

# Elements of National Implementation



ICRC

# Convention

- States shall disseminate Convention and Protocols widely – especially to military (Article 6)



# Amended Protocol II

Take all legislative and other measures to prevent and suppress violations of protocol, by persons or in territory under control (Article 14 (1))

Imposition of legal sanctions, kill or cause serious injury to civilians and bring to justice (Article 14(2))





## Regarding AP mines

- ▶ All AP mines used must be detectable (8 grams metal)
- ▶ AP mines must be used in marked, fenced & monitored minefields



# Regarding AP mines

- ▶ Remotely delivered AP mines (used outside minefields) must self-destruct and self-deactivate after use
- ▶ Location of all mines used must be recorded - details provided (post-hostilities) to party in control of the territory
- ▶ User is responsible to clear or provide assistance for clearance of all mines used.

(Complexity of rules gave rise to the Ottawa Convention)



# Regarding Anti – vehicle mines

- ▶ Location of all mines used must be recorded and details provided (post-hostilities) to party in control of territory
- ▶ User is responsible to clear or provide assistance for clearance of all mines used.



# Anti – vehicle mines

- ▶ **No detectability** requirement
- ▶ Use in marked, fenced & monitored minefields is only a “**feasible precaution**”
- ▶ Remotely delivered (used outside minefields) must self-destruct and self-deactivate after use “to the extent feasible”



# Regarding Booby Traps

- ▶ Location of all booby traps used - recorded and details provided (post-hostilities) to party in control of territory
- ▶ User is responsible to clear or provide assistance for clearance of all booby traps used.



▶ Prohibition to attach to or associate booby traps with certain objects -  
Perfidy

protective emblems

burial sites & graves

objects/facilities

children's toys/objects

religious objects

animals

sick, wounded, dead

medical

food/drink

historic monuments

cultural sites



# Undetectable fragments

- ▶ Prohibit use, etc. of any weapon, the primary effect of which is to injure by fragments which in the human body escape detection by X-rays, or a component part of such a weapon

(Protocol I)



# Incendiary Weapons

- ▶ Prohibit use of incendiary weapons in situations where:
  - ▶ civilian population as such, individual civilians or civilian objects are the object of attack by incendiary weapons
  - ▶ military objectives located within a concentration of civilians are the object of attack by air-delivered incendiary weapons or by non-air delivered weapons except where feasible precautions taken



# Incendiary Weapons

- ▶▶ make forests or other kinds of plant cover the object of attack by incendiary weapons except when such natural elements are used to cover, conceal or camouflage combatants or other military objectives, or are themselves military objectives

(Protocol III)



# Blinding laser weapons

- ▶ Prohibit use of weapons which are specifically designed, as their sole combat function or as one of its combat functions, to cause permanent blindness to unenhanced vision, that is to the naked eye or to the eye with corrective eyesight devices;

(Protocol IV)



# Explosive Remnants of War



# Explosive Remnants of War

Article 9 encourages all States to take generic preventive measures aimed at minimising ERW occurrence – reference to technical annex

(Protocol V)



- ▶ Must record information on all explosive munitions used (type, quantity, target sites etc.)
- ▶ Must take "all feasible precautions" to protect civilians
- ▶ Must clear or provide assistance to party in control for clearance of all ERW from your operations



- ▶ Must provide information to facilitate clearance
- ▶ Assist others in clearance, MRE, victim assistance
- ▶ Existing ERW – may seek and receive assistance

