

Countries Agree to Negotiate on Explosive Remnants of War

- [Arms Control Today](#)

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States-parties to the Convention on Certain Conventional Weapons (CCW) agreed December 13 to negotiations on addressing the dangers posed by unexploded munitions on the battlefield and to continue discussing possible limits on anti-vehicle mines.

Opened for signature in 1981, the CCW is designed to prohibit or limit the use of weapons deemed to be “excessively injurious” and those that are indiscriminate and could kill or injure noncombatants. The convention, which now numbers 90 states-parties, is comprised of four separate protocols that ban or restrict the use of nondetectable fragment weapons; incendiary weapons; blinding lasers; and mines, booby traps, and other devices.

CCW states-parties, including the United States, met in Geneva December 12-13 to hear reports by two working groups of governmental experts established in December 2001 to explore the issues of explosive remnants of war and mines other than anti-personnel mines—essentially anti-vehicle mines. The states-parties then approved the two groups’ recommendations, which called for negotiation of an “instrument” on explosive remnants of war and further exploration of the mines issue.

Precisely what type of arrangement will be negotiated to address explosive remnants of war remains unclear. The states-parties used the word “instrument,” which to the United States indicates that the final product will not be legally binding. Other countries disagree, claiming that the states-parties have agreed to negotiate a “protocol,” which would be legally binding. Among these other countries are ones that desire bans on specific weapons, such as cluster munitions—a step the United States strongly opposes.

The negotiations will focus on preventive and post-conflict remedial measures. These measures could include improving self-destruct and self-deactivation mechanisms on weapons, warnings to civilians, the supply of information and equipment for handling and destroying unexploded munitions, and clearance responsibilities.

China questioned the feasibility of making self-destruct and self-deactivation mechanisms better, arguing that not all countries have the economic and technological capacity to carry out such work. Instead, China suggested that efforts should be dedicated to establishing a principle of user’s responsibility for clearance and to improve the reliability of munitions.

Joined by Russia, India, and Pakistan, China continued to oppose a past U.S.-Danish proposal to negotiate a new CCW protocol restricting the use of anti-vehicle mines, although its position slightly softened over the past 12 months. In December 2001, Chinese Ambassador Sha Zukang contended that there was “no evidence” that anti-vehicle mines “led to serious humanitarian problems”; but at the latest meeting, Sha said, “We do not deny that [anti-vehicle mines have] caused certain humanitarian problems.”

Nevertheless, Sha added that mines were “effective defensive weapons” and that no further work needed to be done, claiming that the existing CCW protocol on mines was sufficient. Yet, he said that China recognized the interest of other countries to explore the issue and that Beijing would “show flexibility” to allow the discussions to continue.

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The explosive remnants of war negotiations and the continued discussions on mines will again be carried out by two separate groups of governmental experts in three 2003 sessions scheduled for March 10-14, June 16-27, and November 17-24. CCW states-parties will then meet November 27-28 to review the experts' work and, if necessary, decide on future action.

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