

1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and On their Destruction

Article 1. General Obligations. 1. Each State Party undertakes never under any circumstances: ... (b) To...acquire, stockpile, retain...anti-personnel mines.

Article 3. Exceptions. 1. Notwithstanding the general obligations under Article 1, the retention or transfer of a number of anti-personnel mines for the development of and training in mine detection, mine clearance, or mine destruction techniques is permitted. The amount of such mines shall not exceed the minimum number absolutely necessary for the above-mentioned purposes.

Article 4. Destruction of stockpiled anti-personnel mines. Except as provided for in Article 3, each State Party undertakes to destroy or ensure the destruction of all stockpiled anti-personnel mines it owns or possesses, or that are under its jurisdiction or control, as soon as possible but not later than four years after the entry into force of this Convention for that State Party.

INTRODUCTION

Of the thirty-five countries in the Americas region, all have signed the 1997 Mine Ban Treaty except for Cuba and the United States. Six states have signed but not yet ratified the treaty: Chile, Guyana, Haiti, St. Vincent and the Grenadines, Suriname, and Uruguay. Mine Ban Treaty States Parties are required to destroy all stockpiled antipersonnel (AP) mines within four years of entry into force. The International Campaign to Ban Landmines (ICBL) calls on all nations in the Americas to strive for total destruction of AP mine stockpiles by the time of the Third Meeting of States Parties to be held in Managua, Nicaragua in September 2001.

Key issues of concern include:

- States Parties Argentina, Brazil, Honduras and Venezuela have not yet begun destruction of stocks.
- Brazil plans to retain 17,000 AP mines for training and/or development purposes, Ecuador 16,000, and Peru 9,526; these are among the highest numbers by any State Party globally, and appear to be in excess of any known requirements for those countries.
- States Parties Colombia and Venezuela, as well as signatories Chile and Guyana, and non-signatory Cuba, have yet to reveal details about their AP mine stockpiles. State Party Costa Rica and signatory Suriname have not even publicly stated whether a stockpile exists.
- Twelve States Parties in the region are late in submitting their treaty-mandated Article 7 transparency reports, including information on stockpiles and destruction.
- The United States, a non-signatory, has the third largest AP mine stockpile in the world, at 11.2 million. The stockpile includes 1.2 million non-self-destructing AP mines.

STOCKPILES

Landmine Monitor estimates that at least 12 million antipersonnel landmines are stockpiled in the Americas region in thirteen countries. The United States holds the vast majority of these mines, 11.2 million.^[1] Other states in the region with antipersonnel mine stockpiles include: Argentina, Brazil, Chile, Colombia, Cuba, Ecuador, Honduras, Guyana, Nicaragua, Peru, Uruguay, and Venezuela. Landmine Monitor has not been able to confirm whether Costa Rica or Suriname possesses a mine stockpile, though Costa Rica is not believed to have AP mines.

Apart from the U.S., the largest known stockpiles of AP mines are held by Peru (330,840), Ecuador (170,344), Nicaragua (91,813), Argentina (89,170), and Brazil (35,012). A Chilean diplomat told the ICBL that Chile's stockpile numbered 22,000 and a Colombian government report indicated a stockpile of at least 18,000 antipersonnel mines, but Landmine Monitor has not been able to confirm those figures.

Several rebel groups in Colombia, notably the Fuerzas Armadas Revolucionarias de Colombia (FARC) and the Ejército de Liberación Nacional (ELN), have stockpiles of AP mines. Landmine Monitor has not identified other non-state actors in the Americas that have antipersonnel mines.

Of the 20 nations in the Americas without stocks, it appears that Belize, Bolivia, Mexico, Paraguay, Panama, and all 12 of the Caribbean nations have never had a stockpile of AP mines. Canada, El Salvador, and Guatemala have reported destruction of their entire stockpiles (except, in Canada's case, mines retained for training).

The stockpiles of antipersonnel mines in the Americas region are summarized in the following table:

	Current Stockpile	Already Destroyed	To Be Retained
STATES PARTIES			
Antigua & Barbuda	0	0	0
Argentina	89,170	0	3,049
Bahamas	0	0	0
Barbados	0	0	0
Belize	0	0	0
Bolivia	0	0	0
Brazil	35,012	0	17,000
Canada	0	92,551	1,668
Colombia	[18,000?]	2,542	Unknown
Costa Rica	[0?]	Unknown	[0?]
Dominica	0	0	0
Dominican Republic	0	0	0
Ecuador	170,344	101,458	16,000
El Salvador	0	All	0
Grenada	0	0	0
Guatemala	0	All	0
Honduras	9,439	0	1,050
Jamaica	0	0	0
Mexico	0	0	0
Nicaragua	91,813	40,000	1,971
Panama	0	0	0
Paraguay	0	0	0
Peru	330,840	3,916	9,526
Saint Kitts & Nevis	0	0	0
Saint Lucia	0	0	0
Trinidad & Tobago	0	0	0
Venezuela	Yes	0	Unknown

Sub Total	726,618	240,467	50,264
SIGNATORIES			
	[22,000?]	0	
Guyana	Yes	0	
Haiti	0	0	
St Vincent & Gren.	0	0	
Suriname	Unknown	0	
Uruguay	2,338	Reported	
Sub Total	2,338	0	
NON-SIGNATORIES			
Cuba	Yes	0	
United States	11,236,245	3,355,000	
Sub Total	11,236,245	3,355,000	
Regional Totals	11,965,201	3,595,467	50,264

Mine Types in Stocks

AP Mine Type	Number Stockpiled	Country of Origin
ARGENTINA[2]		
EXPAL	72,924	Spain [?]
FMK-1	5,361	Argentina
SB33	10,885	Italy [?]
CHILE[3]		
MAP II	Unknown	Chile
MAP 78 F2	Unknown	Chile
M18	Unknown	Chile
M18A1	Unknown	Chile
3 unknown type	Unknown	Chile
M14	[300,000]	USA
CUBA[6]		
PMFC-1	Unknown	Cuba

AP Mine Type	Number Stockpiled	Country of Origin
BRAZIL[3]		
M409	30,875	Belgium
T-AB-1	4,137	Brazil
COLUMBIA[5]		
MAP 1	Unknown	Colombia
CDD	Unknown	Colombia
M14	[6,030]	USA
M18A1	[6,102]	USA
ECUADOR[7]		
T-AB-1	128,931	Brazil
P-4-B	70	Spain
PMD-6M	58	Ex. Soviet
M-35	200	Belgium

PMFH-1	Unknown	Cuba
PMM-1	Unknown	Cuba
GUYANA		
Unknown		
NICARAGUA[9]		
PMN	38,818	Ex. Soviet
PMN-2	37,046	Ex. Soviet
PP-Mi Sr-II	5,250	Czech
OZM-4	331	Ex. Soviet
POMZ-2	3,023	Ex. Soviet
POMZ-2M	38,862	Ex. Soviet
MON-50	3,318	Ex. Soviet
MON-100	11	Ex. Soviet
MON-200	154	Ex. Soviet
PMFH	Unknown	Cuba
TAP-4	Unknown	Nicaragua
UNITED STATES[11]		
ADAM	9,516,744	USA
Gator (USAF)	237,556	USA
Gator (USN)	49,845	USA
Volcano	107,160	USA
MOPMS	9,184	USA
PDM	16,148	USA
GEMSS	76,071	USA
M14	670,000	USA
M16	553,537	USA
M18A1	973,932	USA
VENEZUELA[13]		
MV-1	Unknown	Venezuela

M-409	10,061	Belgium
VS-50	25,151	Singapore
M18A1	17	USA
MOH-50	5,856	Ex. Soviet
HONDURAS[8]		
M18A1	2,031	USA
M-969	1,480	Portugal
FMK-1	2,959	Argentina
M4	2,969	USA
PERU[10]		
M M U	328	Unknown
PMB-6	16,564	Ex. Soviet [?]
Expal c E		Spain [?]
Expal P4 A1	5	Spain [?]
Expal s E	27	Spain [?]
Fuze M-5	30,000	Unknown
M18A1	376	USA
M-35 BS-BG	7,660	Belgium
M-35	25,307	
M-409	11,587	Belgium
PMA-3	68,212	Ex. Soviet
PMB-6N	24,861	
POMZ-2M	49,712	Ex. Soviet
A/R MGP	89,506	Peru
Cicitec tapa	328	Peru
M16	108	USA
MGP-30	150	Peru
60510 MN	9,957	Unknown
URUGUAY[12]		
NR-409	734	Belgium
M35	1,604	Belgium

STOCKPILE DESTRUCTION

Landmine Monitor research shows that more than 22 million antipersonnel mines have been destroyed worldwide in recent years by more than 50 countries. Twenty-one States Parties have completed destruction of stocks, including three in the

Americas: Canada, El Salvador, and Guatemala. Five States Parties in the Americas have destroyed over 240,000 AP mines. The United States has destroyed 3.355 million antipersonnel mines, roughly three-quarters of its stockpile of non-self-destructing AP mines.

Those in the process of destruction include Colombia, Ecuador, Nicaragua, Peru, and Uruguay. Ecuador reports that it destroyed 101,458 antipersonnel mines between April 1999 and March 2000. Nicaragua reports that 40,000 antipersonnel mines have been destroyed as of April 2000. Peru reports that it destroyed 3,916 mines in 1999. Uruguay reports that the destruction of the approximately 2,338 antipersonnel mines in its stockpile is underway. More than 2,000 antipersonnel mines were destroyed from Colombia's stockpiles. The Colombian Armed forces are also reported to have destroyed antipersonnel mines captured from non-state actors.

States Parties that have not yet begun destruction include Argentina, Brazil, Honduras, and Venezuela. Honduras has made plans for destruction.

States Parties have reported the following information in their Article 7 Transparency Reports:

- Argentina: no schedule submitted; no method of destruction mentioned.
- Brazil: no schedule submitted; the method of destruction will consist of "immersion of the explosive charge residue into boiling water for a long time. There after, the inflammable residue burned for combustion."
- Ecuador: no schedule submitted; open detonation is the method of destruction.
- Nicaragua: destruction complete by 2004, open burning is the method of destruction.
- Peru: destruction complete by 2002, stockpiled mines are destroyed by either disassembly, incineration, and open burning open detonation.
- Canada provided detailed information on the environmental and safety standards in its Article 7 Transparency Report.

The United States destroyed its mines by open detonation.

Deadlines for Total Destruction of AP Mine Stockpiles	
Argentina	1 March 2004
Brazil	1 October 2003
Colombia	1 March 2005
Costa Rica	1 September 2003
Ecuador	1 October 2003
Honduras	1 March 2003
Nicaragua	1 May 2003
Peru	1 March 2003
Venezuela	1 October 2003

MINES RETAINED FOR TRAINING

It appears that the majority of States Parties across the globe that have stockpiles of AP mines are opting to exercise the Article 3 exception. Many intend to keep between 1,000-5,000 mines. In the Americas region, however, it appears that Belize, Bolivia, El Salvador, Guatemala, Mexico, Panama, Paraguay, and the Caribbean states have chosen not to retain any AP mines. Treaty signatory Uruguay told Landmine Monitor that it requires mines for training but inert mines will be used.

Based on data from the most current Article 7 Transparency Reports, States Parties in the Americas region will retain over 50,000 antipersonnel mines. The following States Parties, in order of greatest number retained, are opting to keep antipersonnel mines under Article 3:

Brazil	17,000
Ecuador	16,000 (reduced from 170,334 originally cited in its first Article 7 Report)
Peru	9,526
Argentina	3,049
Nicaragua	1,971
Canada	1,668
Honduras	1,050

The ICBL continues to question the need for live mines for training. The ICBL believes that it is important not only to have complete transparency on this, but also to continue to evaluate the necessity for the exception and the potential need for an absolute numerical limitation. Brazil, Ecuador, and Peru should re-examine their requirement to keep so many mines.

TRANSPARENCY REPORTING

To date, over 50 reports have been submitted by States Parties to the United Nations as required by Article 7 of the Mine Ban Treaty. Initial Article 7 reports are due 180 days after entry into force of the treaty for that State Party. Thereafter, annual reports are due by 30 April of each year. However, there are a significant number of States Parties who are late in submitting their first Article 7 report. These governments have thus far failed to meet a treaty obligation; Article 7 reporting is not optional and due dates are legal deadlines, not targets.

The states in the Americas region that are late in submitting their first Article 7 transparency measures report are:

Country	Overdue as of
Bahamas	28 August 1999
Barbados	28 December 1999
Costa Rica	28 February 2000
Dominica	28 February 2000
El Salvador	28 December 1999
Grenada	28 August 1999
Guatemala	27 February 2000
Panama	28 September 1999
Paraguay	30 April 2000
St. Lucia	29 March 2000
Trinidad and Tobago	28 August 1999
Venezuela	29 March 2000

States that have not submitted their **second** Article 7 transparency measures report, due 30 April 2000, are: Belize, Bolivia, Honduras, Jamaica, Nicaragua, Peru, and Saint Kitts and Nevis.

The due dates for first Article 7 reports for those who have ratified more recently include:

Dominican Republic (30 May 2001) and Colombia (August 2001).

Additionally, the ICBL has expressed concern regarding the following issues:

- Need for Expanded Article 3 reporting. Reporting on mines retained for training and development should also include the specific anticipated purpose and then the actual use of any retained mines.
- Lack of reporting on prohibited antivehicle mines (AVMs) with antihandling devices (AHDs). Since some AVMs with AHDs are prohibited by the Mine Ban Treaty because they function like AP mines, there should be Article 7 reporting on any stockpiling or destruction of such mines. For example, Human Rights Watch has identified AVM held by States Parties Brazil (T-AB-1 AVM) and Peru (MGP-31 AVM), and treaty signatory Chile (MAT80 F5, MAT 83 F4, AP APVL F4 AVMs) as having antihandling capabilities that may cause them to function as AP mines.[14]
- Lack of reporting on Claymore-type mines. Since use of directional fragmentation mines is permitted under the treaty only in command detonated mode, States Parties should report on the number of such mines kept in stock, and the steps that have been taken to ensure that they can be used only in command detonated mode. Honduras noted it would destroy 2,031 M18A1 Claymores, but retain another 226. Others states reporting on Claymore mines include Ecuador and Peru.

Footnotes

- [1] The U.S. announced a cap on its inventory of antipersonnel mines in January 1997, though it has never provided a precise figure.
- [2] Article 7 Report, Form B, 31 August 2000.
- [3] Article 7 Report, Form B, 29 March 2000.
- [4] Landmine Monitor Report 1999, p. 290.
- [5] Landmine Monitor Report 2000, pp. 314-316; Landmine Monitor Report 1999, pp. 294-296.
- [6] Landmine Monitor Report 2000, pp. 330-331; Landmine Monitor Report 1999, pp. 316.
- [7] Article 7 Report, Form B, 23 August 2000.
- [8] Article 7 Report, Form B, 30 August 1999.
- [9] Article 7 Report, Form B, 18 May 2000 [date of letter of transmittal]; Landmine Monitor Report 2000, p. 282. Please note the stockpile data is as of 30 September 1999 and does not account for subsequent destruction.
- [10] Article 7 Report, Form B, 2 May 2000.
- [11] Landmine Monitor Report 2000, p. 341. Please note these figures reflect number of individual mines, not number of delivery systems (i.e. artillery projectiles, cluster bomb units, or canisters) or other types of dispensers.
- [12] Landmine Monitor Report 1999, p. 311.
- [13] Landmine Monitor Report 2000, p. 306.
- [14] See Human Rights Watch Fact Sheet, "Antivehicle Mines with Antihandling Devices," January 2000.