

The OSCE Secretariat bears no responsibility for the content of this document and circulates it without altering its content. The distribution by OSCE Conference Services of this document is without prejudice to OSCE decisions, as set out in documents agreed by OSCE participating States.

FSC.EMI/192/21
31 May 2021

ENGLISH only



Schweizerische Eidgenossenschaft
Confédération suisse
Confederazione Svizzera
Confederaziun svizra

Permanent Mission of Switzerland to the OSCE, the
United Nations and other International Organizations in
Vienna

Note 17/2021-OSCE

The Permanent Mission of Switzerland to the OSCE, the United Nations and other International Organizations in Vienna presents its compliments to all Permanent Missions/Delegations of Participating States to the OSCE Forum for Security Co-operation in Vienna and to the Secretariat of the Conflict Prevention Centre and has the honour, with reference to the FSC.DEC/7/04 to enclose the following information:

**OSCE / Questionnaire on ANTI-PERSONNEL MINES
and Questionnaire on EXPLOSIVE REMNANTS OF WAR
for the calendar year 2020 (incl. two annexes)**

The Permanent Mission of Switzerland to the OSCE, the United Nations and other International Organizations in Vienna avails itself of this opportunity to renew to all other Delegations to the OSCE Forum for Security Co-operation in Vienna and to the Secretariat of the Conflict Prevention Centre the assurances of its highest consideration.

BTW

Vienna, 31 May 2021



To all Permanent Missions/Delegations to the OSCE Forum for Security Co-operation
To the Secretariat of the Conflict Prevention Centre

V i e n n a

Wächtergasse 1, 1010 Vienna, Austria
Phone +43 1 505 89 25, Fax +43 1 263 34 13
vim.osze@eda.admin.ch
www.eda.admin.ch/osce

PROTOCOL ON PROHIBITIONS OR RESTRICTIONS ON THE USE OF MINES, BOOBY-
TRAPS
AND OTHER DEVICES AS AMENDED ON 3 MAY 1996
ANNEXED 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
(PROTOCOL II AS AMENDED ON 3 MAY 1996)

Reporting Formats for Article 13 para 2 and Article 11 para 2.

NAME OF HIGH CONTRACTING PARTY	SWITZERLAND
DATE OF SUBMISSION	31.03.2021
NATIONAL POINT(S) OF CONTACT	<hr/> <i>Luc-Frédéric Jotterand</i> <i>Federal Department of Defence, Civil Protection</i> <i>and Sport (DDPS)</i> <i>Armed Forces Staff</i> <i>International Relations Defence</i> <i>Rodtmattstrasse 110, CH-3014 Bern</i> <i>Phone: ++41 58 483 59 34</i> <i>E-mail:</i> luc-frederic.jotterand@vtg.admin.ch <hr/>

This information can be made available to other interested parties and
relevant organisations

X YES

... NO

... Partially, only the following forms:

A B C D E F G

Summary Sheet

(Pursuant to the decision of the Fifth Annual Conference of the States Parties to CCW
Amended Protocol II as stipulated in paragraph 20 of its Final Report,
CCW/AP.II/CONF.5/2)

Reporting Period: 1 January 2016 to 31 December 2016	
Form A: Dissemination of information	<input type="checkbox"/> changed <input checked="" type="checkbox"/> unchanged
Form B: Mine clearance and rehabilitation programmes:	<input type="checkbox"/> changed <input checked="" type="checkbox"/> unchanged (last reporting: 2003)
Form C: Technical requirements and relevant information:	<input type="checkbox"/> changed <input checked="" type="checkbox"/> unchanged
Form D: Legislation	<input type="checkbox"/> changed <input checked="" type="checkbox"/> unchanged
Form E: International technical information exchange, co-operation on mine clearance, technical co-operation and assistance:	<input checked="" type="checkbox"/> changed <input type="checkbox"/> unchanged
Form F: Other relevant matters:	<input type="checkbox"/> changed <input checked="" type="checkbox"/> unchanged
Form G: Information to the UN-database on mine clearance:	<input type="checkbox"/> changed <input checked="" type="checkbox"/> unchanged

Form A **Dissemination of information**

Article 13 / 4 / a ”The High Contracting Parties shall provide annual reports to the Depository ... on:

(a) dissemination of information on this Protocol to their armed forces and to the civilian population;”

High Contracting Party SWITZERLAND

reporting for time period from **1 January 2020** to **31 December 2020**

Information to the armed forces

[From the Annual Report of Switzerland on the CCW and its Protocols, Form A]

The protection of persons who are not or are no longer taking part in hostilities as well as the limitation of means and methods of warfare, including notably the prohibition of means and methods of warfare which are of a nature to cause superfluous injury or unnecessary suffering to combatants, have always been priorities for Switzerland. Our country puts therefore every effort in the strict implementation and strengthening of the standards set by international humanitarian law (IHL) with regard to all parties involved.

Swiss military doctrine, along with the respective regulations and manuals, reflect the law of armed conflict and its principles including the norms and regulations of the CCW and its Protocols, including amended Protocol II.

Armed Forces personnel are educated in IHL during basic training (recruit school) and in all military cadre schools; IHL is part of the curriculum of the Swiss Armed Forces College, which includes the Military Academy and is responsible for all cadre courses, including courses for General Staff Officers, as well as for legal advisors. Legal advisors attend the relevant course on International Humanitarian Law at the International Institute of Humanitarian Law in San Remo (Italy), and members of the Armed Forces participating in peace operations receive an instruction on specific Rules of Engagement as part of the pre-deployment training.

Officers are also regularly instructed in the Armed Forces College, Command and Staff Officer School on arms control issues, the norms and regulations of IHL, as well as on the CCW and its Protocols (including amended Protocol II). Dissemination of the law of armed conflict to a wider public is promoted by interactive E-Learning modules, pocket cards and a web-site (www.loac.ch). Switzerland also organises biannually the international course "Central Role of the Commander" for commanders and legal advisors.

Every member of the Swiss Armed Forces, independently of the kind of performed duty (i.e. national defence, support to civilian authorities, peace operations or training) is personally required to respect the law (including IHL norms). Illegal orders, especially when their execution is resulting in a violation of IHL or international human rights law (HR), must not be carried out. Violations of IHL or HR must be reported to superiors. Commanders are obliged to respect and ensure respect of IHL and HR within their sphere of responsibility.

Members of the Swiss Armed Forces are instructed and trained to use weapons and munitions only according to authorised design and manuals.

[continued]

The Swiss Armed Forces International Command SWISSINT is responsible for the pre-deployment training and preparation of members of the Armed Forces. These instructions (e.g. Mine Risk Education) raise awareness and assure the correct behaviour regarding mines, unexploded remnants of war and booby traps. The Swiss EOD Center (Competence center for explosive ordnance disposal, military and humanitarian demining) provides its internationally deployed experts with information on the CCW and its Protocols (including amended Protocol II) as part of the internal humanitarian demining course.

Information to the civilian population

The civilian population has been informed on several occasions on the results of the Conferences of the High Contracting Parties to the amended Protocol II by public statements of government representatives and annual public reports on the implementation of the Mine Action Strategy of the Swiss Confederation. At the occasion of the internal ratification process of amended Protocol II and the Mine Ban Treaty as well as during the introduction of the Swiss Federal Act on War Material, the Swiss Parliament and the civilian population have been informed repeatedly about the new obligations arising from the said legal instruments.

Form B

Mine clearance and rehabilitation programmes

Article 13 / 4 / b ”The High Contracting Parties shall provide annual reports to the Depositary ... on:

(b) mine clearance and rehabilitation programmes;”

Remark: The territory of Switzerland contains neither mined areas nor areas suspected to contain mines.

High Contracting Party SWITZERLAND reporting for time period from 1 January 2020 to 31 December 2020

Mine clearance programs

not applicable

Rehabilitation programs

not applicable

Form C

Technical requirements and relevant information

Article 13 / 4 / c

”The High Contracting Parties shall provide annual reports to the Depositary ... on:

(c) steps taken to meet technical requirements of this Protocol and any other relevant information pertaining thereto;

High Contracting Party SWITZERLAND reporting for time period from 1 January 2020 to 31 December 2020

Technical requirements

Switzerland destroyed all its anti-personnel mines by 1999 and its anti-tank mines by 2013.

Any other relevant information

--

Form D**Legislation**

Article 13 / 4 / d

"The High Contracting Parties shall provide annual reports to the Depositary ... on:

(d) legislation related to this Protocol;

High Contracting Party

SWITZERLAND

reporting for time period from

1 January 2020

to

31 December 2020**Legislation**

On 13 December 1996, the Swiss Parliament enacted national legislation prohibiting the development, production, brokerage, acquisition, import, export, transfer, stockpiling, use and possession of and any other activity relating to anti-personnel mines - APM (Swiss Federal Law on War Material). The only activities permitted are those which are directly related to the destruction of or the protection against APM. With entry into force of the amended Protocol II on 3 December 1998 and the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction of 1997 (Mine Ban Treaty) on 1 March 1999 for Switzerland, these international legal instruments became integral parts of the Swiss legislation. The definition of "APM" applied in the Swiss Federal Law on War Material was extended to the definition used in the Mine Ban Treaty and the amended Protocol II. According to the modified Article 8 of the Swiss Federal Law on War Material, "APM" is defined as any explosive device that is placed in or on the ground or any other surface or in their proximity and is designed or modified to explode by the presence, proximity or contact of a person and that is intended to incapacitate, injure or kill one or more persons. Mines 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 considered anti-personnel mines as a result of being so equipped. This amendment entered into force on 1 March 1999. In addition, the Swiss Parliament adapted art. 8 of the Swiss Federal Law on War Material to the exact wording of art. 2 (3) and art. 3 (1) of the Mine Ban Treaty. This amendment entered into force on 1 June 2004.

Finally, the Swiss Criminal Code (Title Twelve, esp. Art. 264h and 264j, see <https://www.admin.ch/opc/en/classified-compilation/19370083/index.html>) and the Military Criminal Code (Title Six, Art. 112d and 114, see <https://www.admin.ch/opc/fr/classified-compilation/19270018/index.html> - French only) criminalise the use of prohibited weapons as a war crime.

Form G**Information to the UN-database on mine clearance**

Article 11 para 2 "The High Contracting Parties shall provide information to the database on mine clearance established within the United Nations System, especially on:

- information concerning various means and technologies of mine clearance, and lists of experts, expert agencies or national points of contact on mine clearance

High Contracting Party SWITZERLAND reporting for time period from 1 January 2020 to 31 December 2020

<u>Means and technologies of mine clearance</u>	
--	
<u>Lists of experts and experts agencies</u>	
Swiss EOD Centre (Komp Zen ABC-KAMIR) Federal Department of Defence, Civil Protection and Sport ABC Zentrum CH-3700 Spiez	<i>Experts of the Swiss EOD Centre:</i> Mr. Franz Bär Phone: +41 58 468 46 12 E-Mail: FranzOtto.Baer@vtg.admin.ch
<u>National points of contact on mine clearance</u>	
Mr. Jens Malte Amrhein Federal Department of Defence Armed Forces Staff, International Relations Defence Head of Mine Action Unit Rodtmattstrasse 110 CH-3003 Bern Phone: +41 58 467 04 25 Cell: +41 79 155 74 52 E-Mail: Jens-Malte.Amrhein@vtg.admin.ch	Mr. Alessandro Palmoso Federal Department of Foreign Affairs Peace and Human Rights Division Humanitarian Diplomacy Section Bundesgasse 32 CH-3003 Bern Phone: +41 58 461 15 35 Cell: +41 79 224 56 37 E-mail: Alessandro.Palmoso@eda.admin.ch



**CONVENTION ON THE PROHIBITION OF THE
USE, STOCKPILING, PRODUCTION AND
TRANSFER OF ANTI-PERSONNEL MINES AND
ON THEIR DESTRUCTION**

(OTTAWA CONVENTION)

**Updated information provided in accordance
with article 7, paragraph 2**

Switzerland

Date of submission: 30.04.2021

0. Point of Contact

Federal Department of Defense, Civil Protection and Sports
International Relations, Defense
Euro-Atlantic Security Cooperation
Papiermühlestrasse 20
3003 Bern
Phone: +41 58 464 64 31
Fax: +41 58 465 30 40

1. National implementation measures

No additional legal, administrative and other measures were taken during the previous calendar year to prevent and suppress any activity prohibited under the Convention. See Switzerland's report submitted in 2015 for the latest information.

2. Stockpiled anti-personnel mines

This matter is not applicable since Switzerland destroyed all stockpiled anti-personnel mines.

3. Anti-personnel mines retained or transferred for permitted purposes

Switzerland does not retain or transfer anti-personnel mines for permitted purposes.

4. Areas known or suspected to contain anti-personnel mines

The territory of Switzerland contains neither mined areas nor areas suspected to contain mines.

5. Technical characteristics of anti-personnel mines

Not applicable.

6. Conversion or decommissioning of anti-personnel mine production facilities

Not applicable.

7. Victim assistance

Not applicable.

8. Cooperation and assistance

In 2020, Switzerland invested CHF 17 million in the mine action area. These resources were spent to clear mines, assist victims, raise awareness about the risks posed by mines, cluster munition remnants and explosive remnants of war, strengthen local capacities, as well as promote the respect of international commitments such as the ones against the use of anti-personnel mines and cluster munitions.

Switzerland's engagement in international co-operation and assistance is based on its latest [Mine Action Strategy](#), which covers the period 2016-2022. It defines a whole of government approach and is meant to address the threats posed by anti-personnel mines, cluster munitions and explosive remnants of war. Switzerland is active both at policy and operational level.

On this basis, Switzerland provided assistance to mine-, cluster munitions-, and ERW-affected countries in the form of funds and personnel:

- **Action 42 of the Oslo Action Plan:** In 2020, Switzerland invested CHF 7.55 million in mine action projects and deployments, supporting 10 States Parties (Colombia, Mali, Bosnia-Herzegovina, Croatia, Ukraine, South Sudan, the Democratic Republic of the Congo, Zimbabwe, Sri Lanka, Cambodia) and 5 non-State parties/other territories (Georgia, Myanmar, Western Sahara, Kosovo, Syria). Colombia, Bosnia-Herzegovina, Croatia, Ukraine, Zimbabwe, Sri Lanka, Cambodia, Georgia, Myanmar, Kosovo and Syria benefitted from projects implemented in the domains of clearance, victim assistance and mine risk education, whereas Mali, South Sudan, the Democratic Republic of the Congo and Western Sahara benefitted from the deployment of experts to UN mine action programs in the fields of EOD, logistics, finance and information management, training and security;
- **Action 45 of the Oslo Action Plan:** In 2020, Switzerland supported affected States Parties Colombia, Mali, Bosnia-Herzegovina, Croatia, Ukraine, South Sudan, the Democratic Republic of the Congo, Zimbabwe, Sri Lanka and Cambodia in the implementation of their obligations. As part of its broader development and humanitarian efforts, Switzerland supported victim assistance in Colombia, Ukraine, Syria and Myanmar and supported clearance activities in the following contexts: Colombia, Croatia, Bosnia-Herzegovina, Georgia, Zimbabwe, Myanmar, Sri Lanka and Cambodia;
- **Action 46 of the Oslo Action Plan:** Where they are in place, Switzerland regularly participates in the in-country coordination platforms. It also regularly participate in the works of the Mine Action Support Group (MASG);
- **Action 3 of the Oslo Action Plan:** Gender plays a prominent role in Switzerland's mine action strategy and it is mainstreamed in the projects it supports. The Federal Department of Foreign Affairs has also adopted a [Strategy on Gender equality and Women's rights](#);
- Political and financial support to the Geneva International Centre for Humanitarian Demining (GICHD): during the reporting period, Switzerland contributed CHF 9.45 million to the GICHD. The organisation acts as a facilitator, strategic advisor, research body and think tank in the field of mine action (including ERW). The Implementation Support Units (ISU), which serve the States Parties to the APMBBC and to the CCM, are hosted by the GICHD, which covers the rental, administrative, and logistical costs. This in-kind contribution (about CHF 0.5 million per annum) is covered by Switzerland's core contribution to the GICHD;
- During the reporting period, experts in the fields of EOD, logistics, finance and information management, training and security were deployed to programmes in the Democratic Republic of Congo, Mali, South Sudan, and Western Sahara as well as to UN-OPS HQ in New York and Geneva. CHF 3 million have been spent for the secondment of personnel, the organisation of training courses and different other activities.

Switzerland further developed and updated its specific training courses for future experts to be sent to international mine action programmes with its partners: the GICHD, UNMAS, UNICEF, and UNOPS;

- Since 2000, Switzerland has been offering international training courses on the Information Management System for Mine Action (IMSMA) via the channels of the Partnership for Peace Program (PfP). Switzerland annually offers a series of courses in different fields of mine action. During the reporting period, Switzerland along with the GICHD and UNOPS offered due to the COVID-19 pandemic only a limited programme consisting of three courses with the following topics "IMAS and Compliance", "IMSMA-Core Training Course", "Support Service Officers Course" The courses took place in Spiez (Switzerland) or were delivered remotely. Some CHF 50'000 were spent for these training courses.

Any other relevant information

- **Action 11 of the Oslo Action Plan:** In the framework of its bilateral relations, Switzerland regularly invites States not parties to ratify the Convention. This call is also reiterated at the multilateral level, for example within the OSCE or during the relevant Security Council debates. Switzerland also supports non-governmental organizations, such as ICBL for example, which advocate in favour of the ratification of the Convention;
- **Action 12 of the Oslo Action Plan:** To promote the observance of the Convention's norms and objectives by armed non-State actors (ANSAs), Switzerland, among other things, regularly supports the activities of Geneva Call (its deeds of commitment capture IHL rules and can be signed by ANSAs).

Further information is included in the annual exchange of the OSCE Questionnaire on Anti-Personnel Mines.