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**Permanent Mission of India
to the Conference on Disarmament**

**14th Conference of High Contracting Parties to
Amended Protocol II**

**November 14, 2012
Geneva**

Statement by

**Ambassador Sujata Mehta
Permanent Representative of India
to the Conference on Disarmament**

Statement by Ambassador Sujata Mehta, Permanent Representative of India to the Conference on Disarmament at the 14th Annual Conference of High Contracting Parties of Amended Protocol II of CCW, Geneva, 14 November 2012

Madam President,

At the outset let me congratulate you on your assumption of chairmanship of the 14th Annual Conference of Amended Protocol II. Let me assure you of the full support of the Indian delegation in ensuring the success of this Conference.

Madam President,

India supports the approach enshrined in Amended Protocol II of striking a balance between humanitarian concerns on the use of landmines and the legitimate defence requirements of States, particularly those with long borders. We support the vision of a world free of the threat of landmines and are committed to the eventual elimination of anti-personnel landmines. The availability of militarily effective alternative technologies that can perform cost effectively the defensive functions of anti-personnel landmines will facilitate the achievement of this goal.

We attach importance to the full implementation of Amended Protocol II and have fulfilled our obligations under the Protocol related *inter alia* to non-production of non-detectable mines as well as rendering all our anti-personnel mines detectable. India is observing a moratorium on the export and transfer of landmines. Information regarding our obligations under Amended Protocol II is regularly disseminated to the armed forces. Whenever and wherever the army has used mines for defensive military operations, they have been laid within fenced perimeters and marked, in accordance with the requirements specified in Amended

Protocol II. Post operations these mines have been cleared by trained troops.

An integral part of the government's efforts to avoid civilian casualties is to enhance public awareness on landmines. Further, mine victims are assisted in rehabilitation *inter alia* by providing financial compensation, employment and health assistance. India's ratification of the Convention on Rights of Persons with Disabilities underscores the importance we attach to victim assistance. The prosthetic called "Jaipur foot" is symbolic of India's contribution to victim assistance.

Article 11 of Amended Protocol II recognizes the key importance of technological cooperation and assistance through exchange of equipment, material and scientific and technological information in the implementation of the Protocol and for mine clearance. India has extended assistance to international demining and rehabilitation efforts including as part of UN peacekeeping operations to which India is a leading contributor. Indian mine clearance professionals have contributed to both clearance and clearance training globally, including in Cambodia, Lao PDR, Angola, Benin and Afghanistan. We have also provided support to two NGOs to undertake mine clearance in the erstwhile conflict affected areas in Sri Lanka.

Madam President,

We commend the efforts of the Coordinators on IEDs, Mr. Reto Wollenmann and Mr. Philip Kimpton, as well as the Coordinator on operation and status of Amended Protocol II, Mr. Gary Domingo, in taking forward our discussions this year. Let me briefly touch on the reports and recommendations

submitted by the Coordinators.

As the report of the Coordinators on IEDs mentions the meeting of Group of Experts in April 2012 continued the substantive engagement on the issue of IEDs in CCW framework and reiterated the importance of the work on IEDs as these devices continue to pose serious humanitarian impact. The presentations and interventions at the April meeting showed that IEDs continue to be a weapon of choice for terrorists and non-state actors across the world. We appreciate the work of the Coordinators in compiling existing guidelines, best practices and other recommendations aimed at addressing the diversion or illicit use of materials which can be used for IEDs. We support continuing the useful work on IEDs under the CCW framework and the recommendation of the Coordinators for further work on developing best practices on diversion or illicit use of materials which can be used for IEDs.

The 2011 Annual Conference had also decided to continue discussions on the significance of the CCW framework, its norms and their implementation with respect to the IED threat. We believe that Article 2(5) of Amended Protocol II already covers IEDs and the prohibitions and restrictions of the Protocol are therefore applicable to IEDs. In India, persons including non-State actors using IEDs are prosecuted under the general penal/criminal laws. In this context, we also want to note that the focus of the efforts of the international community to deal with the threat of IEDs should not be diluted with attempts to bring in politically charged agendas. In particular, we would like to underline that the primary and exclusive responsibility for enforcing rule of law, including respect for international law applicable to a state, lies with the legitimate government authority of that state.

Arising from that I would like to emphasize that India values the work and contribution of a variety of entities in the implementation of the CCW and AP II. I should add that in our discussion earlier today in the context of the Rules of Procedure the point that we made - of the special competence of the entities concerned being the essential criterion to be fulfilled continues to be valid. This is thus a matter of rigorous and precise practice rather than one of principle.

On operation and status of Amended Protocol II and matters arising from national reports, we agree in general with the recommendations of the Coordinator, and in particular regarding intensifying efforts for implementing the Plan of Action to promote the universality of the Convention and its Protocols. We however wish to stress that while as an informal implementation mechanism, the Group of Experts can continue to assist in building understanding and experience sharing on issues related to implementation, including reporting, the responsibility for the discharge of their obligations, and any assessment thereof, lies with the States Parties to the Amended Protocol II.

Madam President,

The Indian delegation looks forward to a useful exchange of views on the implementation of Amended Protocol II which is a unique instrument in view of its scope as well as its membership. We look forward to working with you, the Coordinators and the ISU.

Thank you.