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INTERNATIONAL LAW**

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**DECIMATING THE ENEMY BELOW: OTTAWA CONVENTION AND THE
REALIZATION OF LANDMINE BAN IN INTERNATIONAL LAW**

Olusola Babatunde Adegbite*

Abstract

The article presents an eclectic overview of the most comprehensive and boldest attempt at landmine ban that is the Ottawa Convention 1997. It examines how for the first time a major global movement, made up of International NGOs and less than powerful states, broke new grounds and produced this historic document. It shows how international treaty-making was successfully carried out, notwithstanding a lack of cooperation from the superpower nations. Importantly, it discusses how the international legal framework under the convention, effectively addresses the ban on landmines. It notes that the convention not only expands the scope of the previously existing international legal framework but also creates cutting-edge international obligations while in uncommon firmness shuts out the vexed issue of reservations. It also highlights a major challenge before the convention which is the seeming aloofness and cavalier attitude of major superpowers such as the United States (US). It particularly examines the standoff between the US and the convention, submitting that the US stands to gain more by signing the convention, rather than its current state of disinterestedness and this would go a long way in realization of the objectives of the convention.

1.1 INTRODUCTION

While all weapons of war are terrible and devastating in their impact on human life, one apparently stands out that is; Anti-Personnel Mines (APM) (hereinafter referred to as 'Landmines'). It is one of the few weapons of war that still kills even when hostilities have ended.¹ It is one weapon that remains active even after the war that brought about its use has been long forgotten. The unique position of landmines is seen in its effect during armed conflicts and post armed conflicts, where victims even after surviving the horrors of war, are not the same by reason of how badly landmines may

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¹ ICRC "Anti-Personnel Landmines", *International Committee of the Red Cross (ICRC) Newsletter*, (24 May 2019), available online at <https://www.icrc.org/en/document/anti-personnel-mines> [accessed 24 June 2019]

have disfigured them.² Landmines pose a great humanitarian scourge, and remain one area that continues to challenge the existing body of international law. Landmines represent ‘*the enemy below*’, given their potentiality of perfect disguise, in which they are lodged in the ground, only to bear their lethality when an opposite force comes in contact with them. They destroy innocent lives, decapitate unsuspecting persons, render otherwise arable land unusable, make communities inhabitable, and at that, gulp billions in clean up exercises.

It is against this backdrop, that this article examines the existing treaty framework governing the ban on landmines, to examine the gains made and the areas still requiring attention. To achieve this, the article will be divided into seven parts. While Part I deals with the introduction, Part II examines what landmines are, and the humanitarian crisis associated with it. Part III explores the international movement and effort that led to the adoption of a treaty banning landmine use, while Part IV provides an analysis of the international legal framework governing this ban. Part V looks at the gains following the convention and further international efforts being made in this regard. Part VI examines the key challenge that has not allowed the full realization of the objectives of the convention while Part VII covers the conclusion.

1.2 ANTI-PERSONNEL LANDMINES – CONCEPTUALISATION AND THE HUMANITARIAN CRISIS

The Ottawa Convention provides a broad definition of landmine in Article 2, referring to it as;

“A mine designed to be exploded by the presence, proximity, or contact of a person and that will incapacitate, injure, or kill one or more persons. Mine designed to be detonated by the presence, proximity, or contact of a vehicle as opposed to a person, that are equipped with anti-handling devices, are not

² L.T. Lee, ‘International Law and Anti-Personnel Landmines’, (1996), 2, *ILSA Journal of International and Comparative Law*, 621 – 627.

considered anti-personnel mines as a result of being so equipped".³

Further, it states that a mine is "*a munition designed to be placed under, on, or near the ground or other surface area, and to be exploded by the presence, proximity, or contact of a person or vehicle*".⁴ In addition, a mined area is defined as "*an area which is dangerous due to the presence or suspected presence of mines*".⁵

Landmines are essentially explosive devices buried under the earth surface, designed to either fatally injure or kill persons who unknowingly step on them, by either being triggered by contained pressure or by a tripwire. They are designed to prevent access to a specified area, targeting enemy ground troops.⁶ Also, they are categorised as blast, fragmentation, bounding fragmentation, and directional fragmentation. They saturate areas with explosive force and are so deadly given their potentiality for indiscriminate killing and maiming at any time.⁷

As early as 1975, it had been reported that over 1 million people had either been killed or maimed by landmines.⁸ Jody Williams, who shared the Nobel Prize for Peace alongside the International Campaign for Ban on Landmines (ICBL) for her extensive work on landmine ban, shares some frightening statistics in this regard.⁹ According to her, while about 400million

³ Article 2 (1), Convention on the Prohibition of the Use, Stockpiling, Production, and Transfer of Anti-Personnel Mines and of their Destruction, 18 September 1997, 36 ILM (1997) 1507, (Hereinafter the 'Ottawa Convention'). The Convention is the principal disarmament treaty which aims at prohibiting the production, use, stockpiling, and transfer of anti-personnel mines, as well as making a case for the destruction and assisting victims.

⁴ Article 2 (2), *Ibid.*

⁵ Article 2 (5), *Ibid.*

⁶ T. Holbrook, "US Policy Recommendation: Ottawa Convention on Anti-Personnel Landmines", (2009), 17 (1), *Human Rights Brief*, 24 – 28 at 24.

⁷ J. Borrie, *Unacceptable Harm: A History of How the Treaty to Ban Cluster Munitions was Won*, (Geneva, Switzerland: United Nations Institute for Disarmament Research - UNIDIR, 2009), 1 – 488.

⁸ T. Holbrook, n. 6.

⁹ J. Williams, "Landmines: A Global Socioeconomic Crisis", (1995), 22 (4), *Social Justice*, 97 – 113.

landmines may have been sown globally since World War II, another 100 million are stockpiled, ready to be used.¹⁰

The destructive nature of landmines remains unimaginable. When a person accidentally comes in contact with a landmine, not only can it kill or maim but it can also have serious and reverberating effects, extending to the family of the victim as well as creating fear in the minds of others.¹¹ Landmines are used to depopulate areas, disrupt movement of people, and generally ruin life in a place aground.¹² By infesting an area, landmines put vast arable land out of use thereby impacting food security. It also leaves a trail of amputations and injuries behind.¹³

The developing countries of the world are the worst affected when it comes to the humanitarian crisis associated with landmines. Notable examples in this regard are Afghanistan, Angola, Cambodia, Ethiopia, Eritrea, Mozambique, Somalia, Sudan, and Yugoslavia.¹⁴ The casualty figures across these countries are staggering. While it is reported that the Afghan war contaminated the country with about 10 million land mines, the civil war in Angola left behind an estimated 9 to 20 million mines, as well as an Amputee population of over 15,000 people.¹⁵

In Cambodia, after the horror of a 12-year civil war between the government and Khmer Rouge insurgents, 7 to 9 million mines are reported to have been distributed across the country, with a mine-connected amputee population of about 30,000 people.¹⁶ The war between Ethiopia and Eritrea is reported to have resulted into the planting of about 1.5 million mines, while reports reveal that in the Bosnian war about 3 million landmines may have infested

¹⁰ *Ibid.*, at 97, 99.

¹¹ R.R. Murray and K.L. Fabian, "Compensating the World's Landmine Victims: Legal Liability and Anti-Personnel Landmines Producers", (2003), 33, *Seton Hall Law Review*, 303 – 369 at 305.

¹² J. Williams, n. 9, at 98.

¹³ D.J. Somasundaram and K.K. Renol, "The Psychosocial Effects of Landmines in Cambodia", (1998), 14 (3), *Medicine, Conflict and Survival*, 219 – 236.

¹⁴ J. Williams, n. 9, at 100.

¹⁵ S. Biddle, et al, "Controlling Anti-Personnel Landmines", (1998), 19 (3), *Contemporary Security Policy*, 27 – 71.

¹⁶ *Ibid.*

the country.¹⁷ Also, about 1 million mines are reported to have followed the 15-year civil war in Mozambique, while a similar figure was reported in Sudan.¹⁸

Notwithstanding these reports which show the epidemic proportions of landmines, in the period under review, producers of these deadly weapons of war kept smiling to the banks. Estimates have it that around 100 companies and government agencies scrambled for close to \$200million of annual landmines business, with a staggering 190 million units reported to have been sold between 1968 and 1993.¹⁹

The cost of lessening landmine contamination in a war-torn country is extreme. Even though the weapon is cheap and easy to deploy, clean up exercise can be problematic due to disregard for mapping of minefields.²⁰ Such clearance is also costly as a landmine purchased for as low as \$3 may cost between \$300 to \$1,000 in mine-clearance operation.²¹ The progress made in Europe post-World War II however shows that with a right-sized commitment, mine-clearance can be achieved and mined areas freed up for use.²²

What of the cost related to victims of mine-blast? It is reported that estimated cost of prosthetics for landmine victims could range between \$3,000 and \$5,000 as well as the cost of redeveloping communities ravaged by landmines.²³ This also extends to UN Peace Keeping in which several mine connected deaths have been reported in such operations.²⁴ This means that if the estimate of 250,000 mine victim amputees was to be accepted, the international community would require about \$750 million for treatment.²⁵

17 *Ibid.*

18 *Ibid.*

19 R.R. Murray and K.L. Fabian, n. 11, at 307.

20 J. Williams, n. 9, at 100.

21 *Ibid*, at 104.

22 I. Doucet, "The Coward's War: Landmines and Civilians", (1993), 9 (4), *Medicine and War*, 304 – 316.

23 J. Williams, n. 9, at 105.

24 *Ibid*, at 105.

25 *Ibid*, at 105.

At the peak of its destructive use, landmines had become not just a problem to countries caught in the vortex of armed conflict, but more seriously, it had emerged as major impediment to international community's goal of peace and post conflict reconstruction efforts.²⁶

It therefore became apparent that there was urgent need to craft a fitting solution to this menace and the humanitarian crisis that tags along with it or risk its further explosion down the road. Remarkably, there arose a heightened interest in the landmine crisis around this era, particularly as regards the peril it poses in post-conflict situations.²⁷ The international system began to move with the speed required towards a broad-based effort at landmine ban. This move with time coalesced in the adoption of a comprehensive treaty, to lockdown the landmine monster. How did these efforts begin, how was it received, and how was this treaty-making milestone achieved? This is the focus of the next section of this article.

1.3 INTERNATIONAL EFFORT TO BAN THE USE OF LANDMINES

Two events have been signalled as landmarks, epitomising fundamental changes in the international legal landscape of the 1990s. These are the signing of the Rome statute establishing the International Criminal Court (ICC) and the adoption of the Ottawa convention.²⁸ The significance of the Ottawa convention is seen in the fact that it represents the first time that an international treaty instead of opaque regulations, would outrightly ban a conventional weapon of war.²⁹

The drive towards addressing the menace of landmines was earlier thought to have been taken care of by the Convention on Certain Conventional Weapons (CCW) concluded in 1980.³⁰ The CCW was the first treaty to

²⁶ *Ibid*, at 108.

²⁷ J. Williams, "Landmines and Measures to Eliminate Them", (1995), 35 (307), *International Review of the Red Cross*, 375 – 390.

²⁸ K. Anderson, "The Ottawa Convention Banning Landmines, the Role of International Non-Governmental Organisations, and the Idea of International Civil Society", (2000), 11, *European Journal of International Law*, 91 – 120 at 92.

²⁹ *Ibid*.

³⁰ United Nations 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, 10 October 1980, 1342 UNTS 137, 19 ILM. 1523,

regulate conventional weapons in seventy years.³¹ It provided a regime for regulating conventional weapons such as prohibiting weapons using non-detectable fragments, limiting the use of landmines and booby traps, as well as the use of incendiaries.³² As the world moved away from the horrors of the Second World War to the period of Non-International Armed Conflicts (NIACs), the devastations caused by landmines became a serious global concern.³³

The indiscriminate use of landmines in the several armed conflicts of the 80s, and the alarming humanitarian crisis it generated, alerted the international system to the fact that the protocol on landmines was insufficient in dealing with this challenge.³⁴ For example since the CCW, it is estimated that about 65 million landmines were still deployed.³⁵ Even with these mounting casualties of war, when it came to the need for a comprehensive ban on certain weapons of war, the debate continued to vacillate between cautious optimism and unabashed scepticism.

Ultimately, dissatisfaction with the attempt to ban landmines under the CCW galvanised action that led to the Ottawa process, which produced the first landmine ban treaty.³⁶ At the fore-front of this move were notable personalities such Princess Diana of Wales,³⁷ and Nobel Prize winning activist, Jody Williams.³⁸ Following Diana's leading role, several countries

entered into force on 2 December 1983 (Hereinafter the 'UNCCW'). The CCW State Parties concluded a Second Review Conference in December 2001. See D. Kaye and S.A. Solomon, "The Second Review Conference of the 1980 Convention on Certain Conventional Weapons", (2002), 96 (4), *American Journal of International Law*, 922 - 936; M.J. Matheson, "Filling the Gaps in the Conventional Weapons Convention", (2001), *Arms Control Today*, 12.

³¹ S. Carvin, "Conventional Thinking? The 1980 Convention on Certain Conventional Weapons and the Politics of Legal Restraint During the Cold War", (2017), 19 (1), *Journal of Cold War Studies*, 38 - 69.

³² M.J. Matheson, n. 30, 12.

³³ S. Maslen, *Anti-Personnel Mines Under Humanitarian Law: A View from the Vanishing Point*, (Transnational Publication, 2001).

³⁴ M.J. Matheson, n. 30, 12.

³⁵ J. Williams, n. 9, at 99.

³⁶ J. Borrie, n. 7, at 7.

³⁷ S. Maslen, *Commentaries on Arms Control Treaties, Volume 1 - The Convention on the Prohibition of the Use, Stockpiling, Production, and Transfer of Anti-Personnel Mines and on their Destruction*, (Oxford: Oxford University Press, 2nd ed. 2007).

³⁸ Jody Williams was awarded the Nobel Prize for Peace in 1997 for her extraordinary work in pursuit of banning of Anti-Personnel Mines (APM).

came together in 1997 to pledge the sum of \$500 million over five years, to pursue a comprehensive 'mine action' to eradicate the use of landmines.³⁹ The beginning of the 90s saw the emergence of a renewed international movement championed by leading policymakers, academics and diplomats who began to work assiduously towards a new legal order for the comprehensive ban on landmines; a movement which later gained impressive speed and recognition in the area of prohibiting the production, use, transfer, and stockpiling of landmines.⁴⁰

Generally, the effort to ban landmines was largely driven by international NGOs, with the flagship being the International Committee of the Red Cross (ICRC).⁴¹ Members of staff of the ICRC in the course of their work had been troubled at the number of landmine victim limb amputations of the 80s.⁴² It then began an advocacy to reduce the suffering caused by this terrible weapon.⁴³ In 1992, the ICRC's effort condensed into a global coalition of NGOs leading to the formation of the International Campaign to Ban Landmines (ICBL).⁴⁴

Though the ICRC was not a part of the newly formed ICBL, the new body's membership quickly expanded to later include about 1,200 NGOs in 60 countries.⁴⁵ The ICBL had a common purpose which was landmine ban but its members were diverse in terms of how they viewed the challenge that landmines posed. While for instance, groups such as Medico International

³⁹ S. Maslen, *Mine Action after Diana: Progress in the Struggle against Landmines*, (London: Pluto Press, 2004), 1 – 63.

⁴⁰ For a nuanced and balanced view on the multi-lateral efforts in this regard, see generally M.A. Cameron, R.J. Lawson, and B.W. Tomlin, *To Walk Without Fear: The Global Movement to Ban Landmines*, (Oxford: Oxford University Press, 1998); J. Williams, S. D. Goose, and M. Wareham, *Banning Landmines: Disarmament, Citizen Diplomacy, and Human Security*, (Rowman & Littlefield, 2008); R. Price, 'Emerging Customary Norms and Anti-Personnel Landmines,' in C. Reus-Smit (ed.), *The Politics of International Law*, (Cambridge: Cambridge University Press 2004), 106–130.

⁴¹ K. Anderson, n. 28, at 104.

⁴² *Ibid.*

⁴³ T. Holbrook, "US Policy Recommendation: Ottawa Convention on Anti-Personnel Landmines", (2009), 17 (1), *Human Rights Brief*, 24 – 28 at 24.

⁴⁴ C.W. Jacobs, "Taking the Next Step: An Analysis of the Effects the Ottawa Convention may have on the Interoperability of United States Forces with the Armed Forces of Australia, Great Britain, and Canada", (2004), 180, *Military Law Review*, 49 – 114 at 57.

⁴⁵ K. Anderson, n. 28 at 105.

saw landmines as a public health issue, others like Human Rights Watch and the ICRC viewed it as impacting human rights and humanitarian goals.⁴⁶ The ICBL later gained recognition as delegates to the International Conference to Ban Landmines, when the representatives of 122 States in early December 1997, gathered in Ottawa the Capital of Canada.⁴⁷ The effort of the ICBL was also complemented by state actors, but these were largely states in the general group, as against states viewed as global leaders.⁴⁸

The movement finally made a breakthrough when in December 1997, 122 countries signed the ‘Convention on the Prohibition of the Use, Stockpiling, Production, and Transfer of Anti-Personnel Mines and on their Destruction’, i.e. the Ottawa Convention.⁴⁹ The 1997 conference had been preceded by an earlier conference on 4th–5th, October 1996 in Ottawa, where 50 participants, 24 Observer States, the ICRC, as well as other NGOs converged to chart a roadmap for the eventual ban on anti-personnel landmines.⁵⁰ The entire convention was developed and adopted in one year and subsequently entered into force in March 1999.⁵¹ Highlighting its historic status, the then UN Secretary-General Kofi Annan referred to it as a “landmark step in the history of disarmament”.⁵²

It is important to reemphasise the important role played by international NGO in the making of this historic treaty. As noted earlier, a major leader amongst these NGOs is the ICRC, which from the outset played an extraordinary role in the international campaign to ban and eradicate landmines.⁵³ Unlike what happened with other arms control and

⁴⁶ *Ibid.*

⁴⁷ M.A. Cameron, ‘Global Civil Society and the Ottawa Process: Lessons from the Movement to Ban Anti-Personnel Mines’, (1999), 7 (1), *Canadian Foreign Policy Journal*, 85 – 102.

⁴⁸ M. Dolan and C. Hunt, “Negotiating in the Ottawa Process: The New Multilateralism”, (1998), 5 (3), *Canadian Foreign Policy Journal*, 25 – 50.

⁴⁹ Ottawa Convention 1997, n. 3. The Convention was adopted on 18 September 1997 and entered into force on 1 March 1999. Hereinafter referred to as the ‘The Convention’

⁵⁰ J. English, ‘The Ottawa Process: Paths Followed, Paths ahead’, (1998), 52 (2), *Australian Journal of International Affairs*, 121 – 132.

⁵¹ G. Elliot, “Mozambique: Development Through Demining”, (2000), 7 (1), *South African Journal of International Affairs*, 97 – 105.

⁵² *Ibid.*

⁵³ L. Maresca and S. Maslen, *The Banning of Anti-Personnel Landmines: The Legal*

disarmament treaties, the unique aspect of the convention is that NGOs were part of the agenda-setting process, largely galvanising others into action.⁵⁴ The NGOs were able to mobilise the international community and inspire a massive action plan towards helping the convention to succeed.⁵⁵

This goal was achieved using two major techniques; first they were able to put the issue of landmines on the front burner of international discourse on arms control as a weapon with little or no military benefit but one posing grave threat to humanity.⁵⁶ Secondly, they did a successful job of convincing states about the Armageddon-like consequences of landmines, such that states were able to see a reason to abandon the weapon.⁵⁷

The final adoption of the convention was a testimony to the fact that international NGOs had emerged as part of the new sphere of global power.⁵⁸ In fact, during the signing ceremony of the convention, the strong partnership between the coalition of NGOs and a group of sovereign states was dubbed as ‘a new superpower’ by the NGOs.⁵⁹ In the same vein, the union of purpose between the stakeholders in the international system has been labelled a new kind of diplomacy,⁶⁰ a democratisation of international law⁶¹ and the triumph of international civil society over the interest of states.⁶² It has also been referred to as one that will deepen the quality of liberal democratic institutions.⁶³ Under the auspices of the ICBL, these

Contribution of the International Committee of the Red Cross, (Cambridge: Cambridge University Press, 2000).

⁵⁴ K.R. Rutherford, ‘The Evolving Arms Control Agenda: Implications of the Role of NGOs in Banning Antipersonnel Landmines’, (2000), 53 (1), *World Politics*, 74 – 114.

⁵⁵ *Ibid.*

⁵⁶ *Ibid.*

⁵⁷ *Ibid.*

⁵⁸ M.A. Cameron, n. 47.

⁵⁹ *Ibid.*

⁶⁰ J. English, n. 50.

⁶¹ K. Anderson, n. 28, at 92.

⁶² J.M. Beier and A.D. Crosby, ‘Harnessing Change for Continuity: The Play of Political and Economic Forces Behind the Ottawa Process’, (1998), 5 (3), *Canadian Foreign Policy Journal*, 85 – 103.

⁶³ M.A. Cameron, ‘Democratization of Foreign Policy: The Ottawa Process as a Model’, (1998), 5 (3), *Canadian Foreign Policy Journal*, 147 – 165.

NGOs issue yearly reports on the compliance of member states to the Ottawa convention.⁶⁴

In more than 20 years of operation, the convention has demonstrated the possibility of landmine ban under international law. At the same time, it has shown how the several years of devastations caused to the human community by landmines can be reversed. Certainly, it has remained a lamp-post for other treaties of its kind as to how an abundance of international commitments can help a treaty achieve its mandate. It must however be emphasised, that despite these evident progresses, the convention is still bogged down by familiar challenges; challenges that if taken off the table would enable it achieve more.

The goal of this paper is to bring these much-ignored challenges to the front row, and deepen the conversation on them. However, before this aspect is addressed, it is important to provide an overview of the convention, what its key provisions are and what they address. This would be the discussion in the next section.

2.1 INTERNATIONAL LEGAL FRAMEWORK GOVERNING LANDMINE BAN – THE OTTAWA CONVENTION

As established in this paper, the transfer or use of anti-personnel landmines like other weapons of war operates under strict prohibitions. In the international effort at landmine ban, three key treaties have emerged over time i.e. Protocol II⁶⁵ of the United Nations Convention on the Prohibitions and Restrictions on the Use of Certain Conventional Weapons (Protocol II of the UNCCW) 1980,⁶⁶ Amended Protocol II of the UNCCW⁶⁷ and the Ottawa Convention.⁶⁸ Even though these three important international law

⁶⁴ C.W. Jacobs, n. 44, at 57.

⁶⁵ Protocol on Prohibitions and Restrictions on the Use of Mines, Booby-Traps, and Other Devices, 10 October 1980, 19 ILM 1529 (Hereinafter 'Protocol II').

⁶⁶ UNCCW, n. 30.

⁶⁷ Protocol on Prohibitions and Restrictions on the Use of Mines, Booby-Traps, and Other Devices, Amended 3 May 1996, 35 ILM. 1206 (Hereinafter 'Amended Protocol II').

⁶⁸ Ottawa Convention, n. 3.

instruments have advanced the mine ban framework, the focus of this article will be the Ottawa Convention.⁶⁹

2.2 The 1997 Anti-Personnel Mine Ban Convention (The Ottawa Convention).⁷⁰

The Ottawa Convention establishes, most unequivocally, a general framework for a complete and comprehensive ban on landmines.⁷¹ It prohibits the acquisition, development, production, stockpiling, transfer and use of anti-personnel mines. It has provisions dealing with a combination of arms control, as well as the protection of civilians in accordance with human rights and International Humanitarian Law (IHL).⁷²

The adoption of the convention is based on the dual principles of IHL which provides that the right of States to use weapons in warfare is not unlimited, and even where weapons are used, they are not expected to be of the type that causes unnecessary human suffering.⁷³ The convention is now accepted as a part of customary international law. So far, a total of 164 countries have formally agreed to be bound by the convention thereby becoming signatories.⁷⁴ It is supported by two additional protocols namely the 1980 Protocol II and 1996 Amended Protocol II.

⁶⁹ *Ibid.*

⁷⁰ *Ibid.*

⁷¹ K. Anderson, n. 28, at 106.

⁷² T. Holbrook, n. 6, at 24.

⁷³ Preamble to the Ottawa Convention, n. 3.

⁷⁴ These countries include Afghanistan, Albania, Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Australia, Austria, Bahamas, Bangladesh, Barbados, Belarus, Belgium, Belize, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Botswana, Brazil, Brunei Darussalam, Bulgaria, Burkina Faso, Burundi, Cambodia, Cameroon, Canada, Cape Verde, Central African Republic, Chad, Chile, Colombia, Comoros, Congo Republic of, Cook Islands, Costa Rica, Côte d' Ivoire, Croatia, Cyprus, Czech Republic, Democratic Republic of the Congo, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Gambia, Germany, Ghana, Greece, Grenada, Guatemala, Guinea, Guinea-Bissau, Guyana, Haiti, Holy See, Honduras, Hungary, Iceland, Indonesia, Iraq, Ireland, Italy, Jamaica, Japan, Jordan, Kenya, Kiribati, Kuwait, Latvia, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Mauritius, Mexico, Moldova, Republic of Monaco, Montenegro, Mozambique, Namibia, Nauru, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Niue, Norway, Oman, Palau, Palestine, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Romania, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Sao Tome and Principe, Senegal, Serbia,

The key goal of the convention is to use the force of law to end all human suffering occasioned by cruel deployment of landmines by parties to armed conflicts. The convention runs on four key pillars that is to say total ban on the use of landmines, ban on production, obligation to demine already mined territories, and rendering of assistance to mine victims.⁷⁵ To achieve the above objectives, it relies on the following - cooperation and assistance, facilitating compliance, implementation support, and transparency and exchange of information

Article 1 of the convention conveys the clear goal of the landmine ban campaign. It provides for general obligations of State parties as follows:

*“Each party undertakes never under any circumstances; to use anti-personnel mines; to use, produce, or otherwise acquire, stockpile, retain, or transfer to anyone, directly or indirectly, anti-personnel mine; to assist, encourage, or induce, in any way, anyone to engage in any activity prohibited to a State party under this Convention. Each State party undertakes to destroy or ensure the destruction of all anti-personnel landmines in accordance with the provisions of this Convention.”*⁷⁶

The above provision demonstrates the courage of the international system to confront landmines headlong. The words are clear and unambiguous; never to use, produce or acquire landmines. Whereas ordinary international law instruments are known to use words such as ‘*encourage*’, the Convention uses words like ‘*undertake*’ and ‘*never*’. This is a clear expression of the intent of the promoters and drafter to provide for firm obligations.

Seychelles, Sierra Leone, Slovakia, Slovenia, Solomon Islands, Somalia, South Africa, South Sudan, Spain, Sri Lanka, Sudan, Suriname, Swaziland, Sweden, Switzerland, Tajikistan, Tanzania, United Republic of Thailand, The former Yugoslav Republic of Macedonia, Timor-Leste, Togo, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Tuvalu, Uganda, Ukraine, United Kingdom, Uruguay, Vanuatu, Venezuela, Yemen, Zambia, and Zimbabwe.

⁷⁵ J.M. Beier and A.D. Crosby, n. 62.

⁷⁶ Ottawa Convention, n. 3.

It is however noteworthy that notwithstanding this toughness in language, some parties to the convention at certain times have neglected their undertaking. For instance; Angola, Senegal, and Guinea Bissau, three state parties to the convention were reported to have deployed the use of landmines between 1997 and 1999.⁷⁷ Generally however, the convention has been saluted for the conciseness of its language, which is seen as a departure from other humanitarian law treaties. Specifically, it is regarded as preserving “*the spirit of transparent language, and clear uncompromising and unambiguous undertakings*”.⁷⁸

While state parties have an obligation not to use or transfer landmines, they are permitted under Article 3 to retain some for purpose of training and development of expertise in mine detection, mine clearance, or mine destruction.⁷⁹ The convention addresses the destruction of landmines under two key frames i.e. stockpiled landmines and landmines lodged in mined areas.

In line with their commitment under the convention, states parties undertake pursuant to Article 4 to destroy all stockpiled landmines not later than four years after entry into the force of the Convention.⁸⁰ Article 5 (1) also states that a similar action must be taken on landmines in contaminated areas not later than 10 years.⁸¹ Further to this, in line with Article 5 (2), member states are to ensure that all areas infested with mines are perimeter-marked, fenced, and monitored in such a manner that they are cordoned off from the civilian population until all mines therein are destroyed.⁸²

Article 6 of the Convention provides for a multi-lateral system of international cooperation and assistance toward key objectives, such as information sharing, care and rehabilitation of mine victims, as well as

⁷⁷ G. Elliot, n. 51.

⁷⁸ K. Anderson, n. 28, at 106.

⁷⁹ Ottawa Convention, n. 3.

⁸⁰ *Ibid.*

⁸¹ *Ibid.*

⁸² *Ibid.*

demining and mine clearance programmes.⁸³ This is a unique part of the convention, as it takes into consideration the concerns of millions of persons, who through no fault of theirs, may have become victims of landmines. In committing state parties to victim rehabilitation, the convention attempts to provide for some form of restitution, while at the same time demonstrating its underpinning humanitarian principles. A further implication is that this section of the convention imposes legal, moral, and financial obligations on state parties.

Under the provisions of Article 8, state parties are expected to work harmoniously with each other towards implementing the provisions of the convention, and facilitating compliance by members.⁸⁴ Also, just like other international instruments provide for states to take measures towards domestication, the convention is clear in this regard. Article 9 provides that *“each state shall take all appropriate legal, administrative, and other measures, including the imposition of penal sanctions, to prevent and suppress any activity prohibited to a State party under this Convention undertaken by persons or on territory under its jurisdiction or control”*.⁸⁵

Additionally, there is provision for a periodic review of the convention’s performance. Article 12 empowers the UN Secretary-General to convene a review conference every five years, to which non-member states as well as relevant NGOs can be invited as observers.⁸⁶ The review conference is expected to adopt reports that are useful to the implementation of the treaty.⁸⁷

The convention also caters for its own amendment. Article 13 provides that such amendment which can be proposed by a member state, must be lodged with the UN Secretary-General, the depositary, who is expected to

83 *Ibid.*

84 *Ibid.*

85 *Ibid.*

86 *Ibid.*

87 *Ibid.*

communicate same to all member states; and where majority are in support, a conference would be called to that effect.⁸⁸

The convention was concluded on 18 September 1997 at Oslo, Norway opened for signature from 3 December 1997 to 4 December 1997 in Ottawa, Canada and 5 December 1997 at the UN Headquarters in New York.⁸⁹ Another fundamental aspect of the convention worthy of mention is that unlike other international treaties, Article 19 states that it does not provide for reservations.⁹⁰

3.1 OTTAWA CONVENTION - PROGRESSIVE GAINS AND THE INTERNATIONAL EFFORTS GOING FORWARD

To start with, one major gain of the convention and the international effort at landmine ban is that for the first time, a weapon so widespread in use was totally banned, with the ban being extremely effective. Another significant gain is that since its adoption, civilian casualties have dropped at about 70%.⁹¹ As of 2013, a total of 3308 landmine casualties in 52 countries were reported, out of which 32 are state parties to the convention.⁹² Out of this figure, Syria has the highest figure with around 1,000 casualties.⁹³ This has been hailed as a major achievement as it represents a 32% decrease from the 2012 percentage.⁹⁴

A further gain worth noting is that the manufacture and trade in landmines has reduced, and countries, both signatories and non-signatories have shirked away from using this class of weapon.⁹⁵ At the moment, only 11 states are known to be producers of landmines and these are China, Cuba, Iran, India, Myanmar, North Korea, Pakistan, Russia, Singapore, South

⁸⁸ *Ibid.*

⁸⁹ *Ibid.*

⁹⁰ *Ibid.*

⁹¹ T. Holbrook, n.6.

⁹² S. Nagle, "Landmines and Explosive Remnants of War: A Global Burden", *Global Currents – Illinois Centre for Global Studies*, (April 21, 2015), available online at <https://publish.illinois.edu/globalcurrents/2015/04/21/land-mines-and-explosive-remnants-of-war-a-global-burden>, [accessed 28 August 2019]

⁹³ *Ibid.*

⁹⁴ *Ibid.*

⁹⁵ T. Holbrook, n. 6.

Korea, and Vietnam.⁹⁶ Also, in recent times, only three countries namely Myanmar, Nepal, and Russia are known to have used landmines, and it was in counterinsurgency operations in their territories.⁹⁷

Furthermore, the convention has recorded successes in the area of mine clearance. Oman, one of the latest members of the convention recently declared that it has fulfilled its obligations under the convention by destroying all landmines stocks.⁹⁸ Mauritania declared after nearly two decades of work that it has been able to clear all areas contaminated with mines in the country, effectively becoming the 31st country to so far declare itself as landmine free.⁹⁹

With this progress by Oman and Mauritania, the convention can be referred to as successful having made giant strides with over 51 million landmines destroyed.¹⁰⁰ This means that out of the 164 States, 161 of them no longer

⁹⁶ S. Nagle, n. 92.

⁹⁷ T. Holbrook, n. 6.

⁹⁸ Press Release, "Oman Fulfils Convention Obligation by destroying its Stockpile of Anti-Personnel Mines", *Anti-Personnel Mine Ban Convention Seventeenth Meeting of the State Parties*, (Geneva, Switzerland: November 29, 2018), available online at <https://www.apminebanconvention.org/newsroom/press-releases/detail/article/1543509958-oman-fulfils-convention-obligation-by-destroying-its-stockpile-of-anti-personnel-mines>, [accessed 6 August 2018]; Press Release, "Landmine Conference Calls for Increased Condemnation of Anti-Personnel Mines of An Improvised Nature and Recognition of Contamination by these Weapons", *The Anti-Personnel Mine Ban Convention's Seventeenth Meeting of the States Parties (17MSP)*, (Geneva, Switzerland: November 30, 2018), available online at <https://www.apminebanconvention.org/newsroom/press-releases/detail/article/1543587992-landmine-conference-calls-for-increased-condemnation-of-anti-personnel-mines-of-an-impr>, [accessed 6 August 2018]

⁹⁹ Press Release, "Mauritania 31st Country to declare itself mine free", *The Anti-Personnel Mine Ban Convention's Seventeenth Meeting of the States Parties*, (Geneva, Switzerland: November 29, 2018), available online at <https://www.apminebanconvention.org/newsroom/press-releases/detail/article/1543500277-mauritania-31st-country-to-declare-itself-mine-free>, [accessed 6 August 2018]. According to Alioune Ould Menane, Coordinator of Mauritania's humanitarian mine clearance programme for development, he said, "I am extremely honoured to declare that after four decades since these weapons were laid and nearly two decades of clearance, Mauritania is free of all known mined zones. This makes us the 31st State Party to the Anti-Personnel Mine Ban Convention to declare such feat. Contamination is the residue of the 1976-1978 conflict in Western Sahara which was characterized by erratic laying of anti-personnel mines and a disproportionate number of these weapons used,".

¹⁰⁰ *Ibid.*

have obligations to destroy stockpile of anti-personnel mines since this has already been done.¹⁰¹

Despite this progress in mine clearance and the 2019 deadline set for the clearing of all landmine contaminated areas and destruction of stockpiles, seven countries have indicated their inability to meet the deadline and thus requested extensions.¹⁰² These include, Bosnia and Herzegovina which were granted until March 1, 2021 to conclude the mine clearance; Croatia who though had declared that it would meet its obligations by December 31, 2025 was granted until March 1, 2026 to meet its obligation; Cyprus, which was granted extension to July 1, 2022; Serbia and Sudan who having made considerable progress were granted extension to March 1, 2023 and April 1, 2023 respectively; United Kingdom, which was granted extension to March 1, 2024; and Ukraine who due to lack of full control over its mine sites was granted extension to June 1, 2021.¹⁰³

All the gains highlighted above point to the fact that great progress has been made in the international effort towards outlawing this killer weapon. However, the fact that there still exists countries producing these arms or having the capacity to produce them in future shows that more effort in law and policy is required in this regard. A major way of achieving this is through mass international awareness of the deadly impact of this weapon.¹⁰⁴ Remarkably, the promotion of awareness in this regard has remain the preoccupation of the United Nations (UN) and its affiliated organisation.

3.2 THE UNITED NATIONS AND THE UNITED NATIONS MINE ACTION SERVICE

¹⁰¹ *Ibid.*

¹⁰² Press Release, “Landmine Conference Calls for Increased Condemnation of Anti-Personnel Mines of An Improvised Nature and Recognition of Contamination by these Weapons”, *The Anti-Personnel Mine Ban Convention's Seventeenth Meeting of the States Parties (17MSP)*, (Geneva, Switzerland: November 30, 2018), available online at <https://www.apminebanconvention.org/newsroom/press-releases/detail/article/1543587992-landmine-conference-calls-for-increased-condemnation-of-anti-personnel-mines-of-an-impr>, [accessed 6 August 2018]

¹⁰³ *Ibid.*

¹⁰⁴ S. Nagle, n. 92.

The UN must be commended for the very significant steps it has made in this regard. A major step in this regard is the December 5, 2005 declaration by the General Assembly, that April 4th of each year will be regarded as the ‘*International Day for Mine Awareness and Assistance in Mine Action*’.¹⁰⁵ The designation of this day is to coordinate effort at the establishment and development of national mine-action architecture, particularly in countries where landmines remain a major problem.¹⁰⁶

Speaking concerning this mines awareness day, the current UN Secretary-General, Antonio Guterres had this to say, “*On this international day for Mine Awareness, let us reaffirm our commitment to eradicating the horrendous damage caused by landmines and assisting those who have been armed by their use*”.¹⁰⁷

Working through its major landmine organisation, UNMAS, the UN annually raise awareness on the danger posed by landmines. For instance, the theme of the 2019 awareness was, “*United Nations Promotes SDGs – Safe Ground – Safe Home*”.¹⁰⁸ It also ensures the rendering of humanitarian assistance to protect victims of landmines and demand respect for international humanitarian and human rights law.¹⁰⁹ Part of this awareness campaign is also to turn minefields into playing grounds.¹¹⁰

In furtherance of the efforts of UNMAS, it has created an information resource called E-MINE, which provides relevant information on the UN’s engagement on mine action issues.¹¹¹ Speaking about the urgency of mine-action awareness Mr. Guterres had this to say;

“An unprecedented volume of landmines and unexploded weapons contaminates rural and urban war zones, maiming

¹⁰⁵ UN “International Mines Awareness Day April 4”, *UNITED NATIONS (UN)*, available online at <https://www.un.org/en/events/mineawarenessday>, [accessed 28 September 2019]

¹⁰⁶ *Ibid.*

¹⁰⁷ *Ibid.*

¹⁰⁸ *Ibid.*

¹⁰⁹ *Ibid.*

¹¹⁰ UN, “E-MINE: UN Mine Action”, *UNITED NATIONS (UN)*, available online at <https://mineaction.org/en>, [accessed 28 August 2019]

¹¹¹ *Ibid.*

and killing innocent civilians long after conflict has ended. Mine action is vital. Roads cleared of explosive devices enable peacekeepers to patrol and protect civilians. And when fields are cleared, and schools and hospitals are made safe, normal life can resume. I urge all governments to provide political and financial support to enable mine action work to continue, wherever it is needed. In our turbulent world, mine action is a concrete step towards peace.”¹¹²

At the UN Security Council’s 7966th meeting, the role of mine-action in helping to rebuild devastated communities also came to the forefront.¹¹³ Addressing the gathering, Nathalie Ochoa Nina of UNMAS in Colombia, said addressing the reality of unexploded ordinances actually lies in rebuilding the communities where they constitute a threat.¹¹⁴ This is indeed commendable effort from such important organ of the UN.

Unfortunately, notwithstanding the gains of the convention, a major challenge that continues to confront it is the indifference of certain countries with some of the largest stockpiles of landmines, who have refused to append their signature to this important treaty document.¹¹⁵ Echoing this fact, a leading scholar on arms control, Ken Rutherford remarked that just like the 19th century 1899 First International Peace Conference held in the Hague-Netherlands which championed the ban on certain weapons but was not supported by the major world powers, the Ottawa convention is unique in the sense that in spite of the fact that it does not have the backing of the world superpowers, it was achieved by majority vote, and came into being in a short time.¹¹⁶

¹¹² *Ibid.*

¹¹³ UN, “Mine Action Must Extend Beyond Removing Remnants of War to Helping Communities Rebuild, Pursue Sustainable Peace, Speakers tell Security Council”, *UNITED NATIONS (UN)*, (June 13, 2017), available online at <https://www.un.org/press/en/2017/sc12866.doc.htm>, [accessed 28 August 2019]

¹¹⁴ *Ibid.*

¹¹⁵ S. Maslen, n. 33.

¹¹⁶ K.R. Rutherford, ‘The Hague and Ottawa Conventions: A Model for Future Weapon Ban Regimes?’, (1999), 6 (3), *Non-Proliferation Review*, 36 – 50. For example, at the beginning of negotiations leading to the adoption of the Ottawa Convention, the European Union (EU) as a regional power was unable to play any significant role.

Scholars have opined that the States who joined forces with the coalition of NGOs were not global powers, but rather those whose support could always be counted upon.¹¹⁷ It is for this reason that the success story of the Ottawa convention has remained remarkable.

4.0 CHALLENGES FACED IN THE IMPLEMENTATION OF THE OTTAWA CONVENTION; WHY IT IS IMPERATIVE FOR THE US TO SIGN IT

Over 20 years after its adoption and entry into force, the convention has continued to tiptoe through a minefield with a myriad of challenges staring it in the face. Top on the list, particularly one that appears to strike at its jugular, is the ambivalence of a few powerful countries who have refused to sign the convention.

Efforts to promote and pursue a universal acceptance of the convention among non-signatories and non-state armed groups has remained a herculean task. For instance, countries such as the China, Russia, and United States (US) have stayed away from signing the convention.¹¹⁸ This article will focus on the US detachment from the landmine ban framework under the convention.

This is imperative given two factors. First, the US given the strength of its military and direction of its foreign policy objectives, is involved whether directly or through its allies, in a majority of armed conflicts across the globe. Second, given its significant position in the formation of the UN, and its role as a global leader thereafter, it wields far-reaching political influence in the international community which may enhance the mandate of an international instrument. Thus, where an international treaty such as the Ottawa Convention does not have the US on board, it is bound to impact its overall implementation.

See O. Costa, 'The Unexpected EU leadership on Landmines: The Influence of the Ottawa Convention on the EU', (2009), 18 (3), *European Security*, 245 – 261.

¹¹⁷ M. Dolan and C. Hunt, n. 48.

¹¹⁸ C.W. Jacobs, n. 44, at 50.

Initially, the US was at the fore-front of the campaign against landmines. However, President Bill Clinton refused to sign the convention following pressure from the Military High Command in Pentagon.¹¹⁹ In the process towards the adoption of the convention, the US government argued for two proposals to be added in favour of its country's military that is; a re-definition of 'anti-handling device' to accommodate American Anti-tank mines and a period of transition for phasing out landmines.¹²⁰

The US disagreement with the convention lies in the question of military necessity of landmines with most of its concern surrounding its use of landmine in places such as the Korean Demilitarised Zone (DMZ). While the treaty considers the use of landmines as against the law, the US views landmines as necessary to its military campaign in key trouble areas.¹²¹

In other words, what the US was telling the rest of the world is that its refusal to destroy its landmines pursuant to the convention, is based on its recognition as a form of self-defence to its troops, even as it has no intention of using it to procure unnecessary suffering in warfare. The implication of this position, which has been referred to as 'US Unilateralism',¹²² is to create a sort of exception to the rule, something that has the potential of creating avoidable cracks in international cooperation.

This raises a major problem for the development of human rights, humanitarian principles, and the attainment of global peace. This is based on the fact that the US is a major factor in the determination of most of the complex contemporary armed conflicts. Despite this position of the US as regards the convention, its allies particularly those of the North Atlantic Treaty Organisation (NATO) went ahead to sign the convention.¹²³

Landmines have been universally recognised as a weapon with catastrophic consequences for global peace and development. While the position of the US is within the purview of its sovereign powers and national interest, it

¹¹⁹ T. Holbrook, n. 6.

¹²⁰ C.W. Jacobs, n. 44.

¹²¹ *Ibid*, at 53.

¹²² K. Anderson, n. 28, at 95.

¹²³ C.W. Jacobs, n. 44, at 51.

seeks at the same time to diminish important matters such as the protection from inhuman and degrading activities which a ban on landmines directly or indirectly achieves. An anti-tank mine designed to decapitate the enemy's arsenal, could later end up severing an innocent child's leg, particularly when abandoned in the ground in the aftermath of cessation of hostilities.

In any case, the pursuit of humanitarian goals and international peace should be towards bringing all parties to the table and resolving conflicts, and not to assist one party to achieve the destruction of the other. The current intractability at reconciling these two positions has not done the convention much good.

Interestingly, notwithstanding the US's standoff with the convention, it has taken some remarkable steps towards the curtailment of landmines, through a multiplicity of domestic policy initiatives. One of such is the one year moratorium on landmines introduced by Senator Patrick Leahy and Congressman Lane Evans, which became US law 23 October 1992.¹²⁴ Another step in this regard is the US ratification of Protocol II of the UNCCW on 24 March 1995 and Amended Protocol II of the UNCCW on 20 May 1999.¹²⁵ Also, in its effort at de-emphasising landmines, the US only uses detectable, non-persistent landmines that self-detonates after a short period.¹²⁶ More so, the US is the biggest contributor to humanitarian mine-action, contributing over \$1.2 Billion to activities in this area since 1993, surpassing the requirement under the convention.¹²⁷

From these four key semi-commitments highlighted above, one can argue that the US has overtime become closer to signing the convention than it was over 20 years ago. The US cannot therefore continue to hide behind the excuse of protecting its troops as the basis of its refusal to sign the convention. As a matter of fact, in its continued global effort at playing the big brother role, ratifying the convention should come across as a better

¹²⁴ J. Williams, n. 9, at 105.

¹²⁵ C.W. Jacobs, n. 44, at 54.

¹²⁶ T. Holbrook, n. 6.

¹²⁷ *Ibid.*

protection to its forces anywhere in the world than the current state of intransigence.

It has been argued that the US role on the international stage is not merely one of display of power, but of both moral and political legitimacy.¹²⁸ Certainly, where millions of stockpiles of landmines remain in the hands of such a powerful nation, the convention cannot be said to have indeed fulfilled its mandate nor helped to make the world a safer place.

With the right complement of countries inclusive of the US on board, the convention is bound to sail towards fully attaining the status of customary international law, which is a most desirable destination.¹²⁹ As regards the US concerns over the DMZ, the convention pursuant to Article 5 (1) allows a timeframe of 10 years to demine the zone and replace it with alternative technology.¹³⁰ It would also increase pressure on other countries still opposed to the convention.¹³¹ It has also been noted that the perils of landmines are such that the US must view a total ban on it as outweighing its goal of military necessity.¹³² There is the lingering fear of no-state armed groups resorting to landmine use to gain the upper hand in conflict. With the US as a signatory to the convention, it gains the moral authority to hold such non-state actors to account in this regard.

5.0 CONCLUSION

This paper has examined the problem of landmines and the humanitarian crisis that accompanies its deployment. It has looked at the international effort at landmine ban and how this culminated in the adoption of the Ottawa convention. It has provided an overview of the Ottawa convention and the gains it has recorded thus far. Importantly, the article notes that a major challenge hampering further progress on the part of the convention is the refusal of some superpower nations such as the US to sign the

¹²⁸ K. Anderson, n. 28 at 96.

¹²⁹ T. Holbrook, n. 6, at 27.

¹³⁰ *Ibid.*

¹³¹ *Ibid.*

¹³² *Ibid.*

convention. The paper therefore canvasses the need for the US to sign the convention, as this is more in its interest, than otherwise.

There is no doubt that the international community has profited greatly from the adoption of the convention. Not only has it provided a precedent in democratic international law-making but also significantly shaped international law by being the first treaty to totally ban a weapon of war. Also, the adoption of the convention has helped to close the gap that for decades allowed warring parties to armed conflicts to use landmines indiscriminately. So far, its journey remains a mixed bag, though it appears to be on the right track in terms of the fulfilment of its core mandate.

This article commends the understanding that produced the convention, the efforts that have spurred its gain so far and the courage that will be required to address the major shortcoming already highlighted herein. As an international treaty, it has helped smoothen the rough edges on the ban on landmines. Certainly, it still holds great and yet untapped possibilities, that if massively utilised by countries such as the United States, can better strengthen other weapon-use prohibiting international treaties.

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