The Ottawa Convention at a Glance

- Fact Sheets & Briefs

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The Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, typically referred to as the "Ottawa Convention" or "Mine Ban Treaty," seeks to end the use of anti-personnel landmines (APLs) worldwide. It was opened for signature on December 3, 1997, and it entered into force on March 1, 1999.

As of January 2018, 164 states are party to the treaty, including Palestine. One country, the Marshall Islands, has signed but not ratified it. There are 34 non-signatories, including major powers such as the United States, Russia, and China. Few countries in key regions of tension, namely the Middle East and South Asia, have opted to participate. For more information on signatories and states-parties to the treaty, see: “The Ottawa Convention: Signatories and States-Parties.”

Because of the treaty, international norms have now formed that discourage any country, signatory or not, from using mines. Many non-signatories are in de facto compliance with the Ottawa Convention by refusing to use landmines and committing to voluntary destruction of stockpiles. Non-state armed groups continue to use mines, in particular improvised landmines (improvised explosive devices [IEDs] that meet the definition of banned APLs) in about 10 countries per year. (Millions of mines are estimated to be planted in the ground in 61 countries and disputed areas.

Global APL stockpiles are thought to be around 50 million mines, down from earlier estimates of about 100 million. Some of the countries that suffer the most from the humanitarian impacts of landmines include Afghanistan, Angola, Cambodia, Chad, and Iraq.

The Obama administration undertook a review of its policy towards the Ottawa Convention and in 2014 expressed an intention to eventually accede to the treaty. US policy now bans the production and acquisition of APLs as well use of the weapons outside of the Korean Peninsula.

Prohibitions: States-parties commit to not using, developing, producing, acquiring, retaining, stockpiling, or transferring anti-personnel landmines, which are defined by the treaty as mines "designed to be exploded by the presence, proximity or contact of a person and that will incapacitate, injure or kill one or more persons." APLs that are remotely triggered, such as claymores, are not proscribed, nor are anti-vehicle mines, including those equipped with anti-handling devices, which are designed to protect anti-vehicles mines from being tampered with or moved. The treaty also forbids signatories from assisting or encouraging any other state or party from engaging in the activities outlawed by the treaty.

APL Destruction and Clearance: Each state-party is expected to destroy all APLs stockpiled in arsenals, except those retained for demining training, within four years of becoming bound by the treaty. Collectively, states parties have destroyed more than 50 million stockpiled landmines, with only five states, at most, still to complete destruction. Greece and Ukraine missed their deadlines to complete stockpile destruction.
Within 10 years of its entry into force date, each country is required to destroy all APLs under its jurisdiction and control, including those planted in the soil. A country may request renewable extensions of up to 10 years to complete this clearance task. A majority of participants at a meeting of states-parties or review conference must approve an extension request. Many states have sought and received extensions and more than 25 countries have completed clearance of all mined areas.

**Cooperation and Assistance:** The treaty calls on any state-party "in a position to do so" to assist other states-parties in aiding mine victims, providing demining assistance, and helping with mine destruction. States-parties are expected to be as helpful as possible in making sure all states-parties have access to equipment, material, and scientific and technological information for implementing the treaty without "undue restrictions."

**Transparency:** Each state-party is to provide the United Nations with a comprehensive report on the numbers, types, and locations of all APLs under its control as well as the status of all programs for destroying APLs. An initial report is required 180 days after the treaty becomes legally binding for each state-party, and thereafter reports are expected annually by April 30.

**Compliance:** The treaty did not create an implementation or verification body or outline punitive measures for noncompliance. A state-party may question the compliance of another state-party, and a special meeting of states-parties can be convened to address the allegation. States-parties can establish a fact-finding mission to investigate the alleged noncompliance and, if necessary, call on the state-party in question to address the compliance issue.

**Amendment and Withdrawal:** Treaty amendments can be proposed, and then approved by two-thirds of all states-parties attending a special amendment conference. A state-party may withdraw from the treaty six months after submitting an instrument of withdrawal, though it will not take effect if the country is engaged in armed conflict.

*Updated by Sara Schmitt*

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