



**PERMANENT REPRESENTATION OF PORTUGAL
TO THE OSCE**

Nr. 5 /2018

NOTE VERBALE

The Permanent Representation of Portugal to the Organization for Security and Co-operation in Europe (OSCE) presents its compliments to the Permanent Missions and Delegations of all OSCE participating States and to the Conflict Prevention Centre and, in accordance with the Forum for Security Cooperation Decision 7/2004, has the honour to convey Portugal's response to the OSCE Questionnaire on Anti-Personnel Landmines and on the Explosive Remnants of War.

The Permanent Representation of Portugal to the OSCE avails itself of this opportunity to renew to the Permanent Missions and Delegations of all participating States and to the Conflict Prevention Centre the assurances of its highest consideration.

Vienna, 29 May 2018



To
All Permanent Missions/Delegations to the OSCE
The Conflict Prevention Centre

OSCE QUESTIONNAIRE ON ANTI-PERSONNEL MINES

To be submitted no later than 31 May of each year
(starting in May 2005)

2018 report (referring to 2017 data)

Part I

1. Is your country a State Party to the 1996 Amended Protocol II on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices annexed to the 1980 Convention on Conventional Weapons (CCW)?

Yes.

If yes:

2. Please attach the most recent annual report submitted by your country in accordance with Article 13 of the Amended Protocol or give the appropriate electronic address for the report.

[https://www.unog.ch/80256EDD006B8954/\(httpAssets\)/8BF3635BAAC26F2CC125827F0046B3F6/\\$file/2018_NationalReport_Compliance_Portugal.pdf](https://www.unog.ch/80256EDD006B8954/(httpAssets)/8BF3635BAAC26F2CC125827F0046B3F6/$file/2018_NationalReport_Compliance_Portugal.pdf)

[https://www.unog.ch/80256EDD006B8954/\(httpAssets\)/7B86D847583109F2C125827F0046367F/\\$file/2018_NationalReport_APIII_Portugal.pdf](https://www.unog.ch/80256EDD006B8954/(httpAssets)/7B86D847583109F2C125827F0046367F/$file/2018_NationalReport_APIII_Portugal.pdf)

If no:

3. Is your country considering ratification/accession to the Amended Protocol II?
NOT APPLICABLE.

4. What measures have been taken to prevent the indiscriminate use of mines, booby-traps and other devices?

I - The Portuguese Armed Forces do not possess mines, booby-traps and other devices which are not in compliance with the technical provisions of Protocol II to the CCW or which would be in contradiction with the obligations stemming from other international treaties. The few mines possessed by Portugal are inert, (i.e. without any explosive charge) or fuseless versions, meant for military training and exercise. Explosive Ordnance Disposal (EOD) teams receive training in mine detection, clearance and destruction techniques. Military personnel deployed in international missions receive basic training in mine awareness

In accordance with our international obligations under Protocol II and the Ottawa Convention, all the live anti-personnel mines owned or possessed by Portugal have been

destroyed. The program for the destruction of all the stockpiled anti-personnel mines was concluded in March 2003.

II - In addition, Law 31/2004, dated 22 July, criminalizes violations of international humanitarian law, namely the use of weapons that can be excessively injurious or have indiscriminate effects, such as those referred to in the Convention on Certain Conventional Weapons and its Protocols, and the Ottawa Convention. Those convicted for the aforementioned violations are liable to imprisonment from 10 to 25 years. Furthermore, in 2011, Portugal adopted legislation (Law 37/2011 of 22 June), allowing for a more efficient supervision and control of activities regarding the transfer and circulation of defense related products. It also foresees criminal and monetary sanctions, which better enforce the provisions of Ottawa Convention, the CCW and its Protocols.

III - The texts of the Ottawa Convention, the CCW and its Protocols, as well as other related information are distributed to all army units during instruction phase. Additional training on the subject is provided to the Forces in the pre-deployment phase.

IV - All the documentation related to the CCW is available to the public in Portuguese language and can easily be accessed on the internet.

V - Portugal is a non mine-affected country (including mines, booby-traps and other devices).

5. Would your country be interested in receiving assistance related to the implementation of this Protocol? If so, please describe.

No.

6. Does your country have the capacity to assist others related to this Protocol? If so, please describe.

Yes, assistance can be provided upon request and depending on the availability of adequate funding. The Portuguese Armed Forces' experts are qualified in mine detection and clearance. The equipment used in mine detection and clearance includes electronic search means, EOD/IEDD operator suits, EOD/IEDD X-ray (real time), DEARMER, mechanical devices, hand held metal and multi-sensor systems.

In the past, Portugal has provided:

a) technical assistance in the field of mine detection and clearance, in the framework of IFOR (Bosnia) and KFOR (Kosovo);

b) technical support in demining activities in Angola;

c) training in demining activities in Guinea-Bissau;

Pursuant to Article 6, paragraph 4, of the Ottawa Convention, Portugal provided Mozambique free of cost copies of maps and relevant cartography. A delegation of Mozambique from the National Demining Institute has previously visited the Portuguese Tropical Research Institute (IICT), an R&D public institution which holds a

vast cartographic archive (Overseas Historical Archive), as well as the Archives of the Ministry of National Defence.

Portugal, as a Friend of the Presidency of the 3rd Review Conference of the Ottawa Convention, which was held in Maputo, in June 2014, assisted Mozambique in the organization of the said Conference.

Lists of experts and experts agencies

a. PoNAVY

- Sapper Divers Detachment 1 (EOD/IEDD land and UW);
- Sapper Divers Detachment MW (EOD in MCM environment, up to 81 meters depth); (All Navy divers have EOD education (clearance diving and land EOD))

Naval Command
Navy Sapper Divers Detachment
2800 Almada - Portugal

b. PoARMY

- Specialists in mine detection and clearance education, instruction and training, according the NATO AAP-6 standard (humanitarian mine and ordnance is not included);

Portuguese Army Combined Arms School
Explosives and Countermeasures Training Center
2260 Praia do Ribatejo - Portugal

c. PoAF

- Specialists in mine detection and clearance education, instruction and training;

Portuguese Air Force Air Command
Portuguese Air Force Survival Training Center
Portuguese Air Force Recognition and Inactivation of Explosive Devices Squadron
2870 Montijo - Portugal

National points of contact on mine clearance

MINISTRY OF FOREIGN AFFAIRS

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Disarmament and Non-Proliferation Division
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MINISTRY OF DEFENCE

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Part II

7. Has your country ratified or acceded to the 1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction?

Yes.

8.(a) If yes, please attach the most recent report submitted by your country in accordance with Article 7 of the Convention or give the appropriate electronic address for the report.

[https://www.unog.ch/80256EDD006B8954/\(httpAssets\)/33CFD9D5865E7C1CC125827100573FD6/\\$file/Portugal2017+PT.pdf](https://www.unog.ch/80256EDD006B8954/(httpAssets)/33CFD9D5865E7C1CC125827100573FD6/$file/Portugal2017+PT.pdf)

(b) If no, is your country considering ratification/accession to the Convention?

NOT APPLICABLE

(c) Has your country adopted legislation to address the humanitarian objectives of the convention, or taken any specific measures regarding the use, production, storage, transfer and destruction of anti-personnel landmines? In case a moratorium has been introduced, what is its scope and duration and when was it introduced?

Law 31/2004, dated July 22, criminalizes violations of international humanitarian law, namely the use of weapons that can be excessively injurious or have indiscriminate effects, such as those referred to in the Convention on Certain Conventional Weapons and its Protocols, and the Ottawa Convention. Those convicted for the aforementioned violations are liable to imprisonment from 10 to 25 years.

9. Does your country have any specific measures in place to provide assistance to victims?

Yes.

10. Does your country require assistance in mine clearance, stockpile destruction, mine awareness and/or victim assistance? If so, please describe.

No.

11. Does your country have the capacity to assist others in mine action? If so, please describe.

Yes, most importantly by providing technical assistance in the field of mine detection and clearance. Please, check question 6.

OSCE QUESTIONNAIRE ON EXPLOSIVE REMNANTS OF WAR

To be submitted on a voluntary basis along with the OSCE Questionnaire on Anti-personnel Mines no later than 31 May each year.

2018 report (referring to 2017 data)

1. Has your country notified the Depositary of its consent to be bound by the 2003 CCW Protocol V on Explosive Remnants of War (ERW) once it enters into force? Is your country considering doing so?

Portugal has already expressed its consent.

2. If yes, at what stage is the process?

Portugal has ratified the aforementioned protocol and is Party to it.

3. Would your country be interested in receiving assistance in clearing or otherwise minimizing the risks and effects of ERW? If so, please describe.

No.

4. Does your country have the capacity to assist others in clearing and minimizing the risks and effects of ERW? If so, please describe.

Yes. The Portuguese Armed Forces have trained and skilled personnel with technical competencies in mine awareness that could be deployed in the framework of international programmes. Please, check question 6.