

**SIXTH 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**

CCW/AP.II/CONF.6/INF.1
16 November 2004

ENGLISH/FRENCH/
RUSSIAN/SPANISH ONLY

Geneva, 17 November 2004
Item 10 of the provisional agenda

**NATIONAL REPLIES OF
UNITED NATIONS MEMBER STATES
TO THE APPEAL FOR THE UNIVERSALITY OF
AMENDED PROTOCOL II
ON PROHIBITIONS OR RESTRICTIONS ON THE USE OF
MINES, BOOBY-TRAPS AND OTHER DEVICES**

Note by the Secretariat

The Fifth Annual Conference of the States Parties to Amended Protocol II, held on 26 November 2003, issued an appeal to all States that had not yet done so to take all measures to accede to Amended Protocol II as soon as possible.

In this regard, the Secretary-General of the United Nations, as Depositary of Amended Protocol II, and the President-designate of the Sixth Annual Conference invited United Nations Member States to consider consenting to be bound by Amended Protocol II.

In response to these invitations, some United Nations Member States submitted their national replies, which are reproduced in the Annex.

Annex

National Replies to the Appeal by the Secretary-General of the United Nations, as Depositary of Amended Protocol II, as contained in his letter dated 25 February 2004

1. Azerbaijan
2. Brunei Darussalam
3. Burkina Faso
4. Kazakhstan
5. Kyrgyzstan
6. Mexico
7. Mongolia
8. Russian Federation

National Reply of the Republic of Azerbaijan

Thank you for your letter concerning the Additional Protocol II on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices.

Azerbaijan shares and fully supports the ideas and principles of disarmament, including those of prohibition of mines and weapons that have indiscriminate effects. We believe the total ban on mines to be an ultimate humanitarian objective.

Unfortunately, the problem of mines is an issue that arises every day in the South Caucasus and particularly in Azerbaijan, due to the unresolved conflict with Armenia. Yet, antipersonnel mines end the lives of innocent people and leave hundreds of people disabled. In this regard, I am grateful to the United Nations Development Programme and UN Office Project Services for the assistance provided to the Azerbaijani National Agency for Mine Action.

At the same time, I would like to mention that the issue of prohibition of mines should be considered in the context of the realities of the region. The main obstacle to the solution of this problem as well as to international efforts aimed at disarmament is the occupation of the 20 percent of the Azerbaijani territory by the neighboring Armenia. As a result of this occupation, a large part of the Azerbaijani territory remains beyond the control of the Government of Azerbaijan. Armenia continues to ignore the four UN Security Council Resolutions 822, 853, 874 and 884 (1993), which clearly confirm the sovereignty and territorial integrity of the Republic of Azerbaijan and call for an immediate, complete and unconditional withdrawal of Armenian armed forces from the occupied territories.

Azerbaijan is unable to comply with the obligations stemming from the Additional Protocol II, since my country is forced to use antipersonnel mines in order to counter the invader.

We believe that an effective regime for the prohibition of mines in the South Caucasus can only be established after all countries in the region demonstrate their commitment to the norms and principles of international law and to the UN Charter, refrain from territorial claims against their neighbors, and, in particular, when Armenia complies with the relevant UN Security Council Resolutions.

Once again, I would like to assure you that Azerbaijan will continue to make every effort to reach a just solution of the conflict on the basis of norms of international law. My country will do its best to reach the goal of having a world free of mines.

Please accept, Excellency, the assurances of my highest consideration.

(Signed) Ilham Aliyev
President of the Republic of Azerbaijan

National Reply of Brunei Darussalam

Thank you for your letter of 25th February 2004 concerning the Amended Protocol II on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices.

I appreciate your concern about the threat posed by landmines and assure you that my government and I continue to give careful consideration to Brunei Darussalam's accession to the Convention and its Protocols.

With my kindest regards,

(Signed) Sultan Haji Hassanal Bolkiah
of Brunei

National Reply of Burkina Faso

J'ai l'honneur d'accuser réception de votre lettre du 25 février 2004 par laquelle vous invitez mon pays à adhérer au Protocole II modifié sur l'interdiction ou la limitation de l'emploi des mines, pièges et autres dispositifs.

Depuis l'entrée en vigueur de la Convention d'Ottawa en 1999, dont le Burkina Faso a été le 40^{ème} pays à déposer son instrument de ratification, permettant du même coup son entrée en vigueur, mon pays oeuvre à l'universalisation de la Convention.

Ainsi du 28 au 29 janvier 2004, le Burkina Faso a abrité un atelier sous-régional parrainé par le Secrétariat Exécutif de la CEDEAO et organisé conjointement avec le Comité international de la Croix-Rouge à l'intention des Etats membres de la CEDEAO sur la mise en oeuvre de la convention sur les mines antipersonnel et ce, en prélude à la préparation de la Conférence d'examen prévue en décembre 2004 à Nairobi au Kenya.

Concernant le Protocole II modifié, objet de votre lettre, je porte à votre haute connaissance que le Burkina Faso a déposé les instruments de ratification dudit Protocole en même temps qu'il adhéra à la Convention de 1980 sur les armes classiques et les Protocoles y afférents.

Aussi, mon pays est Etat partie au Protocole II modifié dont l'entrée en vigueur est intervenue pour le Burkina Faso le 26 novembre 2003.

Veuillez agréer, Monsieur le Secrétaire Général, l'expression de ma très haute considération.

(Signed) Blaise Compaore
Le Président

National Reply of the Republic of Kazakhstan

[Original: Russian]
(Unofficial translation)

At the very outset of my message, I would like to thank you for your letter and tireless attention to the issues of strengthening peace and security around the world and global elimination of threat posed by anti-personnel landmines.

I share your concern about the ongoing practice of using landmines that indiscriminately maim and kill dozens of thousands of men every year.

The Republic of Kazakhstan believes that under no circumstances civilians should become victims of such weapons. In this respect, Kazakhstan fully supports the humane nature of 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 and its Protocols including the Amended Protocol II on Prohibitions and Restrictions on the Use of Mines, Booby-Traps and Other Devices.

As you are aware, accession to Amended Protocol II leads to the non-use and complete destruction of anti-personnel landmines. At the same time, there is no alternative effective system or means in Kazakhstan to provide security and to cover considerable parts of its long land border.

Also Kazakhstan does not have industrial production of anti-personnel landmines that would allow it instead of mines of long-term effect to provide its National Armed Forces with self-destructing, self-neutralizing and self-deactivating mines as it is required by the Amended Protocol II.

I would like to emphasize that there are no mined fields in Kazakhstan, requiring their demining, Kazakhstan does not produce anti-personnel landmines and strictly observes the rules of its stockpiling and providing security. It is also necessary to note that the Republic of Kazakhstan bans export and transit of landmines and presently is carrying out its national procedures to join the Convention and its Protocols I, III, IV.

Availing myself of this opportunity, I would like to wish Your Excellency further success in your noble activity.

Please accept, Mr. Secretary General, the assurances of my highest consideration.

(Signed) Nursultan Nazarbayev
President

National Reply of the Kyrgyz Republic

Ваше Превосходительство,

С большим вниманием ознакомился с Вашим письмом, в котором Вы приглашаете Кыргызстан присоединиться к Дополненному Протоколу II по запрещению или ограничению использования мин, мин-ловушек и других устройств.

По моему глубокому убеждению, мировое сообщество должно предпринять все возможные меры, направленные на защиту человеческой жизни от угрозы уничтожения любыми видами оружия. В этом контексте проблема глобального запрещения противопехотных мин является вопросом чрезвычайной приоритетности для всех государств. Со своей стороны Кыргызстан готов внести свой вклад в осуществление этой важной задачи.

Кыргызская Республика выступает в поддержку запрещения использования противопехотных мин на основе поэтапного продвижения к этой цели. При этом Кыргызстан, неоднократно подвергшийся нападениям террористических банд-формирований, исходит из необходимости завершения создания надежной системы собственной безопасности.

Желаю Вам крепкого здоровья и успехов в Вашей ответственной деятельности. Примите, Ваше Превосходительство, уверения в моем самом высоком к Вам уважении.

(Signed) Askar Akaev
President of the Kyrgyz Republic

National Reply of the United Mexican States

Hago referencia a su atenta nota del 25 de febrero de 2004, mediante la cual invita a México a ratificar el Protocolo II Enmendado de la Convención sobre Prohibiciones o Restricciones del Empleo de ciertas Armas Convencionales que pueden considerarse excesivamente nocivas o de efectos indiscriminados, en su carácter de depositario.

El gobierno de México está firmemente comprometido con la erradicación de la amenaza de las minas terrestres y ha pugnado en todos los foros multilaterales por la prohibición total de este tipo de armamento. Nuestro país hubiera preferido que el ámbito del Protocolo II Enmendado fuese más amplio, de manera que contribuyese efectivamente a suprimir los efectos devastadores del empleo de minas terrestres.

México estima que la Convención sobre la Prohibición de Minas Antipersonales y su Destrucción, abierta a firma en Ottawa el 3 de diciembre de 1997, constituye un instrumento más efectivo para erradicar las minas antipersonales. En este sentido, se ha sumado a la comunidad internacional con este fin ratificando dicho instrumento y ha tomado diversas acciones para su aplicación a nivel nacional. En México, las autoridades competentes en materia de defensa y las fuerzas de seguridad no poseen minas terrestres y su utilización, fabricación, almacenamiento y transferencia están prohibidos por la ley.

El hecho de que el gobierno de México haya decidido no ser parte del Protocolo II Enmendado, en nada afecta su compromiso de seguir promoviendo iniciativas más amplias para eliminar las armas especialmente nocivas o de efectos indiscriminados.

Aprovecho la oportunidad para reiterar a usted las seguridades de mi distinguida consideración.

(Signed) Vicente Fox Quesada
Presidente de los Estados
Unidos Mexicanos

National Reply of Mongolia

With reference to your letter dated 25 February 2004 addressed to our President H.E. Mr. Bagabandi, I have the honour, on the instructions from my Government, to convey you the following message: “The content of Your Excellency’s letter inviting Mongolia to join the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices has been duly noted by the President of Mongolia. We share the view that the issue of land mines ban which kill or maim hundreds of people, causing enormous harm to the health and well being of defenseless civilians and obstruct economic development should be kept in the focus of our attention.

Mongolia has consistently supported the efforts of the international community to prohibit the use of land mines, including the anti-personal mines and their destruction. Mongolia has never used landmines. No transfer of mines had occurred for the last 10 years. Although Mongolia has not yet joined the additional Protocol II, this issue is under active consideration of the concerned Mongolian authorities. When a final decision is made it will be communicated to you immediately.”

National Reply of the Russian Federation

Excellency,

Upon instructions from my Government I have the honour to convey the following in reply to your letter of September 13, 2004, addressed to President Vladimir V. Putin concerning intention of the Russian Federation to sign, ratify or accede to the treaties that address the threat of landmines and explosive remnants of war.

Regarding the 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 (CCW), currently we are passing through the final stage of its ratification. The matter has already been considered by related committees of the State Duma and in November-December this year is to be submitted for plenary discussion and voting.

Protocol V to the CCW on the Explosive Remnants of War (ERW) has been submitted for inter-agency review, which is necessary for its implementation. We expect to complete this process in 2005.

Please accept, Excellency, the assurances of my highest consideration.

(Signed) Andrey Denisov
Permanent Representative
of the Russian Federation
to the United Nations
