer or trade in AP mines.
> AP mines are being stockpiled	<ul style="list-style-type: none"> > Obligation to destroy stockpiles within 4 years of the entry into force of the Convention for the State – Art.4. > Exception: permission to retain or transfer a "minimum number absolutely necessary" of AP mines for the purposes of development and training in mine detection, mine clearance or mine destruction techniques – Art.3. 	<p>The State should:</p> <ul style="list-style-type: none"> > prepare and implement national plans to destroy all AP mine stockpiles within its 4-year deadline. <p>Armed non-State actors must:</p> <ul style="list-style-type: none"> > destroy any stockpiled AP mines as soon as possible pursuant to prohibition to "retain" AP mines.

ANTI-PERSONNEL (AP) MINES (continued)		
II. THE STATE IN WHICH THERE ARE ANTI-PERSONNEL (AP) MINES IS NOT PARTY TO THE OTTAWA CONVENTION BUT IS PARTY TO CCW AMENDED PROTOCOL II		
Situation	Key CCW Amended Protocol II provisions	Possible recommendations in addition to reminding the parties of the rules in the preceding column and to informing them in cases of violations.
<p>> AP mines are being used (hand-emplaced or remotely-delivered)</p> <p>> Existence of minefields or mined areas (i.e. containing AP mines) in territory</p>	<p>N.B. These rules apply in international armed conflicts (IAC), and non-international armed conflicts (NIAC). Most of these rules apply both to AP and AV mines.</p> <p>The parties to an armed conflict, be they State or non-State actors, may use AP (and AV) mines and maintain mined areas, subject to the following restrictions:</p> <p>General rules</p> <ul style="list-style-type: none"> > A party to a conflict is responsible for all the mines which it has used and must clear, remove, destroy or maintain them, as specified below – Art.3(2). > A party that uses mines, or that otherwise controls areas where mines have been used, must take all “feasible precautions” to protect civilians from the effects of these weapons – see Art. 3(10). <p>In particular:</p> <p>A. The party that uses, i.e. hand-emplaces or remotely delivers (dropped by air or artillery) mines must, among other measures:</p> <ul style="list-style-type: none"> > provide effective advance warning to civilians of any emplacement or dropping of mines “unless the circumstances do not permit” – Arts. 3(11) and 6(4); > record all information concerning the location of minefields, mined areas and remotely delivered mines, the types and numbers of mines used, etc. – Arts.9(1) and 6(1), and section 1 of Technical Annex; > without delay after the cessation of active hostilities, use the recorded information to protect civilians from the effects of mined areas under its control – Art.9(2) – including use of the recorded information to implement the measures referred to in B. <p>B. The party that controls the area where there are mines, even if it did not emplace or deliver them itself, must without delay after the cessation of active hostilities:</p> <ul style="list-style-type: none"> > clear, remove or destroy the mines or > “maintain” them in minefields, i.e. perimeter-mark the area containing the mines, have it monitored by military personnel and protected by fencing or other means, to ensure effective exclusion of civilians – Art. 5, 10(1) and (2). <p>C. After the cessation of active hostilities, if the user of mines does not control the area where it emplaced or delivered them, it must provide to the party that controls the area, “to the extent permitted by such party”:</p> <ul style="list-style-type: none"> > technical and material assistance to facilitate the execution of the tasks referred to in B above, directly or through international organizations or other third parties – Art.10(3) and (4); > information recorded pursuant to A above (Art.9(1)) with the party that controls the area or with the Secretary-General of the UN (in practice the UN agency for mine action in the given context), but such information may be withheld if the forces of one party are in the territory of an adverse party “to the extent that security interests require such withholding” – Art.9(2). <p>D. Additional restrictions on AP mines only:</p> <ul style="list-style-type: none"> > all AP mines must be detectable – Art.4; > all remotely-delivered AP mines must be equipped with self-destructing or self-deactivating features – Art.6; > hand-emplaced AP mines must be self-destructing or self-deactivating, unless they are placed in perimeter-marked areas and monitored by military personnel. They must also be cleared before the area is abandoned – Art.5. 	<p>Even if a State is not party to the Ottawa Convention, given the characteristics and use of AP mines in past conflicts, with their severe effects on civilians, ICRC delegates could strongly encourage, for humanitarian reasons, the parties to the conflict (be they State or non-State actors) not to use AP mines.</p> <p>In addition, the party that is using mines during ongoing hostilities should be urged to:</p> <ul style="list-style-type: none"> > take measures such as posting warnings, informing leaders of affected communities, air-dropping leaflets, etc. as part of the “effective advance warning to civilians of any emplacement or dropping of mines” that it must provide – point A 1st bullet in preceding column; > record the location of hand-emplaced mines and the estimated location of remotely-delivered mines, as well as the types and numbers of mines used – point A 2nd bullet. <p>N.B. The representations that follow are especially relevant for “dumb” or “persistent” mines, i.e. mines that are not self-destructing or self-neutralizing.</p> <p>The party that controls the area where there are mines should be urged to, in addition to perimeter-marking and fencing the area:</p> <ul style="list-style-type: none"> > take measures to ensure that civilians and humanitarian organizations are aware of the location and dangers of mines areas, as part of the “effective exclusion of civilians” that it must ensure, e.g. through briefings of representatives of communities and organizations, posting of warnings in communities, etc. – point B 2nd bullet and point A 3rd bullet in preceding column; > post sentries to ensure that civilians do not enter mined areas, as part of the “monitoring” of mined area that it must carry out – point B 2nd bullet in preceding column. <p>The party that has used mines but that does not control the area where they are located should be urged to:</p> <ul style="list-style-type: none"> > provide the information recorded per A 2nd and 3rd bullet, directly or indirectly through the UN mine action agency or other relevant entity, as part of the “technical and material assistance” that it must provide to the party that controls the area – point C of preceding column. <p>For its part, the ICRC could:</p> <ul style="list-style-type: none"> > offer to the party that controls the area containing mines the ICRC’s services to provide mine action activities, such as incident data gathering, risk reduction through assistance and protection, mine risk education, surveying and clearance, etc. – especially with regard to B and the last bullet of A in the preceding column; > provide information to the relevant authorities regarding the location of minefields and mine-affected areas, in particular those that are a threat to civilians – especially with regard to B in the preceding column; > offer the ICRC’s services as a neutral intermediary to facilitate communication and sharing of information between the party that has used mines and the party that controls the area containing these mines – especially with regard to C in the preceding column.

ANTI-PERSONNEL (AP) MINES (continued)		
III. THE STATE IN WHICH THERE ARE AP MINES IS NOT PARTY TO THE ABOVE-MENTIONED TREATIES OR THE STATE IS PARTY ONLY TO THE ORIGINAL CCW PROTOCOL II, THE MAIN RULES OF WHICH ARE VIRTUALLY THE SAME AS CUSTOMARY IHL RULES		
Situation	Key customary IHL rules	Possible recommendations in addition to reminding the parties of the rules in the preceding column and to informing them in cases of violations.
<p>> AP mines are being used</p> <p>> Existence of minefields or mined areas (i.e. containing AP mines) in territory</p>	<p>N.B. These rules apply in international armed conflicts (IAC), and non-international armed conflicts (NIAC). Most of these rules also apply to anti-vehicle (AV) mines – Section V below.</p> <p>General rule</p> <ul style="list-style-type: none"> > A party (be it a State or a non-State actor) that uses AP (or AV) mines, or that otherwise controls areas where mines have been used, must take “all feasible precautions” to protect civilians from the effects of these weapons – Rule 22 of Customary IHL study. <p>In particular</p> <ul style="list-style-type: none"> > When AP (or AV) mines are used, particular care must be taken to minimize their indiscriminate effects – Rule 81. > A party to a conflict must record the placement of AP (or AV) mines as far as possible – Rule 82. > At the end of active hostilities, the party to the conflict that has used AP (or AV) mines must remove or otherwise render them harmless to civilians, or facilitate their removal – Rule 83. 	<p>Even if a State is not party to the Ottawa Convention, given the characteristics and use of AP mines in past conflicts, with their severe effects on civilians, ICRC delegates could strongly encourage, for humanitarian reasons, the parties to the conflict (be they State or non-State actors) not to use AP mines.</p> <p>N.B. The general rules referred to in the preceding column do not indicate precisely the practical measures that the parties must take. The ICRC representations suggested below are based on standard practice by mine action actors in the field, which are reflected in part in the provisions of CCW Amended Protocol II.</p> <p>The party that is using mines during ongoing hostilities should be urged to:</p> <ul style="list-style-type: none"> > provide effective advance warnings to civilians, for example through posting warnings, informing leaders of affected communities, air-dropping leaflets, etc., as part of measures that must be taken to “minimize their indiscriminate effects” – 1st bullet in preceding column; > record the location of mines, be they hand-emplaced or remotely delivered – 2nd bullet in preceding column. <p>N.B. The representations that follow are especially relevant for “dumb” or “persistent” mines, i.e. mines that are not self-destructing or self-neutralizing.</p> <p>After the end of active hostilities, the party that has used mines should be urged to:</p> <ul style="list-style-type: none"> > “remove AP or AV mines or otherwise render them harmless to civilians” – 3rd bullet in preceding column, and in particular: <ul style="list-style-type: none"> – clear all mined areas; or – mark the mined areas by fencing or other means, and monitor them to ensure the effective exclusion of civilians; – ensure without delay that civilians, as well as humanitarian organizations, are aware of the location and dangers of mined area; > or “facilitate their removal” – 3rd bullet in preceding column, and in particular: <ul style="list-style-type: none"> – if it does not clear, or mark and monitor, the mined areas itself, allow mine clearance to be carried out by appropriate organizations and share the information recorded pursuant to 2nd bullet in preceding column; – if it no longer controls the area, it should be urged to share the information that it has recorded – pursuant to 2nd bullet in preceding column directly with the party that controls the area or indirectly through appropriate organizations (e.g. the UN mine action agency). <p>For its part, the ICRC could:</p> <ul style="list-style-type: none"> > provide information to the relevant authorities regarding the location of minefields and mine-affected areas, in particular those that are a threat to civilians; > offer to the party that controls the area containing mines the ICRC’s services to provide mine action activities, such as incident data gathering, risk reduction through assistance and protection, mine risk education, surveying and clearance, etc.; > offer the ICRC’s services as a neutral intermediary to facilitate communication and sharing of information between the party that has used mines and the party that controls the area containing these mines.

ANTI-VEHICLE (AV) MINES		
IV. THE STATE IN WHICH THERE ARE AV MINES IS PARTY TO CCW AMENDED PROTOCOL II		
Situation	Key CCW Amended Protocol II provisions N.B. These rules apply in international armed conflicts (IAC) and non-international armed conflicts (NIAC).	Possible recommendations in addition to reminding the parties of the rules in the preceding column and to informing them in cases of violations.
<ul style="list-style-type: none"> > AV mines are being used (hand-emplaced or remotely-delivered) > Existence of minefields or mined areas (i.e. containing AV mines) in territory 	<p>General rule</p> <ul style="list-style-type: none"> > The parties to an armed conflict, be they State or non-State actors, may use AV mines and maintain mined areas, subject to the general rules and obligations in sections A, B and C under Section II above. 	Same possible recommendations as under Section II above.
V. THE STATE IN WHICH THERE ARE AV MINES IS <u>NOT</u> PARTY TO CCW AMENDED PROTOCOL II		
Situation	Key customary IHL rules N.B. These rules apply in international armed conflicts (IAC) and non-international armed conflicts (NIAC).	Possible recommendations in addition to reminding the parties of the rules in the preceding column and to informing them in cases of violations.
<ul style="list-style-type: none"> > AV mines are being used > Existence of minefields or mined areas in territory 	<p>General rule</p> <ul style="list-style-type: none"> > The parties to an armed conflict, be they State or non-State actors, may use AV mines and maintain mined areas, subject to the restrictions indicated under Section III above, i.e. the same customary law restrictions as those applying to AP mines. 	Same possible recommendations as under Section III above.

BOOBY-TRAPS		
VI. THE STATE IN WHICH THERE ARE BOOBY-TRAPS IS PARTY TO CCW AMENDED PROTOCOL II		
Situation	Key CCW Amended Protocol II provisions N.B. These rules apply in international armed conflicts (IAC) and non-international armed conflicts (NIAC).	Possible recommendations in addition to reminding the parties of the rules in the preceding column and to informing them in cases of violations.
<p>> Booby-traps are being used</p> <p>> Existence of booby-traps in territory</p>	<p>General rules</p> <ul style="list-style-type: none"> > Prohibition to use booby-traps and other devices which are in any way attached to or associated with: <ul style="list-style-type: none"> – internationally recognized protective emblems, signs or signals; – sick, wounded or dead persons; – burial or cremation sites or graves; – medical facilities, medical equipment, medical supplies or medical transportation; – children's toys or other portable objects or products specially designed for the feeding, health, hygiene, clothing or education of children; – food or drink; – kitchen utensils or appliances except in military establishments, military locations or military supply depots; – objects clearly of a religious nature; – historic monuments, works of art or places of worship which constitute the cultural or spiritual heritage of peoples; or – animals or their carcasses – Art. 7(1). > Prohibition to use booby-traps or other devices in the form of apparently harmless portable objects which are specifically designed or constructed to contain explosive material – Art. 7(2). > Prohibition to use booby-traps in an area containing a concentration of civilians in which there is no, or no imminent, combat between ground forces, unless either they are placed on or in the close vicinity of a military objective, or measures are taken to protect civilians from their effects, for example the posting of sentries, issuing of warnings, etc. – Art. 7(3). > The party that uses booby-traps, or that otherwise controls areas where booby-traps have been used, must take all "feasible precautions" to protect civilians from the effects of these weapons – see Art.3(10). <p>In particular</p> <p>A. The party that uses booby-traps must, among other measures:</p> <ul style="list-style-type: none"> > provide effective advance warning to civilians of any emplacement of booby-traps and other devices, "unless the circumstances do not permit" – Art.3(11); > record all information concerning booby-traps, including the precise location and operating mechanism of each booby-trap individually, etc. – Arts.9(1) and section 1 of Technical Annex; > without delay after the cessation of active hostilities, use the recorded information to protect civilians from the effects of booby-traps under its control – Art.9(2) – including use of the recorded information to implement the measures referred to in B. <p>B. The party that controls the area where there are booby-traps, even if it did not emplace them itself, must without delay after the cessation of active hostilities</p> <ul style="list-style-type: none"> > clear, remove or destroy the booby-traps – Art. 10(1) and (2). <p>C. After the cessation of active hostilities, if the user of booby-traps does not control the area where it emplaced them, it must provide to the party that controls the area, "to the extent permitted by such party",</p> <ul style="list-style-type: none"> > technical and material assistance to facilitate their removal in accordance with B above, directly or through international organizations or other third parties – Art.10(3) and (4). <p>This would include sharing the information recorded pursuant to A – Art.9(1)) above with the party that controls the area or with the Secretary-General of the UN (in practice the UN agency for mine action in the given context). However, such information may be withheld if the forces of one party are in the territory of an adverse party "to the extent that security interests require such withholding" – Art.9(2).</p>	<p>States that are party to the Ottawa Convention should be encouraged not to use booby-traps employing an explosive charge since such booby-traps as designed would (in the interpretation of the ICRC and of some States) fall under the definition of an "anti-personnel mine" within the meaning of the Ottawa Convention (i.e. a munition designed to explode by the contact of a person), and would therefore be prohibited.</p> <p>In addition, the ICRC should recommend:</p> <ul style="list-style-type: none"> > to the party that is using booby-traps during ongoing hostilities: <ul style="list-style-type: none"> – to take the measures to provide "effective advance warning to civilians of any emplacement of booby-traps" – point A 1st bullet in preceding column; this could include posting warnings, informing leaders of affected communities, etc.; – to record the precise location and operating mechanism of each booby-trap individually – point A 2nd bullet. > to the party that controls the area where there are booby-traps, pending their clearance, removal or destruction – point B in preceding column: <ul style="list-style-type: none"> – to take immediate measures to ensure the exclusion of civilians from the area; – to ensure that civilians, as well as humanitarian organizations, are aware of the location and dangers of booby-traps, and also (for example) posting sentries to ensure that civilians do not enter. > to the party that has used booby-traps but that does not control the area where they are located: <ul style="list-style-type: none"> – to offer the "technical and material assistance" it should provide to the party that controls the area – point C of preceding column; this would include providing the information recorded pursuant to A 2nd and 3rd bullet, directly or indirectly through the UN mine action agency or other relevant entity. <p>For its part, the ICRC could:</p> <ul style="list-style-type: none"> > offer to the party that controls the area containing booby-traps the ICRC's services to provide mine action activities, such as incident data gathering, risk reduction through assistance and protection, mine risk education, surveying and clearance, etc.; > offer its services as a neutral intermediary to facilitate communication and sharing of information between the party that has used booby-traps and the party that controls the area containing these devices – especially with regard to C in the preceding column.

BOOBY-TRAPS (continued)		
VII. THE STATE IN WHICH THERE ARE BOOBY-TRAPS IS NOT PARTY TO CCW AMENDED PROTOCOL II		
Situation	Key customary IHL rules N.B. These rules apply in international armed conflicts (IAC) and non-international armed conflicts (NIAC).	Possible recommendations in addition to reminding the parties of the rules in the preceding column and to informing them in cases of violations.
<ul style="list-style-type: none"> > Booby-traps are being used > Existence of booby-traps in territory 	<p>General rules</p> <ul style="list-style-type: none"> > The use of booby-traps which are in any way attached to or associated with objects or persons entitled to special protection under international humanitarian law or with objects that are likely to attract civilians is prohibited – Rule 80 of Customary IHL study. > Even if a party to a conflict uses booby-traps in accordance with this rule, it must, in accordance with the customary IHL rule requiring precautions in attack – Rule 15, take “all feasible precautions” to avoid, and in any event to minimize, incidental civilian casualties. 	<p>States that are party to the Ottawa Convention should:</p> <ul style="list-style-type: none"> > be encouraged not to use booby-traps employing an explosive charge since such booby-traps as designed would – in the interpretation of the ICRC and of some States – fall under the definition of an “anti-personnel mine” within the meaning of the Ottawa Convention (i.e. a munition designed to explode by the contact of a person), and would therefore be prohibited. <p>In addition:</p> <ul style="list-style-type: none"> > With regard to the “feasible precautions” to be taken when using booby-traps lawfully – 2nd bullet of preceding column, the party should be encouraged to apply the measures under Section VI above to protect civilians from the effects of booby-traps, including recording their exact location, warnings, monitoring, and clearing without delay after the end of active hostilities.

EXPLOSIVE REMNANTS OF WAR (ERW)		
VIII. THE STATE IN WHICH THERE IS ERW IS PARTY TO CCW PROTOCOL V		
Situation	Key CCW Protocol V provisions N.B. Although some of Protocol V's requirements apply during an armed conflict be they international armed conflicts (IAC) or non-international armed conflicts (NIAC), most requirements apply after the end of active hostilities.	Possible recommendations in addition to reminding the parties of the rules in the preceding column and to informing them in cases of violations.
<p>> "New" ERW, i.e. created after entry into force of Protocol V for the State concerned</p>	<p>A. The party that uses explosive munitions that may become ERW, or that abandons explosive ordnance, must:</p> <ul style="list-style-type: none"> > record information on the explosive ordnance employed or abandoned by its armed forces (types, numbers, location of targeted areas, etc.) – Art.4 and Part 1 of Technical Annex. <p>B. After the end of active hostilities, the party that controls areas containing ERW must:</p> <ul style="list-style-type: none"> > take all feasible precautions to protect civilians from the risks and effects of ERW, including warnings, risk education, and marking, fencing and monitoring affected areas – Art.5; > as soon as feasible, survey and assess the risks posed by ERW – Art.3(2); > mark and clear, remove or destroy ERW, with priority to those "posing a serious humanitarian risk" – Art.3(2) and (3). <p>C. After the end of active hostilities, the party that used explosive munitions which became ERW but that does not control the areas in which the ERW are located must:</p> <ul style="list-style-type: none"> > provide "where feasible" technical, financial, material or human resources to facilitate the marking and clearance of ERW, directly to the party that controls the territory or through a mutually agreed third party such as the UN or other relevant organization – Art.3(1); > make available, directly to the party that controls the territory or through a third party such as the UN or other relevant organization, the information recorded under A above – Art.4(2). 	<p>The provisions of Protocol V give an indication of the practical measures that must be taken by the parties to the conflict, be they State or non-State actors, mainly after the end of active hostilities – see preceding column. ICRC delegates should remind the parties of these measures and urge their implementation.</p> <p>In addition, ICRC delegates could facilitate the implementation of measures to protect the civilian population from the effects of ERW, by:</p> <ul style="list-style-type: none"> > offering to the party that controls the area containing ERW the ICRC's services to provide mine action activities, such as incident data gathering, risk reduction through assistance and protection, mine risk education, surveying and clearance, etc. – point B 1st bullet in preceding column; > providing information to the relevant authorities regarding the location of ERW-affected areas, in particular those that pose risks to civilians – point B 2nd and 3rd bullet in preceding column; > offering the ICRC's services as a neutral intermediary to facilitate transmission of the information recorded pursuant to point A in the preceding column from the party that has used explosive munitions that have become ERW directly to the party that controls the area containing the ERW, or through a mutually agreed mine action organization or other third party. Such information should include the location of "strike sites" and the types of munitions used to facilitate marking and clearing – required pursuant to point C in preceding column.
<p>> "Old" ERW, i.e. existing before the entry into force of the Protocol for the State concerned.</p>	<p>D. Regarding "old" ERW, the above-mentioned provisions do <u>not</u> apply. However, pursuant to Art.7, a State party to Protocol V that has in its territory ERW that existed before the entry into force of the Protocol has:</p> <ul style="list-style-type: none"> > the right to seek and receive assistance from other States or organizations to deal with the problem, and > other States Parties "in a position to do so" shall provide assistance in dealing with problems posed by existing ERW "as necessary and feasible". 	<p>Regarding "old" ERW – point D in preceding column, the ICRC could:</p> <ul style="list-style-type: none"> > encourage the party to the conflict that has ERW in areas it controls to take measures to identify, mark, monitor, warn civilians and clear all such areas, in accordance with the Protocol; > encourage other States or organizations to assist the party to the conflict in carrying out these tasks, and in particular, encourage the party that has used explosive munitions that have become ERW to share relevant information with the party that has such ERW under its control, in accordance with the Protocol; > offer the services mentioned above.

EXPLOSIVE REMNANTS OF WAR (ERW) (continued)		
IX. THE STATE IN WHICH THERE IS ERW IS NOT PARTY TO CCW PROTOCOL V		
Situation	Customary IHL rules applicable to ERW N.B. These rules are applicable in international armed conflicts (IAC) and in non-international armed conflicts (NIAC), as well as in “post conflict” situations.	Possible recommendations in addition to reminding the parties of the rules in the preceding column and to informing them in cases of violations.
> ERW present in territory	<p>A. A party that uses explosive munitions that may become ERW must take all feasible precautions to avoid, and in any event to minimize, incidental loss of civilian life, injury to civilians and damage to civilian objects – based on Rule 15 of Customary IHL study.</p> <p>B. A party that controls an area that contains ERW must take all feasible precautions to protect civilians from the effects of ERW – based on Rule 22.</p> <p>The above-mentioned rules apply to both State and non-State actors.</p>	<p>N.B. The general rules referred to in the preceding column do not indicate precisely the practical measures that the parties must take. The ICRC representations suggested below are based on standard practice by mine action actors in the field, which are also reflected in the provisions of CCW Protocol V – Section VI above. The ICRC may encourage the user of explosive munitions that are likely to become ERW, to take all “feasible precautions to avoid and minimize incidental loss” – point A in preceding column. Such precautions would include:</p> <ul style="list-style-type: none"> > recording information on the munitions and the location of the target areas; > sharing such information as soon as possible after the end of active hostilities with the party in control of the territory or indirectly to clearance organizations; > providing effective warnings to civilians of the location and dangers of ERW. <p>For the party that controls areas containing ERW, in view of existing practice – point B in preceding column, the appropriate “feasible precautions to protect civilians from the effects of ERW” should include:</p> <ul style="list-style-type: none"> > identifying, marking/monitoring and clearing areas containing ERW; > providing effective warnings to civilians of the location and dangers of ERW. <p>In addition to the above-mentioned representations, ICRC delegates should consider offering the services referred to in Section VI above.</p>

USE OF CLUSTER MUNITIONS		
N.B. This part refers to restrictions on the use of cluster munitions, as opposed to the post-hostilities clearance of ERW caused by these weapons, which is covered by Sections VI and VII above.		
Situation	Customary IHL rules applicable to the use of weapons, means and methods of warfare N.B. These rules are applicable in international armed conflicts (IAC) and in non-international armed conflicts (NIAC).	Possible recommendations in addition to reminding the parties of the rules in the preceding column and to informing them in cases of violations.
> Use of cluster munitions that are inaccurate and that are likely to become ERW	<p>Cluster munitions are not specifically prohibited or restricted by any treaty. However, the characteristics and use of cluster munitions in recent conflicts (in particular their wide area effects and their inaccuracy) raise serious concerns under the following general IHL rules relating to the conduct of hostilities, in particular when the weapons are used against a military objective located in populated areas:</p> <ul style="list-style-type: none"> > a party must not employ a method or means of combat which cannot be directed at a specific military objective – Rule 12(b) of the Customary IHL study, rule prohibiting indiscriminate attacks; > a party must not launch an attack using cluster munitions if the incidental impact on civilians or civilian objects is excessive in relation to the concrete and direct military advantage anticipated – based on Rule 14 of the Customary IHL study, rule of proportionality in attack; > in the conduct of military operations, a party must assess whether the attack may be expected to cause disproportionate incidental civilian casualties or damage – Rule 18 – , and take “all feasible precautions” to avoid, and in any event to minimize, incidental loss of civilian life, injury to civilians or damage to civilian objects – Rule 15– , including “feasible precautions” in the choice of means and methods of warfare – Rule 17–, rule of precautions in attacks. 	<p>Any representations to parties that use cluster munitions must take into account the ICRC’s policy on these weapons, as follows:</p> <p>“In light of their proven problems of inaccuracy and high failures rates which have consistently resulted in severe and disproportionate impacts on civilian populations the ICRC calls for:</p> <ol style="list-style-type: none"> 1. a prohibition on the targeting of cluster munitions against any military objective located in populated areas, 2. an immediate end to the use of inaccurate and unreliable cluster munitions, and 3. the elimination of inaccurate and unreliable cluster munitions and their non-transfer to additional countries.” <p>Regarding the “feasible precautions” to be taken pursuant to the Rules mentioned in the last bullet of the preceding column:</p> <ul style="list-style-type: none"> > these would require, for example, that a party consider the accuracy or inaccuracy of the targeting system, the size of the dispersal pattern, the amount of ERW likely to occur, the presence of civilians and their proximity to military objectives; > these could also require that sub-munitions not be used in populated areas (as called for by the above-mentioned ICRC policy) and that alternative weapons expected to cause less incidental civilian casualties or damages be considered.

CLEARANCE AND HUMAN REMAINS

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Introduction

From time to time mine action organizations request advice on the management of human remains discovered during operations. The ICRC has taken a lead role in guiding actions to resolve the problem of people being unaccounted for as a result of armed conflict or internal violence and in assisting the families of the missing.

These guidelines include recommendations from an ICRC publication, *Operational best practices regarding the management of human remains and information on the dead by non-specialists*, written for armed forces and humanitarian organizations and based on international humanitarian law (IHL); and from a meeting of experts convened by the ICRC and held in Geneva in June 2005. The guidelines have been incorporated into the International Mine Action Standards as Technical Note 10:10 (TNMA).

Where relevant, National Mine Action Authorities (NMAA) and mine action organizations should incorporate the recommendations and best practices included in this Technical Note for Mine Action (TNMA) into their policies, standards, procedures and operations.

4.1 Management of human remains – general requirements

The management of human remains, including investigating suspicious deaths; recovering, storing and identifying remains; issuing death certificates; and authorizing or ordering burials or cremations, is the duty and sole responsibility of the relevant authorities (judicial, police, health, municipal, military, etc.) or the parties to a conflict, depending on the context and circumstances. In addition, the families of the dead and often community and/or religious leaders and authorities play a key role in the care, dignified management and disposal of the remains.

Non-specialist humanitarian field workers, including personnel involved in mine action operations, are occasionally required to report and document findings of human remains and in exceptional cases may be called upon to recover and manage the remains. Regardless of the circumstances, humanitarian workers called on to help manage human remains should always seek and secure all necessary authorizations and clearances, the acceptance of the families and, if relevant, the agreement of community leaders and religious authorities. They should also obtain the necessary security guarantees. Failure to do so can result in criminal liability and unnecessary security risks for those involved and for the organization they represent.

There is always the potential for finding human remains during demining operations, and to a lesser extent during other mine action operations. In fact, in some mine action programmes the finding of human remains during demining is a common occurrence.

NMAAs should endeavour to identify the relevant authorities within a country for managing finds of human remains and obtain information on the national requirements for reporting and dealing with remains. In the absence of any national authority or any national requirements for managing human remains, NMAAs should establish their own procedures. These should, as far as practicable, be in accordance with these guidelines.

National requirements and procedures should be clearly documented and provided to all mine action organizations operating within a mine action programme.

Please note: unauthorized tampering with scene of death or handling of human remains is a serious offence in most countries (regardless of the good intentions behind the actions). The corresponding criminal liability may be subject to long statutes of limitation (i.e. individuals or organizations may be held accountable long after the offence).

4.2 Reporting findings of human remains

All findings of human remains should be immediately reported to the relevant authorities (civilian, military, religious or municipal) or the parties to the conflict, which are responsible for investigating and certifying deaths and for managing the remains, before the remains are recovered.

If no relevant authority exists, then reporting should be carried out in accordance with procedures established by the NMAA.

Please note: the responsibilities of parties to international armed conflict in relation to the dead are included in the Geneva Conventions of August 1949.

4.3 Recording findings of human remains by non-specialists

The tasks of recovering and identifying human remains are greatly facilitated if the findings are properly recorded. Normally, recording findings is done by the relevant authorities, however in some circumstances humanitarian workers may have to complete this task.

Non-specialist humanitarian workers should only record findings of human remains when those responsible (i.e. the police, judicial authorities, the military, etc.) are unable or unwilling to do it promptly. This should be confirmed beyond reasonable doubt. Where possible, assurances and/or authorization to record the findings should be obtained beforehand.

As a minimum, humanitarian workers recording findings of human remains should record the information listed below. In doing this they should refrain from touching the remains and associated evidence and should ensure the scene is disturbed as little as possible, if at all.

Details to be recorded include:

- > the time, date, place of the finding (including a detailed description of the location and a grid reference obtained using a GPS);
- > the time and date of recording and name and contact details of the person(s) doing the recording;
- > a description of the scene, including the location and distance of the remains in relation to other features and landmarks – describe any obvious disturbance to the remains by people, animals or birds, environmental factors, etc;
- > a reference number assigned to the set of remains – where no national numbering system exists the NMAA should establish its own numbering system;
- > the season, average temperature, weather conditions and environment;
- > the circumstances of the discovery (i.e. found during surveys, demining operations, etc.);
- > whether the remains are in or close to a hazardous area – guides may be necessary to guide personnel recovering the remains to avoid inadvertent entry into hazardous areas;
- > whether the remains are complete – if incomplete, explain what is there and the degree of certainty that they are human (i.e. certain, possible, uncertain). Unless it is certain the remains are human, they should be referred to as possibly human;
- > whether the remains appear to be recent or old – include a description of their degree of decomposition (i.e. not decomposed; putrefied; partially decomposed/skeletonized, and fully decomposed/skeletonized, i.e. no soft tissues);
- > whether the remains appear to be those of an adult or a child – explain reasons for choice;
- > whether the remains appear to be those of a male or female – explain reasons for choice;
- > whether the remains appear to be those of a military or a civilian person – explain reasons (i.e. uniform visible, ID tag, weapon/ammunition found nearby, etc.);
- > if the remains appear to be those of a military person, give details to aid identification, including any visible affiliation, such as uniform, ID tag (name, rank, unit, etc.);

- > whether the remains are believed to be linked to a particular incident – describe the incident;
- > as many details as possible about the remains (i.e. tattoos, birthmarks, etc.) and the associated evidence of identity, including clothing and apparent personal belongings (i.e. type of shoes, fabric of clothing, glasses, jewellery, watches, etc.); and
- > any other relevant particulars that might be useful for the examination and eventual identification of the remains in the context (i.e. apparent injuries).

If permitted, the scene should be photographed and/or filmed, including panoramic shots and close-ups of relevant features (i.e. facial features, personal items, etc). For reference, include in the photographs a scale and a tag with the date and number or code assigned to the remains.

Details provided should be succinct and based on direct findings; there should be no analysis or speculation. A separate record should be prepared for each set of remains. If necessary, one record can be provided for a general description of a finding of multiple human remains, and individual forms attached to it.

The report should be signed, dated and delivered to any authorities as soon as possible. A copy should be kept by the organization concerned for its records.

Witnesses may be available to assist with gathering some of the information.

Sites disturbed by demining

During some demining operations (mechanical in particular) the finding of human remains may not occur until after the site has been disturbed. In this situation, as soon as human remains are found, work in the area affected should cease in order to avoid destroying the remains and associated evidence. The findings should be marked and secured for recording and proper recovery.

The reporting of the findings should then include the fact that the remains were inadvertently disturbed by demining and the reasons given, for example, remains were initially buried, limited visibility due to dust or debris, or remains obscured by vegetation, etc.

4.4 Management of sites containing human remains

The management of sites containing human remains should only concern mine action organizations when the human remains are located in or nearby hazardous areas or directly affect mine action operations. Human remains may not be in a hazardous area but in areas included in demining worksites, or areas used for EOD or stockpile destruction operations.

The site where human remains are found should be marked, mapped and secured until the remains can be recovered, to facilitate their location and help ensure that the remains and the scene remain undisturbed.

The security of sites where human remains are found is normally the responsibility of the relevant authorities or the parties to the conflict. However, if the remains are found on sites affected by mine action operations, then the security of sites may become the responsibility of the mine action organization concerned. This should be directed by the NMAA.

If the human remains are discovered in a hazardous area then the requirement not to disturb the remains would preclude any clearance in the immediate vicinity of the remains. Demining organizations should then have the responsibility under normal operational procedures for the hazard marking of the site to prevent inadvertent entry.

Depending on the requirements of the NMAA and the location of the remains, the demining organization may also have the additional responsibility of providing demining support to the authority recovering the remains.

4.5 Security risks and health hazards

Prior to any investigation of a site the security risks and health hazards should be thoroughly assessed and acted on.

Security risks

Security risks may be site-related (i.e. mines, booby-traps, UXO, etc.), situation-related (i.e. sniper-fire, armed attacks, acts of intimidation, etc.), or case-related (i.e. retaliation against investigators, criminal liability, etc.). Mine marking and mine clearance of the site is a necessity before the removal of the remains.

Health hazards

The health hazards (biohazards) of handling bodies or remains of victims of armed conflict are often very low, but in some contexts may include contamination (i.e. chemical, biological, radiological or nuclear – CBRN – substances or materials, etc.) and infection (hepatitis, tetanus, HIV, typhus, plague, etc.).⁷

Reasonable precautions should be adopted accordingly, especially when handling fresh or decomposed bodies, including vaccination,⁸ prophylaxis, use of protective wear (i.e. surgical masks, goggles, gloves, boots, impermeable and disposable overalls. Any entry to a site should be conditional on manageable risk levels and acceptable levels of safety.

When in doubt, seek specialists' advice, including from health authorities, CBRN experts, humanitarian health workers, etc.

Psychological considerations

The psychological burden for non-specialist humanitarian workers dealing with human remains should be part of the risk assessment and preparation.

⁷ All blood and certain body fluids are considered potential vectors of the hepatitis B and C virus, human immunodeficiency virus (HIV), and other blood-borne pathogens.

⁸ Vaccination against tetanus and hepatitis should be firmly advocated in all circumstances.

4.6 Recovery of human remains by non-specialists

Proper recovery of human remains helps prevent the remains from being lost, despoiled or desecrated, makes it easier to identify them and treat them with dignity and ensures respect for the families' right to know, enabling them to start the mourning process and organize funeral ceremonies.

Non-specialist humanitarian workers perform this task only in exceptional circumstances. The authorization and/or justification for their intervention should be documented accordingly.

All the logistics of handling the remains, from recovery to burial, should be planned beforehand.

The reference number assigned to a particular set of human remains and associated evidence (i.e. personal effects) should be the same throughout the process, until the body or body parts and personal effects have been identified and released (returned to the family, for administrative disposal, etc.). Any files, bags, boxes and temporary burial sites used should also be clearly tagged or marked using the same reference number.

All but completely skeletonized remains should be placed in body bags. If no body bags are available, the remains should be wrapped in cloth or some other suitable material. Skeletal remains are best collected, transported and stored in suitably sized hard cardboard boxes or similar containers, which will help keep them safe from damage.

Human remains should be collected and stored individually (i.e. one set of remains per bag or box). The mixing of separate sets of remains should be avoided at all costs. When unavoidable (i.e. the remains were already mixed when found) this should be documented. Body parts should be collected in separate containers, unless clearly related to the same individual/s. This should be documented.

The transportation of human remains from the site of the finding to the storage site should be authorized and all necessary clearances, including security, should be obtained beforehand. The remains should be transported swiftly, in a dignified manner and respectfully concealed from public view, ideally in a refrigerated truck/container. The smell of decomposing remains can be masked (but not eliminated) using specially designed products.

4.7 Storage of human remains by non- specialists, including temporary burial

The purpose of storing human remains is to protect and preserve the remains in the best possible way with a view to their subsequent examination and identification. The remains should be stored with the greatest respect for their dignity, as well as of their families, communities, religion and customs. All relevant information on the dead should be made available to the authorities concerned and to the families where appropriate.

If appropriate refrigerated storage facilities are unavailable, it may be necessary and perfectly legitimate and justified to bury the remains temporarily; this requires proper management.

Bodies should be buried individually in single graves between 1 and 3 metres deep and at a safe distance from drinking-water sources to avoid their contamination. In exceptional circumstances large numbers of human remains may be temporarily buried in trenches, in only one layer and lying side by side; and always ensuring the proper tagging and exact mapping of each body or set of remains AND of the corresponding site.

Specific information that could serve to identify the remains and the site, including photographs, as well as associated evidence from the remains (i.e. personal objects) should be collected and recorded with the corresponding numbers or codes. All the personal items collected should be properly coded and securely stored. Consideration should be given to collecting and preserving samples for forensic analysis (i.e. for DNA testing), where appropriate. Specialists' (i.e. forensic) advice should be sought accordingly.

A fully reliable system for tracking stored and buried remains, including the corresponding files and grave locations, should be set up beforehand so that the remains can be recovered when required. All necessary information should be made available to the relevant authorities. Suitable tags with the information needed to identify the remains should be attached to or enclosed with them (i.e. using non-perishable and indelibly marked material; placing tags inside bottles buried together with the corresponding remains).

The temporary burial site should be adequately secured and protected and graves marked, with corresponding codes/numbers, to withstand the passage of time.⁹

While religious and cultural customs should be observed, it is best not to use religious symbols to mark the temporary burial sites of unidentified remains, as they may not correspond to the beliefs of the person buried or the families concerned.

⁹ *Stone or cement slabs (with codes/numbers carved or otherwise suitably marked), firmly planted over the burial site, are a good and cost-effective option in most contexts.*

4.8 Permanent burial and cremation by non-specialists

Permanent burial

Permanent burial of human remains, even in an emergency situation, requires an order or authorization from the relevant authorities (which usually require a death certificate or equivalent document) and the authorization of the families, if they are known. The procedure should observe relevant cultural and religious codes and practices. All the conditions for burial should be met or satisfactorily cleared.

This is a task well beyond the duties and responsibilities of mine-clearance personnel, although the provisions, on the marking of graves and tracking of remains, also apply to permanent burials.

Cremation

The cremation of human remains before they have been examined and identified or without the approval of the families should be avoided at all costs. The health concerns that justify cremation in certain circumstances can be met using proper burial procedures, even in emergencies. Also, the cremation of human remains requires an order or authorization from the relevant authorities (which usually requires a death certificate or equivalent document) and the authorization of the families, if they are known.

4.9 References

The following documents have been referred to in the development of this TNMA or are referred to in the text of this TNMA:

- > IMAS 04.10 *Glossary of mine action terms, definitions and abbreviations*;
- > *Geneva Conventions of August 1949 and Additional Protocols*, ICRC. Available at: <http://www.icrc.org>
- > *Operational best practices regarding the management of human remains and information on the dead by non-specialists for all armed forces and for all humanitarian organizations*, ICRC, 2004. Available at: [http://www.gva.icrc.priv/Web/Eng/siteeng0.nsf/htmlall/p0858/\\$File/ICRC_002_858.PDF!Open](http://www.gva.icrc.priv/Web/Eng/siteeng0.nsf/htmlall/p0858/$File/ICRC_002_858.PDF!Open)
- > *Management of Dead Bodies after Disasters: A Field Manual for First Responders*, Pan American Health Organization/WHO; ICRC and IFRC, 2006. Available at: <http://www.gva.icrc.priv/web/eng/siteeng0.nsf/htmlall/p0880?opendocument>
- > *Disaster Victim Identification Guide*, INTERPOL, available at: <http://www.interpol.int/Public/DisasterVictim/guide/default.asp>

Unless covered by separate formal agreements the provisions of these references are not binding on the users of this TNMA.

GLOSSARIES, ABBREVIATIONS AND USEFUL WEBSITES

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5.1 English/French glossary

ACTIVITIES		
ENGLISH	FRENCH	DEFINITION
advocacy	sensibilisation	> Public support, recommendation or positive publicity with the aim of removing, or at least reducing, the threat from, and the impact of mines and UXO.
area reduction	réduction de zone	> Process through which the initial area indicated as contaminated is reduced to a smaller area.
assistance activities (in relation to mine action)	activités d'assistance	> Activities involving the provision of an alternative source of fuel, deliveries of food or water, or drilling a borehole for a mine/ERW affected community in a safer area. N.B. If data gathering identifies forced risk-taking as a cause of accidents (e.g. civilians are intentionally entering a mined area to collect food, water or firewood), an assistance solution should be envisaged, to the extent feasible. In addition, protection and assistance surveys may give other indications of vulnerability from mines and ERW.
community liaison	liaison avec les collectivités locales pour la lutte antimines	> Liaison with mine/UXO affected communities to exchange information on the presence and impact of mines and UXO, create a reporting link with the mine action programme and develop risk reduction strategies. N.B. Community mine action liaison aims to ensure community needs and priorities are central to the planning, implementation and monitoring of mine action operations.
demolition	démolition	> Destruction of structures, facilities or material by use of fire, water, explosives, mechanical or other means.
explosive ordnance disposal EOD	neutralisation des explosifs et munitions (NEM) neutralisation, enlèvement, destruction des explosifs (NEDEX)	> Detection, identification, evaluation, rendering safe, recovery and disposal of explosive ordnance. N.B. EOD may be undertaken as a routine part of mine clearance operations, upon discovery of the UXO, to dispose of UXO discovered outside mined areas (this may be a single UXO, or a larger number inside a specific area), or to dispose of EO which has become hazardous by deterioration, damage or attempted destruction.
fencing	clôture mise en place de barrières	> Emplacement of a fence to indicate the position of a hazard area.
handover	mise à disposition	> Process by which the beneficiary accepts responsibility for the cleared area. N.B. The term "alienation" is sometimes used to describe a change of ownership of the land which accompanies the handover of a cleared area.
hazard(ous) area / contaminated area	zone infestée zone contaminée	> Generic term for an area not in productive use owing to the perceived or actual presence of mines, UXO or other explosive devices.
hazard sign	signal de danger	> Sign designed to warn communities of the danger of landmines and ERW. N.B. Normally people who lay mines do not leave clear signs to indicate the presence of mines, but someone else may leave a temporary sign as a warning to others, or mine clearance agencies may erect official signs. You should be aware of the most common signs used in the area where you will live and work, and always keep an eye out for these signs.
humanitarian demining	déminage humanitaire	> Activities which lead to the removal of mine and UXO hazards, including technical survey, mapping, clearance, marking, post-clearance documentation, community mine action liaison and the handover of cleared land. N.B. Demining may be carried out by different types of organizations, such as NGOs, commercial companies, national mine action teams or military units. Demining may be emergency-based or developmental.

ACTIVITIES (continued)		
ENGLISH	FRENCH	DEFINITION
incident data gathering	collecte de données sur les accidents	<p>> Ongoing collection of comprehensive incident data from multiple sources to enable and inform preventive mine action planning.</p> <p>N.B. This data enables mine action operations to identify dangerous areas, high-risk activities, the scope and type of contamination, the ages, gender and location of vulnerable groups and the reasons for deliberate risk-taking. This in turn determines the prioritization and design of clearance, survey, marking, mine risk education, risk reduction and protection.</p>
marking	marquage	<p>> Emplacement of a measure or combination of measures to identify the position of a hazard or the boundary of a hazardous area which may include the use of signs, paint marks etc, or the erection of physical barriers.</p>
mine action (UN definition)	action antimines	<p>> Activities which aim to reduce the social, economic and environmental impact of mines and UXO.</p> <p>N.B. Mine action is not just about demining; it is also about people and societies, and how they are affected by landmine contamination. The objective of mine action is to reduce the risk from landmines to a level where people can live safely; in which economic, social and health development can occur free from the constraints imposed by landmine contamination, and in which the victims' needs can be addressed. Mine action comprises five complementary groups of activities: MRE, humanitarian demining, i.e. mine and UXO survey, mapping, marking and clearance, victim assistance, including rehabilitation and reintegration, stockpile destruction, and advocacy against the use of APM.</p>
mine clearance	déminage	<p>> Clearance of mines and UXO from a specified area to a predefined standard.</p>
mine detection dog MDD	chien détecteur de mines	<p>> Dog trained and employed to detect mines, UXO and other explosive devices.</p>
mine risk education MRE	éducation au danger des mines/ formation à la réduction des risques dûs aux mines	<p>> Activities which seek to reduce the risk of injury from mines/UXO by raising awareness and promoting behavioral change including public information dissemination, education and training, and community mine action liaison.</p> <p>N.B. Also referred to as "mine awareness".</p>
post-clearance inspection	inspection	<p>> inspection of a finished product which in the case of humanitarian demining is safe cleared land.</p>
quality assurance QA	assurance qualité	<p>> Process in humanitarian demining with the purpose to confirm that management practices and operational procedures for demining are appropriate, are being applied, and will achieve the stated requirement in a safe, effective and efficient manner.</p> <p>N.B. Internal QA will be conducted by demining organizations themselves, but external inspections by an external monitoring body should also be conducted.</p>
quality control QC	contrôle qualité	<p>> Inspection of a finished product which in the case of humanitarian demining is safe cleared land.</p>
quality management QM	gestion de la qualité	<p>> Coordinated activities to direct and control an organization with regard to quality.</p>
risk education (Movement terminology) RE	éducation au danger des mines/ formation à la réduction des risques dûs aux mines	<p>> Activities which seek to reduce the risk of injury from mines/UXO by raising awareness and promoting behavioral change including public information dissemination, education and training, and community mine action liaison.</p> <p>N.B. Also referred to as "mine awareness".</p>

ACTIVITIES (continued)		
ENGLISH	FRENCH	DEFINITION
risk reduction (Movement terminology) RR	réduction des risques dus aux mines	<p>> Assistance related actions which lessen the probability and/or severity of physical injury to people, property or the environment and which reduce the social or economic impact of mines/ERW.</p> <p>N.B. Mine risk reduction can be achieved by physical measures such as clearance, fencing or marking, or through behavioural changes brought about by MRE.</p>
safe play area	terrain de jeu sans danger	<p>> Playground and other uncontaminated facilities build in a designated safe area in order to provide communities with safe areas for children.</p>
technical survey	enquête technique	<p>> Detailed topographical and technical investigation of known or suspected mined areas identified during the planning phase.</p> <p>N.B. Such areas would have been identified during any information gathering activities or surveys which form part of the GMAA process or have been otherwise reported.</p>
TYPES OF AMMUNITION		
abandoned explosive ordnance AXO	engin explosif abandonné	<p>> Ordnance that has not been used during an armed conflict, that has been left behind or dumped by a party to an armed conflict, and which is no longer under control of the party that left it behind or dumped it.</p> <p>N.B. Abandoned explosive ordnance may or may not have been primed, fused, armed or otherwise prepared for use. AXO can include mortars, grenades, bombs, rockets, bullets, artillery shells etc.</p>
anti-personnel landmine APM	mine terrestre antipersonnel	<p>> 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.</p> <p>N.B. AP mines are usually detonated when they are stepped on or when a tripwire is touched, but they can also be set off by the passage of time or by controlled means.</p>
anti-vehicle landmine AVM	mine antivéhicule	<p>> Mine designed to disable or destroy vehicles.</p> <p>N.B. Like anti-personnel mines, anti-vehicle mines can be detonated by pressure, by remote control, by magnetic influence or through the disturbance of a tiltrod. Because AV mines are made to destroy vehicles, they are generally found on roads, roadsides, paths and tracks. AV mines are much larger than AP mines and have a far heavier explosive charge. They are generally round or square in shape, and range in size from 40cm in diameter to and 16cm in height to 23cm in diameter and 10cm in height. It normally takes considerable pressure to detonate standard AV mines: around 120kg to 150kg.</p>
blast anti-personnel landmine	mine terrestre antipersonnel à effet de souffle	<p>> Mine which is often very cheap and is among the most commonly found in the world and designed to be triggered by the pressure caused by physical contact with the mine, mostly by stepping on them.</p> <p>N.B. Most mines of this type are designed to cause serious injury, usually amputation of one or more limbs, rather than death.</p>
booby-trap	piège	<p>> Explosive or non-explosive device, deliberately placed to cause casualties when an apparently harmless object is distributed or a normally safe act is performed, like opening a door or turning on a television.</p> <p>N.B. All booby-traps that use explosives are considered "Improvised Explosive Devices".</p>

TYPES OF AMMUNITION (continued)		
ENGLISH	FRENCH	DEFINITION
bounding fragmentation anti-personnel mine	mine antipersonnel bondissante à fragmentation	<p>> Mines which are normally cylindrical in shape, with a single tubular fuse or a number of prongs sticking out from the top.</p> <p>N.B. They are typically 15cm in diameter and 28cm in height. Bounding AP mines are generally triggered by tripwires or direct pressure. Once triggered, an initial explosion lifts the mine out of the ground to about waist height before the main charge detonates. Upon detonation, the explosion shoots out metal fragments in a 360-degrees horizontal radius and can cause serious injury at a range up to 100 metres.</p>
claymore mine	mine claymore mine antipersonnel à effet dirigé	<p>> Mine which fires shrapnel, in the form of steel ball-bearings, out to about 100 meters across a 60° arc in front of the device. It is used primarily in ambushes and as an anti-infiltration device against enemy infantry. It is also of some use against soft-skinned vehicles.</p>
cluster bomb	bombe à dispersion bombe à sous-munitions	<p>> Bomb containing and dispensing sub-munitions which may be mines (anti-personnel or anti-tank), penetration (runway cratering) bomblets, fragmentation bomblets etc.</p>
cluster munition	munition à dispersion	<p>> Canister containing many smaller explosive devices (sub-munitions which may be mines), which separate from the larger canister.</p>
directional fragmentation anti-personnel mine	mine antipersonnel directionnelle à fragmentation	<p>> Mine designed to project a dense pattern of fragments in a specified direction.</p> <p>N.B. Most look like a curved rectangular box about the thickness of a paperback book. This box sits on two sets of legs and is generally colored olive, black or brown. They are usually command-detonated, but they can also be initiated by tripwire. Most are designed to cause serious injury or death in a range of about 50 metres.</p>
explosive	explosif	<p>> Substance or mixture of substances which, under external influences, is capable of rapidly releasing energy in the form of gases and heat.</p>
explosive ordnance EO	engin explosif	<p>> Munitions containing explosives, nuclear fission or fusion materials and biological and chemical agents.</p> <p>N.B. This includes bombs and warheads; guided and ballistic missiles; artillery, mortar, rocket and small arms ammunition; all mines, torpedoes and depth charges; pyrotechnics; clusters and dispensers; cartridge and propellant activated devices; electro-explosive devices; clandestine and improvised explosive devices; and all similar or related items or components explosive in nature.</p>
explosive remnants of war ERW	restes explosifs de guerre	<p>> Combination of abandoned and unexploded ordnance.</p> <p>N.B. See unexploded ordnance (UXO) and abandoned explosive ordnance (AXO).</p>
fragmentation anti-personnel landmine	mine antipersonnel à fragmentation	<p>> Mine which is typically designed to cause death, often to a large number of people, from fragments propelled by the mine's explosive charge.</p> <p>N.B. Most of these mines have metal casings, or contain ball bearings or metal fragments that are turned into lethal projectiles by the detonation of the mine. There are three basic types of fragmentation AP mines: stake mines, directional fragmentation mines, and bounding fragmentation mines.</p>
fuse	allumeur amorce	<p>> Device that starts the detonation process, often made of highly explosive material contained in a small part of a larger munitions.</p> <p>N.B. Fuses are fitted to bombs, rockets, mortars, landmines and artillery shells, forming the tip or "nose" of an artillery shell or mortar, resembling a cone. In the case of landmines, it may be a small circular cap that sits on top or inside a landmine.</p>

TYPES OF AMMUNITION (continued)		
ENGLISH	FRENCH	DEFINITION
grenade	grenade	<p>> Explosive device usually thrown by hand or launched by small arms such as rifles.</p> <p>N.B. Grenades detonate either on impact or through a time-delay mechanism; both mechanisms may “fail”. “Defensive” fragmentation grenades are the most common, but there are also “offensive” blast grenades, chemical or gas grenades, and smoke grenades. A typical fragmentation hand or rifle grenade is likely to be lethal within 10 metres, with a danger area extending to 50 metres or more.</p>
improvised explosive device IED	engin explosif improvisé dispositif explosif de circonstance	<p>> Manually placed explosive device, normally home-made and adapted in some way to kill, injure, damage property or cause terror.</p>
mine	mine	<p>> 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.</p> <p>N.B. The main characteristic of a mine is that it is designed to be victim-activated, which means that it will detonate or explode through the presence, proximity or contact of its victim (a person or a vehicle) with it or its fusing mechanism.</p>
mortar bomb	obus de mortier	<p>> Highly explosive projectiles that are launched from tubes of metal about 90cm to 170cm in length, known as mortars.</p> <p>N.B. Mortars are set on the ground and aimed into the air in the direction of the target. Owing to their easy use, relatively low cost and portability, mortars are an extremely widespread weapon of war. Unexploded mortar bombs may still contain propellant charge as well as the main explosive charge and must never be approached. Unexploded mortar bombs are often found strewn across many battlefields.</p>
munition	munition	<p>> Complete device charged with explosives, propellants, pyrotechnics, initiating composition, or nuclear, biological or chemical material for use in military operations, including demolitions.</p>
rocket missile	roquette missile	<p>> Explosive device containing its own means of propulsion as well as explosives.</p> <p>N.B. Missiles are similar to rockets although they are more often guided in their trajectory. Rockets and missiles can be fired from vehicle or ground based launchers or from the shoulder. Unexploded rockets can be extremely dangerous as disturbances may initiate unspent rocket fuel and propel the rocket in an unguided fashion. If the warhead is intact, the explosive potential is equal to when the rocket was initially launched and even greater if the rocket does not launch but explodes with a full load of fuel.</p>
scrap metal	feraille	<p>> Collection and recycling of the metal casings of UXO or extract the explosive.</p> <p>N.B. In countries of extreme poverty and where large quantities of UXO exist, people will often collect scrap metal to sell or use.</p>
stockpile	stockage	<p>> Large accumulated stock of explosive ordnance.</p>
tiltrod	tige-poussoir	<p>> Pole attached to the fuse mechanism on the upper surface of a mine. Pressure exerted on the tilt rod sets off the mine.</p>
TNT (Trinitrotoluene)	TNT	<p>> One of the most widely used military high explosives. TNT is very stable, non-hygroscopic and relatively insensitive to impact, friction, shock and electrostatic energy.</p>
tripwire	fil-piège fil de trébuchement	<p>> Mechanism to trigger an anti-personnel landmine or a booby-trap through a thin, non-reflective metal or colored wire. A tripwire is usually stretched low above the ground so that any passer-by will “trip” over it, thus setting off the explosive.</p>

TYPES OF AMMUNITION (continued)		
ENGLISH	FRENCH	DEFINITION
unexploded ordnance UXO	engin non explosé munition non explosée	<p>> Explosive ordnance that has been primed, fused, armed or otherwise prepared for use, or used.</p> <p>N.B. Unexploded ordnance may already have been fired, dropped, launched or projected yet remains unexploded either through malfunction or design or for any other reason. UXO include artillery and tank shells, mortar bombs, fuses, grenades, bombs, cluster munitions, rockets and missiles.</p>
GENERAL TERMS		
ENGLISH	FRENCH	DEFINITION
access lane	couloir d'accès	> Marked passage leading through a mined area that has been cleared to provide safe movement to a required point or area.
cleared area	zone déminée	> Area that has been physically and systematically processed by a demining organization to ensure the removal and/or destruction of all mine and UXO hazards to a specified depth.
cleared lane	zone déminée zone dépolluée	<p>> Lane, other than a boundary lane, cleared by a survey or clearance team to the international standard for cleared land.</p> <p>N.B. This may include access lanes outside the hazardous area or cross/verification lanes inside a hazardous area.</p>
contamination pollution	contamination	> Area where there are mines or ERW.
deminer	démineur	> Person qualified and employed to undertake demining activities on a demining worksite.
fragmentation hazard zone	zone de risque de projection	> Area that could be reached by fragmentation in the case of detonation for a given explosive item, explosive storage or mine/UXO contaminated area.
impact	impact	> Level of social and economic suffering experienced by the community resulting from the harm or risk of harm caused by mine and UXO hazards and hazardous areas.
mine-free zone	zone exempte de mines antipersonnel	<p>> Area that has been certified as clear of mines to a specified depth.</p> <p>N.B. Also applied to a country or an area that has not had a mine contamination problem.</p>
mine incident	accident causé par une mine	> Incident away from the demining workplace involving a mine or UXO hazard.
mine risk	danger/menace des mines	> Probability and severity of physical injury to people, property or the environment caused by the unintentional detonation of a mine or UXO.
mine sign	panneau indicateur de danger/de mines	> Sign which, when placed as part of a marking system, is designed to provide warning to the public of the presence of mines.
mine threat	danger/menace des mines	> Indication of the potential harm from the number, nature, disposition and detectability of mines and UXO in a given area.
mined area	zone minée	> Area which is dangerous owing to the presence or suspected presence of mines.
permanent marking system	système de marquage permanent	> Marking system having an indefinite period of use, usually requiring maintenance.
residual risk	risque résiduel	> Risk remaining following the application of all reasonable efforts to remove and/or destroy all mine or UXO hazards from a specified area to a specified depth.

STANDARDS AND TOOLS		
ENGLISH	FRENCH	DEFINITION
EpilInfo Software	logiciel EpilInfo	<p>> Software programme to store and analyse mine risk education, mine risk reduction and mine and ERW victim information.</p> <p>N.B. EpilInfo is a tool initially designed as a field-compatible analytic programme to assist epidemiologists and other public health specialists to conduct infectious outbreak investigations. Public health practitioners use it to create questionnaires for disease outbreak investigations, studies or surveillance activities, and enter, manage and analyse data both statistically and geographically. EpilInfo is also useful in assessing knowledge, attitudes and practices, and to measure theoretical concepts associated with behavioural interventions. It has applicability for use in a wide range of questionnaires-based inquiries, such as community needs assessment and programme evaluation. See www.cdc.gov/epiinfo</p>
Geographical (or Geospatial) Information System GIS	Système d'information géographique SIG	<p>> Organized collection of computer hardware, software, geographic data, and personnel designed to efficiently capture, store, update, manipulate, analyse, and display all forms of geographically referenced information.</p> <p>N.B. GIS allows a user to graphically view multiple layers of data based on their geographic distribution and association. GIS incorporates powerful tools to analyse the relationships between various layers of information.</p>
Global Positioning System GPS	Système global de positionnement système de positionnement universel GPS	<p>> The use of GPS technology overcomes one problem in that accurate coordinates can be obtained without the use of a physical geodetic network in place on the ground. But it also presents a problem in that mine affected countries do not have an established transformation process to take spatial coordinates from what is often an old inaccurate official system into a system compatible with GPS.</p>
Information Management System for Mine Action IMSMA	Système de gestion de l'information dans la lutte antimines	<p>> Software-based data management tool for use in mine action centres at national and local level.</p> <p>N.B. It combines a relational database with a geographic information system (GIS). The system was developed by the Centre for Security Studies at the Swiss Federal Institute of Technology (ETH) in Zurich under the management of the GICHD. IMSMA is the UN's preferred database for mine action information management and is now used by the overwhelming majority of mine action programmes.</p>
International Mine Action Standards IMAS	normes internationales de lutte antimines NILAM	<p>> Documents developed by the UN on behalf of the international community, which aim to improve safety and efficiency in mine action by providing guidance, by establishing principles and, in some case, by defining international requirements and specifications.</p>
Landmine Impact Survey LIS	enquête sur l'impact des mines	<p>> Assessment of the socio-economic impact caused by the actual or perceived presence of mines and UXO, in order to assist the planning and prioritization of mine action programmes and projects.</p>
INTERNATIONAL NGOs INVOLVED IN MINE ACTION		
<i>See Book I, Mine action actors</i>		
UN STRUCTURES AND AGENCIES INVOLVED IN MINE ACTION		
<i>See Book I, Mine action actors</i>		
ADVOCACY, RESEARCH AND ACADEMIC INSTITUTIONS		
<i>See Book I, Mine action actors</i>		

5.2 Glossary of abbreviations

APM	anti-personnel mine
AVM	anti-vehicle mine
AXO	abandoned explosive ordnance
BAC	battle area clearance
BCPR	Bureau for Crisis Prevention and Recovery
CCW	United Nations Convention on Certain Conventional Weapons (1980)
CDC	Center for Disease Control and Prevention
CTA	Chief Technical Adviser
DCA	Danish Church Aid
DDA	Department of Disarmament Affairs
DDG	Danish Demining Group
DPKO	Department of Peacekeeping Operations (United Nations)
DU	depleted uranium
ECOSEC	ICRC Economic Security Unit
ELS	European Landmine Solutions
EOD	explosive ordnance disposal
ERC	ICRC regional coordination team
ERW	explosive remnants of war
FAO	Food and Agriculture Organisation
FAS	ICRC relations with Armed and Security Forces
FGD	Focus group discussion
FSD	Swiss Foundation for Mine Action
GICHD	Geneva International Centre for Humanitarian Demining
GIS	Geographic Information System
GPS	Global Positioning System
HALO Trust	Hazardous Areas Life-Support Organization
HI	Handicap International
IAC	international armed conflict
IACG-MA	UN Inter-Agency Coordination Group on Mine Action
ICBL	International Campaign to Ban Landmines
ICRC	International Committee of the Red Cross
IDF	Israeli Defense Force
IDP	internally displaced person
IED	improvised explosive device
IHL	International humanitarian law
IMAS	International Mine Action Standards
IMSMA	Information Management System for Mine Action
KAP	Knowledge, Attitude, Practice
LIS	Landmine Impact Survey
LSP	Landmine and ERW Safety Project
MAC	Mine Action Centre
MACC	Mine Action Coordination Centre
MACT	Mine Action Coordination Team
MAG	Mines Advisory Group

MAIC	Mine Action Information Center
MASG	Mine Action Support Group
MAT	Mines Awareness Trust
MDD	mine detection dog
MOU	Memorandum of understanding
MRE	mine risk education
NATO	North Atlantic Treaty Organization
NGO	non-governmental organization
NIAC	non-international armed conflict
NMAA	National Mine Action Authority
NPA	Norwegian People's Aid
NSA	non-State actor
OCHA	Office for the Coordination of Humanitarian Affairs
OHCHR	Office of the High Commissioner for Human Rights
OSAGI	Office of the Special Adviser on Gender Issues
PNS	Participating National Society
PPC	Protection of the civilian population
PRA	participatory rapid appraisal
RE	Risk education
RPG	rocket propelled grenade
RR	risk reduction
RRA	rapid rural appraisal
RRP	Rapid Response Plan
SAC	Survey Action Center
SALW	small arms and light weapons
SCMA	Steering Committee on Mine Action
SOP	Standing Operating Procedure
SRSA	Swedish Rescue Services Agency
SWEDEC	Swedish Explosive Ordnance Disposal and Demining Centre
SWG	Survey Working Group
TA	Technical Adviser
UN	United Nations
UNCT	United Nations Country Team
UNDP	United Nations Development Programme
UNHCR	Office of the United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNMAPA	United Nations Mine Action Programme Afghanistan
UNMAS	United Nations Mine Action Service
UNOPS	United Nations Office for Project Services
US	United States of America
UXO	unexploded ordnance
VVAF	Vietnam Veterans of America Foundation
WATHAB	ICRC Water and Habitat Unit
WFP	World Food Programme
WHO	World Health Organization
WP	White phosphorus

5.3 Useful websites

The United Nations

United Nations Children's Fund (UNICEF)
http://www.unicef.org/emerg/index_landmines.html

United Nations Development Programme (UNDP)
<http://www.undp.org>

United Nations High Commissioner for Refugees (UNHCR)
<http://www.unhcr.org>

United Nations Mine Action Services (UNMAS – E-Mine)
<http://www.mineaction.org>

United Nations Office for the Coordination of Humanitarian Affairs (OCHA)
<http://ochaonline.un.org>

World Food Programme (WFP)
<http://www.wfp.org>

International NGOS

Danish Church Aid (DCA)
<http://www.dca.dk>

Danish Demining Group (DDG)
<http://www.danishdemininggroup.dk>

HALO Trust
<http://www.halotrust.org>

Handicap International (HI)
<http://www.handicap-international.org>

Intersos
<http://www.intersos.org>

Mines Advisory Group (MAG)
<http://www.mag.org.uk>

Mines Awareness Trust (MAT)
<http://www.minesawareness.org>

Norwegian People's Aid (NPA)
<http://www.npa.org>

Swiss Foundation for Mine Action (FSD)
<http://www.fsd.ch>

Advocacy, research and training

Cranfield University

http://www.dcmr.cranfield.ac.uk/ddmsa/cma/index_html/view

Geneva Call

<http://www.genevacall.org/home.htm>

Geneva International Centre for Humanitarian Demining (GICHD)

<http://www.gichd.ch>

International Campaign to Ban Landmines (ICBL)

<http://www.icbl.org>

Landmine Monitor

<http://www.icbl.org/lm>

Mine Action Information Center at James Madison University (MAIC)

<http://maic.jmu.edu/>

Commercial companies

BACTEC

<http://www.bactec.com>

RONCO

<http://www.roncoconsulting.com>

Police, military and civil defence

International Mine Action Training Centre (IMATC)

<http://www.army.mod.uk/unitsandorgs/trestabl/imatc/index.htm>

Swedish Rescue Service Agency (SRSA)

<http://www.srv.se>

Management and technical tools

EpiInfo Software

<http://www.cdc.gov/epiinfo/>

International Management System for Mine Action (IMSMA)

<http://www.gichd.org/operational-assistance-research/information-management/imsma/overview/>

International Mine Action Standards (IMAS)

<http://www.mineactionstandards.org>

MISSION

The International Committee of the Red Cross is an impartial, neutral and independent organization whose exclusively humanitarian mission is to protect the lives and dignity of victims of war and internal violence and to provide them with assistance. It directs and coordinates the international relief activities conducted by the Movement in situations of conflict. It also endeavours to prevent suffering by promoting and strengthening humanitarian law and universal humanitarian principles. Established in 1863, the ICRC is at the origin of the International Red Cross and Red Crescent Movement.



ICRC