

### SYMPOSIUM ON ANTI-PERSONNEL MINES

*(Montreux, Switzerland, 21-23 April 1993)*

#### Introduction

Every year, thousands of men, women and children are victims of anti-personnel mines. The use of these often extremely pernicious weapons has resulted in a tragedy that is all the more acute in humanitarian terms as, apart from the appalling number of victims they cause, anti-personnel mines not only kill but mutilate horrendously, strike blindly at all human beings alike, and continue to spread terror for years or even decades after the hostilities have ended. Moreover, massive and indiscriminate sowing of mines renders whole regions useless for human habitation and activity, thereby resulting in substantial population movements and consequent economic destabilization in other neighbouring regions. As a method of warfare, such weapons are not in conformity with certain fundamental rules of international humanitarian law governing the conduct of hostilities, which call upon parties to distinguish between civilians and combatants, prohibit attacks against the former and therefore also prohibit the use of indiscriminate weapons, and do not permit the use of such weapons as are liable to cause excessive suffering.

As early as the seventies, the ICRC, concerned about the need to deal more effectively with certain weapons abuses, organized two important symposia of government experts in Lucerne in 1974 and Lugano in 1976. These meetings provided valuable support for the United Nations conference that followed in 1979-80. More recently the magnitude of the suffering caused by anti-personnel landmines, as witnessed by its delegates in the field, prompted the ICRC to organize a Symposium on Anti-Personnel Mines which was held in Montreux, Switzerland, from 21 to 23 April 1993.

The general objective of this Symposium was to pool the necessary facts and ideas to coordinate future action by bodies interested in alleviating the plight of mine-blast victims and taking preventive action. More specifically, the aims of the Symposium were to gain as accurate a picture as possible of the actual use of mines and the consequences

thereof; to analyse the mechanisms and methods that currently exist to limit this use or alleviate the suffering of victims, as well as to identify the inadequacies of such methods; to decide on the best remedial action; to establish a strategy on how to coordinate the work of different bodies involved in such action; and to write a report on the conference which could be used as a reference for future action and which would serve to mobilize both governments and the general public.

In order to ensure a pluridisciplinary approach, the participants consisted of established experts from various specialized fields related to the whole issue of anti-personnel mines, their use and their effects, and included military strategists, mine specialists and manufacturers, legal experts on international humanitarian law and disarmament, surgeons and orthopaedists, representatives of mine-clearance organizations, the non-governmental organizations concerned and the media. The gathering was characterized by an open-minded and constructive approach. Prior to the Symposium, preparatory reports drafted by certain participants were sent to all the others. These reports dealt with seven subjects, i.e. a realistic account of the present use of mines, the trade in mines, the human consequences, technical characteristics of anti-personnel mines, mine detection and clearance, the professional military perception of the use of mines, and the legal situation.

The Symposium began with an introductory statement followed by a brief presentation of the aforesaid reports by their authors, who answered some questions in connection with them. The second day was devoted to discussions within six working groups, into which the participants were divided. Each group dealt with one of the six following subjects: rehabilitation of mine-blast victims, mine-clearance, the 1980 United Nations Convention, proposals for further humanitarian law rules, possible restrictions on methods of manufacturing mines, and possible arms control measures relating to the sale of mines and their stockpiling. The purpose of the working groups was to conduct an in-depth examination of the advantages and disadvantages of various possibilities, their practicability and the extent to which they would actually solve the problems currently created by mines. At the end of the day, each group produced a report.

The third and final day was spent in a thorough plenary discussion of each of the six reports. This session ended with a set of conclusions that emerged from the reports and the discussions, and which are principally concerned with a coordinated strategy for future action.

## **Recommendations**

Following the discussions on the reports of the six working groups, the Chairman stated that these reports and their conclusions were generally adopted and that some specific suggestions for future action, which was one of the main objectives the Symposium had set itself, could in fact be identified. He pointed out that the Symposium formed part of a growing movement, in which the ICRC had participated from the beginning (the symposia in Lucerne and Lugano, in 1974 and 1976 respectively), to address the humanitarian concerns raised by the use of anti-personnel mines. Its conclusions could help maintain the momentum already reached since they offered practical suggestions, based on a better understanding of the mechanisms involved, for a coordinated strategy to alleviate the suffering of mine victims by tackling the medical, commercial, legal, technical, socio-economic and data-related aspects of the problem as a whole. He then introduced the series of issues to which the suggestions referred and asked participants to comment on them and indicate the immediate follow-up action to be taken, as well as the appropriate bodies to do so. The various issues were not listed in any order of importance.

### **Possibility of using military medical facilities for the treatment of mine injuries**

With reference to the first working group's report, one expert alluded to the difficulty of finding complete medical units to provide treatment for mine-injured civilians and noted that military medical facilities would provide a useful resource, with the additional advantage that military surgeons would appreciate the opportunity to gain field experience in dealing with trauma even though working conditions would not be the same as in wartime. The ICRC mentioned that it had published quite a few scientific papers and had renewed contact with various armies and medical corps. It was therefore suggested that the ICRC could act as a focal point in organizing seminars and lectures, and develop materials for dissemination so as to involve surgeons and medical staff in the surgical treatment and rehabilitation of people injured by mines.

### **Collection of information on mine-clearance research and establishment of a compensation fund for mine-blast victims**

Following the reports of working groups 1 and 2, the need to create a body to centralize this information in order to attract funders

was stressed. In this context, it was noted that a feasibility study on the setting up of such a body, including questions relating to its composition and sources of financing, needed to be undertaken. The participants agreed to investigate the possibility of the United Nations assuming a centralized coordinating role and considered that a letter to the United Nations from the Symposium would be a useful basis for doing so. With regard to the establishment of an international compensation fund, it was generally felt that governments, manufacturers, buyers, sellers and licensors, as violators of humanitarian law, could be included among the contributors. Besides compensation to mine-blast victims, the fund could finance rehabilitation, mine-clearance activities, research and development, educational programmes and training.

### **Review of the 1980 United Nations Weapons Convention**

The Chairman stressed the need for careful preparation of the review conference, and offered ICRC support in holding preliminary expert meetings, as well as in assembling documentation for a preparatory conference. He reminded the assembly that if such work was to be considered as official preparatory activities for the review conference, then governments should specifically ask the ICRC to undertake it. To this end, an expert suggested that the United Nations Secretariat could ask the ICRC to organize a preparatory meeting, whose report could then be forwarded to States before the review conference. An ICRC representative pointed out that a series of expert meetings would in fact be required for thorough examination of the various questions involved. The participants agreed that the review conference should be well prepared and welcomed the ICRC's offer to hold expert meetings. It was felt that it would be interesting to have the views of the ICRC itself, in addition to those of the experts. The Chairman believed that such a discussion should perhaps not be limited to mines alone. He also thought that an effort should be made to have the Conference on Disarmament consider the question of mines as well as the possibility of including them in the United Nations Register of Conventional Arms.

### **Estimation of the military necessity and socio-economic cost of mines**

The Chairman said that although fragmentary evidence of the socio-economic cost of mines was readily available, it would be useful to have comprehensive information in order to be able to put military arguments based on the cost-effectiveness of mines into perspective. It

might also be useful to get a wider military view of the effectiveness of anti-personnel mines and whether or not they were essential in military terms. Perhaps the ICRC should explore that avenue. The ICRC representatives suggested that consideration could be given to the question of a total ban, but the need to resolve the issue of the military need for anti-personnel mines before governments could endorse such a ban was generally accepted.

The participants agreed to suggestions that appropriate non-governmental organizations should take on the task of coordinating a multi-disciplinary study on the socio-economic costs of mines that would include expenses relating to long-term follow-up of rehabilitation, land rendered unavailable for agriculture and cattle grazing, etc. It was also mentioned that publication of articles in medical journals, which required no coordination, could generate enormous publicity.

### **Technical aspects of self-destruct and self-neutralizing mechanisms**

These aspects would have to be looked into in case a total ban was not acceptable. A representative of a non-governmental organization offered to work in coordination with United Nations mine-clearance experts on this question. He underlined the fact that cooperation with industry would also be important because of the many different types of mines. Attention would likewise have to be paid to existing stock-piles of mines and likely future developments in mine technology. An ICRC representative pointed out that the advice of the military and contributions from technical and research specialists would be needed. A representative of the United Nations mine-clearance team stated that they were not permitted to contact the military. It was therefore suggested that mine-clearance requirements and humanitarian needs be looked at first, and that the ICRC then put the resultant views to the military.

### **Collection of information on the trade in anti-personnel mines**

In an effort to persuade the various States to introduce the subject of mines at the Disarmament Conference, it was felt that public access to information contained in the United Nations Register of Conventional Arms would be helpful, but it was pointed out that this information, submitted by governments, was restricted to governments only. However, there was a possibility that governments might eventually agree to make this information available to the public. One participant thought that all information provided in the context of future treaties should be open to the public, but that it would be very difficult to

have information already collected made public retroactively. Non-governmental organizations were a valuable source of information, but governments were unlikely to put information into a voluntary register. It was also stressed that non-governmental organizations could not obtain information on a country-by-country basis, as the task would be overwhelming, but that some of them could serve as a clearing house for information from all sources.

### **Alerting the public**

One participant drew attention to a forthcoming conference in London of non-governmental organizations on how to educate the public and how to influence the military and governments to change the law. The idea of extending the involvement of non-governmental organizations was welcomed, and representatives of some of these organizations referred to their ongoing efforts, such as the reports on landmines in Cambodia, Angola and Mozambique and the compilation of a file on children and mines. The need for increased involvement of National Societies and the International Federation of Red Cross and Red Crescent Societies in alerting the public was pointed out, as was the rôle of UNICEF and UNHCR in doing the same, even at school level. The need to keep the press informed about statistics on mine injuries was stressed. The ICRC was urged to present the results of the Symposium in various cities, for example in New York, as a means of drawing the attention of delegations to the problems involved. A suggestion was made that the President of the ICRC ask the Secretary-General of the United Nations to appeal to Member States to ratify the 1980 United Nations Weapons Convention.

### **Closure of the Symposium**

The ICRC was applauded for holding the Symposium. It was emphasized that the excellent reports prepared for the Symposium, together with the frank discussions during the meetings, had led to a better understanding of a very complex problem. Various solutions had been suggested, not least the importance of raising public awareness of the intolerable plight of innocent civilian victims of mines. The Symposium was one step in a journey, and the ICRC would continue with the next steps. It was hoped that the participants would do so too, each in their own way.

The contents of the Symposium together with its conclusions will be published in a report prepared by the ICRC to be distributed to the governments, armed forces, National Red Cross and Red Crescent Societies and international institutions concerned.

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