

Statement by Ambassador Jayant Prasad, Head of Indian Delegation, at the 7th Annual Conference of the States Parties to Amended Protocol II 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, Geneva, November 23, 2005

Mr President,

We would like to congratulate you on your assumption of the Presidency of the Seventh Annual Conference of the States Parties to the Amended Protocol II on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices to the Convention on Certain Conventional Weapons. You have my delegation's full support in your effort to make a success of this Conference.

All of us present here share the vision of a mine-free world. India remains committed to the ultimate objective of a universal and global ban on anti-personnel landmines, in a manner that would also address the legitimate national security concerns of States. We hope that the availability of appropriate militarily effective, non-lethal and cost-effective alternative technologies will greatly facilitate achieving the complete elimination of anti-personnel landmines.

The Amended Protocol II embodies two general principles of International Humanitarian Law: that the civilian population requires protection against the effects of hostilities and that the right of parties to an armed conflict to choose methods or means of warfare is not unlimited. AP II is the most comprehensive legally-binding instrument that addresses the humanitarian risks posed by the indiscriminate and irresponsible use of all types of mines, anti-personnel mines, anti-vehicle mines and other explosive devices. If implemented in letter and spirit, it would go a long way in addressing humanitarian concerns, while permitting States to use these mines in a responsible and regulated fashion for legitimate requirements.

It is a matter of satisfaction that an overwhelming majority of States Parties to the Convention on Certain Conventional Weapons have testified to the efficacy of the consultation, cooperation and compliance mechanism laid down in the articles 13 & 14 of this Protocol and would like to see a compliance mechanism crafted for the entire CCW process on similar lines. It is also encouraging that a large number of States Parties, including India, have submitted their national annual reports, in keeping with their obligations.

India's commitment to AP II is testified by its full and effective implementation of the provisions of the Protocol. As required by the Protocol, design and development of detectable anti-personnel mines has been completed, necessary technical issues resolved and requisite financial support obtained to effect these modifications. The concerned agencies have formulated and disseminated a comprehensive roadmap to ensure that the commitments are met well before the stipulated deadline. India has not produced non-detectable mines since January 1997. India also observes a formal, moratorium on export of landmines and favours an outright ban on transfer of mines even to States Parties to the Protocol. In India, the production, trade and use of landmines is solely vested with agencies of the Union Government.

Our landmine policy authorizes the use of landmines exclusively by military formations. They have well established Standard Operating Procedures whereby minefields are laid, if required, along the border areas as part of military operations. These minefields are properly marked and fenced to prevent casualties to innocent civilians or grazing cattle. There is no minefield or mined area in any part of India's interiors. India has never used mines for maintenance of internal order or in counter-terrorism operations, notwithstanding the gravest security challenges posed by terrorists. On their part, terrorists use improvised explosive devices against civilian targets with wanton indiscrimination.

Dissemination of information to the armed forces and enhancement of public awareness on anti-personnel landmines is an important part of my government's policy. These measures include distribution of a booklet on India's position on landmines and her obligations under AP II to armed forces personnel, and including the subject in the syllabi of the military courses. The concerned government agencies interact on a regular basis with each other on the implementation of the provisions of AP II. A number of civil society organizations, strategic think tanks and the mass media have strengthened the government's hand in increasing public awareness on the implementation of the provisions of AP II.

The Indian army has acquired considerable technical expertise in defusing and clearing mines and improvised explosive devices. This expertise has been extensively applied in UN-sponsored mine clearance programmes in several peacekeeping operations that India has participated in, including those in Angola, Bosnia, Cambodia, Congo, Ethiopia, Mozambique, Rwanda, Sierra Leone and Somalia. We are in favour of strengthened technical cooperation in mine clearance programmes, including the unrestricted transfer of mine detection and clearance technology, equipment and training. In the field of prosthetics, our experts have developed and distributed in mine affected countries of Africa and South Asia, especially Afghanistan, what is popularly known as the 'Jaipur Foot', widely acclaimed as an efficient and cost effective artificial limb. Since January 2002, India has held several artificial limb fitment camps in many parts of Afghanistan for the rehabilitation of mine victims.

India supports measures undertaken by the States Parties for the universalization of AP II. We welcome the accession of the Former Yugoslav Republic of Macedonia, Liberia, the Russian Federation, Turkey and Venezuela who have joined AP II since we last met in November 2004. I take this opportunity to urge those who have not done so to ratify the CCW Convention and its five protocols as soon as possible. My delegation looks forward to a useful exchange of views on the implementation of the Protocol, to which we have committed ourselves with the objective of securing a mine-free world.

Thank you.