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LANDMINE MONITOR FACT SHEET

Prepared by Human Rights Watch

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on the General Status and Operation of the 1997 Mine Ban Treaty

Geneva, Switzerland

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National Implementation Measures (Article 9)

Article 9 of the Mine Ban Treaty (“National Implementation Measures”) states “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” by the treaty. However, only 31 of the 122 countries that have ratified or acceded to the treaty have passed domestic laws implementing the treaty.

- 14 States Parties have passed domestic implementing legislation since entry-into-force (1 March 1999), including two since May 2001 (Brazil and Burkina Faso).
- 18 States Parties report that they enacted implementation legislation prior to 1 March 1999 or that legislation became effective on that day.
- 13 countries have deemed existing law as sufficient to implement the treaty.
- 26 States Parties report that steps to enact legislation are underway.
- For 51 States Parties (or 42% of all States Parties), Landmine Monitor is unaware of any steps underway to enact domestic legislation implementing the Mine Ban Treaty.

Some governments have indicated that they do not believe an implementation law is required, because they have never possessed antipersonnel mines and are not mine-affected, thus, no special action is necessary to fulfill the terms of the treaty.

The ICBL is concerned, however, about the need for all states to pass legislation that would impose penal sanctions for any potential future violations of the treaty, and would provide for full implementation of all aspects of the convention.

The ICRC, in cooperation with the ICBL and the government of Belgium, has produced an “Information Kit on the Development of National Legislation to Implement the Convention of the Prohibition of Anti-Personnel Mines.” This document will be of great use to States Parties in helping them to fulfill their obligations under Article 9.

Summary of States Parties and National Implementation Measures

	Africa	Americas	Asia Pacific	Europe-Central Asia	Middle East-North Africa
Passed legislation prior to 1 March 1999 (or became law on 1 March 1999)		Canada Guatemala Nicaragua	Australia Japan New Zealand	Austria Belgium France Germany Hungary Ireland Italy Norway Spain Sweden Switzerland United Kingdom	
Passed legislation after 1 March 1999	Burkina Faso Mali Mauritius Zimbabwe	Brazil Honduras Trinidad Tobago	Cambodia Malaysia	Bulgaria Czech Republic Liechtenstein Luxembourg Monaco	
Existing law deemed sufficient	Lesotho Namibia Rwanda Seychelles	Dominican Republic Peru		Andorra Denmark Netherlands Slovenia	Jordan
Legislation in process	Botswana Cote D'Ivoire Malawi Mauritania Senegal South Africa Swaziland Togo Uganda Zambia	Costa Rica Mexico Venezuela	Bangladesh Kiribati Philippines Samoa	Albania Bosnia Herzegovina Croatia Holy See Iceland Moldova Portugal Romania Slovakia	Tunisia Yemen
None or unknown	Benin Cape Verde Chad Congo Brazzaville Djibouti Equatorial Guinea Eritrea Gabon Ghana Guinea Guinea Bissau Kenya Liberia Madagascar Mozambique Niger Nigeria Sierra Leone Tanzania	Antigua Barbuda Argentina Bahamas Barbados Belize Bolivia Chile Colombia Dominica Ecuador El Salvador Grenada Jamaica Panama Paraguay Saint Kitts & Nevis Saint Lucia St. Vincent & Gren. Uruguay	Fiji Maldives Nauru Niue Solomon Islands Thailand	Macedonia FYR Malta San Marino Tajikistan Turkmenistan	Algeria Qatar