



## Deutscher Initiativkreis für das Verbot von Landminen

Brot für die Welt, Christoffel Blindenmission, Deutsche Kommission Justitia et Pax, Deutsche Welthungerhilfe, Deutscher Caritasverband, Diakonisches Werk der EKD, EIRENE -International, Jesuiten Flüchtlingsdienst (JRS), Handicap International (Deutschland), Kindernothilfe, medico international, Misereor, OXFAM-Deutschland, Pax Christi, Solidaritätsdienst International (SODI), terre des hommes, UNICEF-Deutschland

# German's landmine policy in the twilight

by  
**Markus Haake**

Editor: Deutscher Initiativkreis für das Verbot von Landminen/German Initiative to Ban Landmines, Berlin, August 2000

This report is based on the contribution of the German Initiative to Ban Landmines to the Landmine Monitor 2000 of the International Campaign to Ban Landmines (ICBL), Co - laureate of the Nobel Peace Prize 1997

Content	
Summary and Recommendations .....	2
<i>Recommendations</i> .....	3
Mine Ban Policy .....	3
Production, Research and Development (R&D).....	7
Transfer.....	8
Stockpiling and Destruction.....	9
Use.....	10
Mine Action Funding.....	11
<i>NGO activities</i> .....	17
Landmine Problem and Mine Victims.....	19
Acknowledgement.....	20
Contact .....	20

## Landmine Monitor 2000 Country Report GERMANY<sup>1</sup>

### Summary and Recommendations

On 12 April 2000 the German Ministry for Foreign Affairs passes the 1999 Germany disarmament report to the Parliament. In this document the German Government notes the clear steps of Germany towards prohibition of Antipersonnel Mines (APMs) and reconfirms its commitment to the disarmament as well as the humanitarian obligations of the Ottawa Convention on Banning Antipersonnel Mines.<sup>2</sup> Without doubt Germany has been a driving force to bring the Ottawa Convention on its track— first and foremost due to its early renunciation on the use of APMs and the unilateral export prohibition on APMs in 1996. But Germany keeps the obligation of the prohibition on APMs only with respect to the classic “dumb” mines. At the same time the German government excludes all other landmines from the ban, even those, which can act like an APM. States like Canada and Italy already decided to destruct these mines, since they can be triggered by the presence, proximity, or contact of a person. In the developed industry countries the classic landmines are already replaced by modern, more effective landmine systems, most of them fitted with antihandling-devices (AHD), which integrates the function of APMs. It is doubtful whether, in these respects, the German government fully meets its obligations under the Ottawa Convention on Banning Antipersonnel Mines and CCW Amended Protocol II.

Regarding the humanitarian obligation of the Ottawa Convention on banning APM Germany provides since eight years resources to humanitarian mine action. The bilateral assistance, which Germany allocated between 1993-1999, amounts to more than DM 108 million (US\$ 56,85 million)<sup>3</sup>. In the same period Germany provided DM 1,24 billion (US\$ 65,26 billion) to procurement, research and development of new landmine systems.<sup>4</sup> Judged against its declared aim of integrating mine action in a broader development context and vice versa, the reality of the situation is far from perfect. Firstly, the German Ministry of Foreign Affairs continues to favor a technical rather than a development-oriented approach. Secondly, the German Ministry for Economic Co-operation and Development finances mine-related activities only if they can be integrated as part of broader development projects. Thirdly, the strict division of mine clearance and development issues, and the lack of coordination between the donors, leads to a lack of simultaneity of available funds for mine-related actors trying to turn the comprehensive, integrated approach into reality.

Regarding Antitank-/Antivehicle Mines (ATM/AVMs), which are not covered by the existing ban on APM, The German government argues that ATM/AVMs enable the military to fulfill their mission in times of decreasing troop strength. With respect to the humanitarian concerns regarding the use of ATM the government declares that the threat of these modern landmines to civilians is reduced by using activity limits or self-destruct mechanisms.<sup>5</sup> However, in the view of the German Initiative to Ban Landmines (GIBL) the threat of ATM/AVMs to civilians remains, since the self-neutralization mechanism are not one hundred per cent reliable. Most of the time ATM are used in countries of the “third world”, where they deny areas, block vital trade routes, and obstruct the delivery of humanitarian aid goods. The British mine clearance

<sup>1</sup>An abbreviated version of this report is published in the *Landmine Monitor Report 2000* (ISBN 1564322505), available at: <http://www.icbl.org/lm>.

<sup>2</sup>Deutscher Bundestag Drucksache (German Parliament Document) 14/3233, pp. 17 ff.

<sup>3</sup>The exchange rate used throughout this report is US\$1 = DM 1.9.

<sup>4</sup>Sources: Deutscher Bundestag Drucksache (German Parliament Document): 13/1473; 13/1023; 13/11322; letter of the German Ministry of Defense, 06 October 1999.

<sup>5</sup>Deutscher Bundestag Drucksache (German Parliament Document) 14/667.

agency HALO-Trust reports of a single ATM, which were laid approximately in 1985 and cut off two towns from the rest of the world for over 10 years.

Millions of people are still living in a murderous situation—surrounded by millions of landmines, which turn the way to school or the field work into an extremely dangerous exercise. The German Government should take the next steps to meet its own goal recorded in the coalition agreement, to “... work towards prohibiting especially cruel weapons like landmines.”<sup>6</sup>

### **Recommendations**

The German Initiative to Ban Landmines calls for a total ban of all landmines. Until the situation of ATM/AVMs with AHDs and/or sensitive fuzes is clarified Germany should install as a first step an unilateral export moratorium for those weapons, as was done with APMs in 1994.

Secondly, the GIBL urges the German government to follow the example of Italy and to destruct ATM/AVMs, which can be triggered by the presence, proximity, or contact of a person. Beyond it Germany should add an effect-based definition of APM to its national legislation banning APMs and should promote an effect-based definition in the upcoming review conferences of the Ottawa Convention on Banning Antipersonnel Mines and the CCW Protocol II.

Thirdly, regarding the humanitarian obligations of the Ottawa Convention on Banning Antipersonnel Mines a significant increase in funding of mine action is necessary<sup>7</sup>. This should also ensure a longterm commitment as recommended by the comprehensive approach of the Bad Honnef framework.<sup>8</sup>

### **Mine Ban Policy**

At the First Meeting of State Parties to the Ottawa Convention on Banning Antipersonnel Mines<sup>9</sup> in May 1999 the State Minister of the German Foreign Office Dr. Ludger Volmer spoke on behalf of the presidency of the European Union (EU). He reconfirmed the commitment of the European Union to the goal of the total elimination of antipersonnel mines worldwide and highlighted three main points. Firstly, he stressed that “...in 1998, total funding by the European Commission and Member States in landmine related activities amounted to approximately 95 million US\$”; this means that the EU is “the world’s major donor in these areas”. Secondly, Volmer emphasized that “...the EU will focus its efforts on State Parties, and on signatories which fully observe in practice the principles and

---

<sup>6</sup>*Start and renewal - Germany's way in the 21st century. Coalition treaty between the German Social Democratic Party (SPD) and the Green Party, Bündnis 90/Die Grünen, 20 October 1998.*

<sup>7</sup>In the view of the GIBL the increase could come from the budget of the Defense Department as a conversion of funds which are earmarked for mine-related military technology.

<sup>8</sup>*Mine Action Programmes from a Development-Oriented Point of View* (“The Bad Honnef Framework”), 1999 revised version, German Initiative to Ban Landmines, available at: <http://www.landmine.de>.

<sup>9</sup>The term ‘Ottawa Convention on Banning Antipersonnel Mines’ refers to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction.

objectives laid down in the Convention".<sup>10</sup> Thirdly, he stated, that "mine clearance cannot be disconnected from the general development strategy of a state. This raises automatically the questions, which area should be cleared at first, and what should happen with it afterwards."<sup>11</sup>

The Ministry for Foreign Affairs headlined this intervention as: "Europe remains a driving force within the Ottawa-process."<sup>12</sup> This is a large claim and it has to be seen if this – at least with regard to Germany – accurately describes the reality. But first we should look at the implication of this statement, that Europe was already a driving force in the past.

In the case of Germany, there were early steps towards a ban on antipersonnel mines (APMs). In 1994 the German government declared an unilateral export moratorium on APMs, and in 1995 the EU took a joint action on the initiative of Germany, which included tightening up Protocol II of the Convention on Conventional Weapons (CCW) and an EU export moratorium on APMs. This joint action was updated in the resolutions of 1 October 1996 and 28 November 1997. In 1996 the German unilateral export moratorium on APMs was prolonged for an unlimited period, at the same time the German armed forces gave up the use of APMs calling for a ban on these weapons. Also in 1996 Germany played an active role in the 'Ottawa Process' which had its starting point in the weakness of the CCW Protocol II and led to the Ottawa Convention on Banning Antipersonnel Mines which opened for signature on 3 December 1997. In December 1997 the German armed forces destroyed their last APMs.<sup>13</sup> In 1998 Germany was one of the first member states to deposit its ratification instrument<sup>14</sup> of the Ottawa Convention on Banning Antipersonnel Mines at the United Nations, and in December 1999 Germany voted in favor of UN General Assembly Resolution 54/54B which calls for universalization and full implementation of the Ottawa Convention on Banning Antipersonnel Mines.<sup>15</sup>

These were impressive initiatives which deserve recognition. The German government has also consistently stated that any developments on this issue in the UN Conference on Disarmament must not "fall behind the achievements of the Ottawa Convention" and that it views the Ottawa Convention on Banning Antipersonnel Mines as "the comprehensive legal instrument on the subject of anti-personnel mines which should gain universal acceptance. The CD could contribute to this objective by negotiating solutions to specific areas...".<sup>16</sup>

<sup>10</sup>Intervention by State Minister Dr. Ludger Volmer, German Foreign Office, On behalf of the Presidency of the European Union, delivered at the First Meeting of State Parties to the Mine Ban Treaty, Maputo, 3-7 May 1999.

<sup>11</sup>Intervention by State Minister Dr. Ludger Volmer, Ministry for Foreign Affairs, on behalf of the Presidency of the European Union, delivered at the First Meeting of State Parties to the Ottawa Convention on Banning Antipersonnel Mines, Maputo, 3-7 May 1999; see also: *Volmer: Europa bleibt treibende Kraft im Ottawa-Prozeß* (Volmer: Europe remains a driving force within the Ottawa-process), press release 4 May 1999, <http://www.auswaertiges-amt.de>

<sup>12</sup>Ibid.

<sup>13</sup>Public Relations Division, Ministry of Foreign Affairs, *Weltweite Ächtung von Antipersonenminen . Der Vertrag von Ottawa - Eine Herausforderung für die Zukunft* (Worldwide Ban on AP Mines – the Treaty of Ottawa - A Challenge for the Future), June 1998, p. 55.

<sup>14</sup>For details of the several phases of national legislation which served to ratify and implement the Ottawa Convention on Banning Antipersonnel Mines in Germany, see: International Campaign to Ban Landmines, *Landmine Monitor Report 1999* (New York: Human Rights Watch, 1999), pp. 606-610.

<sup>15</sup>Draft Resolution: A/C.1/54/L. 2\*, GA Resolution: 54/54 B, <http://domino.un.org/vote.nsf>

<sup>16</sup>Reports of the Permanent Delegation of the German Federal Republic to the Organization for Security and Cooperation on Europe (OSCE), 13 December and 25 January 1999.

To determine if Germany and the EU remain a “driving force” in the efforts to eliminate APMs, it is necessary to examine to what extent Germany has proceeded to realize its commitments under the Ottawa Convention on Banning Antipersonnel Mines and fulfill its own aim of integrating mine action in a broader development context. Under the reporting requirement of Article 7 of the Ottawa Convention on Banning Antipersonnel Mines, Germany submitted its first report to the UN on 31 August 1999,<sup>17</sup> followed by the second report on 30 April 2000.<sup>18</sup> Both reports give full information on approximately 3,000 APMs retained for permitted purposes, but no details are given of the actual destruction process of the remainder of the APM stockpile. There is no reason to doubt the statement that the stockpile was destroyed before entry into force of the Ottawa Convention on Banning Antipersonnel Mines, but it would be useful to have details on the dismantling methods and types and quantities of APMs destroyed. No clarification is given of United States’ APMs stockpiled and/or transferred in Germany nor any reference to the possibility that German soldiers could be part of APM-laying operations within NATO exercises (see later sections on ‘Transfer’ and ‘Use’).

Also of major concern is the absence of information in the Article 7 reports on weapons which can be triggered by an unintentional act. This applies to antitank/antivehicle mines (ATM/AVMs) with antihandling devices (AHDs) and/or sensitive fuzes which can be exploded by the presence, proximity, or contact of a person.<sup>19</sup> In agreement with Human Rights Watch (HRW) and the International Committee of the Red Cross (ICRC) the German Initiative to Ban Landmines (GIBL) takes the view that any ATM which functions as an APM is by definition an APM and is prohibited by the Ottawa Convention on Banning Antipersonnel Mines. With regard to German ATM/AVMs this applies to AT1 because of its built-in antihandling/antidisturbance device; DM1233/AT2 because of its antihandling/antidisturbance device as well as because of its S3-target-sensor which is triggered by contact; DM-12/PARM-1 because of obvious problems in the discrimination of the right target; DM21 because of its built-in tilt rod; DM 31/FFV 028 SD and MIFF because of their built-in antihandling/antidisturbance-device/magnetic fuze; MUSPA because of its built-in antihandling/antidisturbance-device; area-denial mine COBRA (R&D project) and its warhead SMART155 because of its built-in antihandling/antidisturbance device.<sup>20</sup> Member

<sup>17</sup>Ottawa Convention on Banning Antipersonnel Mines, Reporting formats for Article 7, Germany, 1 March 1999-27 August 1999, available at: <http://domino.un.org/Ottawa.nsf>

<sup>18</sup>Ottawa Convention on Banning Antipersonnel Mines, Reporting formats for Article 7, Germany, 1 January 1999-31 December 1999, available at: <http://domino.un.org/Ottawa.nsf>

<sup>19</sup>This characteristic – capable of being activated by the presence, proximity or contact of a person – defines what is an APM in the Ottawa Convention on Banning Antipersonnel Mines. Article 2.3 of the Ottawa Convention on Banning Antipersonnel Mines specifically includes within the scope of this definition any antihandling device which can be activated by an *unintentional act*: “‘Anti-handling device’ means a device intended to protect a mine and which is part of, linked to, attached to or placed under the mine and which activates when an attempt is made to tamper with or otherwise *intentionally* disturb the mine.” (Article 2.3). See also: “The Diplomatic History Regarding Antivehicle Mines with Antihandling Devices”, in: Mark Hiznay and Stephen Goose, *Antivehicle Mines with Antihandling Devices*, (New York: Human Rights Watch, 2000), pp. 17-19, prepared for the Standing Committee of Experts on the General Status and Operation of the Convention, Geneva, 10-11 January 2000.

<sup>20</sup> Research by Thomas Küchenmeister, GIBL. Sources: *DOD Humanitarian Demining Website Database* <http://www.demining.brtrc.com/>. DOD, 1997 *Int. Deminers guide ORDATA CD-ROM, Jane’s Mines and Mine Clearance* (1999-2000). Pionierschule und Fachschule des Heeres für Bautechnik, Minendokumentationszentrum (1993): *Minenhandbuch Somalia*, München, Mai 1993. Ministerrat der Deutschen Demokratischen Republik (1988): *Pionierkampfmittel der NATO- und französischen Landstreitkräfte*. *Norwegian Peoples Aid Website*: [www.angola.npaid.org](http://www.angola.npaid.org), *Jane’s Mines and Mine Clearance* (1999): <http://jmmc.janes.com/>.

organizations of the GIBL published an open letter to the German Chancellor Gerhard Schröder, in which they pointed out their concern at the example of AT2 and MUSPA.<sup>21</sup> This open letter was widely taken up by the German media<sup>22</sup> and provoked a reaction from the Ministry of Defense assuring that the German government adheres to the Ottawa Convention on Banning Antipersonnel Mines but disputing that the MUSPA targets people and therefore is not prohibited by the Ottawa Convention on Banning Antipersonnel Mines.<sup>23</sup> Similarly, the Government takes the view that the AT-2 is an ATM which cannot be detonated by an unintentional act<sup>24</sup> (however, the recent Article 7 report of Italy does include the MUSPA and MIFF mines as APMs or weapons which can function like an APM<sup>25</sup>).

The German government argues that ATM/AVMs enable the military to fulfill their mission in times of decreasing troop strength; no mention is made of ATM/AVMs fitted with AHDs or sensitive fuzes.<sup>26</sup> On the contrary, the German government declares that the threat of these modern landmines to civilians is reduced by using activity limits or self-destruct mechanisms which are supposed to inactivate the landmines after a certain time (at the latest after forty days).<sup>27</sup> However, in the view of the German Initiative to Ban Landmines the threat of ATM/AVMs to civilians remains, since the self-neutralization mechanisms are not one hundred per cent reliable.<sup>28</sup>

---

The ICRC and other members of the ICBL, such as Human Rights Watch, have also developed lists of ATMs of concern. Variations in such lists point to the need for States Parties to clarify the status of such mines.

<sup>21</sup>German Initiative to Ban Landmines, Open Letter to the German Chancellor Gerhard Schröder, Berlin, 11 November 1999.

The US Department of Defense defines MUSPA as an APM. MUSPA (multi-splitter-passiv-activ) is remotely deliverable by fighter jets or dispenser weapons. It will be used to contaminate runways. Once it has been parachute-delivered, it activates itself. An acoustic sensor then actively senses for an aircraft engine signature. The DM 39 is another weapon of concern. The U.S. Defense Department assesses that the DM 39 is an antipersonnel mine which is "intended for emplacement under an antitank mine. Its pressure release fuze, with clockwork-regulated arming delay, allows this mine to be used directly in its antilift role safely and without modification" (*Mine Facts*, Department of Defense, United States of America, undated). The German Ministry of Defense takes the view that the DM 39 is not an APM, rather an explosive charge with a pressure release fuze (Letter from Ministry of Defense, Berlin, 15 May 2000). However, the German government already decided on the destruction of this mine.

<sup>22</sup>For example: *Frankfurter Rundschau*, 22 November 1999; *die tageszeitung*, 22 November 1999; *AFP Agence France-Presse*, 22 November 1999; *Berliner Morgenpost*, 22 November 1999; *Sindelfinger Zeitung*, 22 November 1999; *Berliner Zeitung*, 22 November 1999.

<sup>23</sup>*die tageszeitung*, 22 November 1999; *Sindelfinger Zeitung*, 22 November 1999.

<sup>24</sup>Letter from Ministry of Defense, Berlin, 10 February 2000.

<sup>25</sup>Mine Ban Treaty, Reporting formats for Article 7, Italy, undated-31 January 2000, Annex B-1, <http://domino.un.org/Ottawa.nsf> The US Department of Defense database

(<http://www.demining.brtrc.com>) describes MIFF as an anti-armor mine dispensed as a submunition from the former West German MW-1 weapon system. The mine is a belly-attack munition with back-to-back shaped-charges. If no target is detected within a preset interval, self-destruction will occur.

<sup>26</sup>Deutscher Bundestag Drucksache (German Parliament Document) 14/667, <http://www.bundestag.de>: "The main task of our armed forces remains the national and alliance defense. Especially in times of decreasing troop strength the Federal Armed Forces need technical aids in order to fulfill their mission. Anti-Tank-Mines belong to those technical aids."

<sup>27</sup>Ibid.

<sup>28</sup>In 1995 during the United States Senate debate on the Landmines Bill Senator Leahy referred to US landmines deployed in Kuwait and cited the Pentagon's estimation of around ten per cent failure rate of their self-destruct mechanism. Memorandum: Friends Committee on National Legislation, Senate

Of special interest is the German position regarding the Convention on Conventional Weapons (CCW), because this goes beyond the Ottawa Convention on Banning Antipersonnel Mines's focus on APMs and deals also with ATM/AVMs. This was recognized by the German delegation at the annual conference of States Parties to the amended Protocol II of the CCW in December 1999: "[A] special value of the Amended Protocol II, in our view, is that it addresses problems of weapons not covered by the Ottawa Convention, in particular anti vehicle mines."<sup>29</sup> But instead of breaking new ground to protect the victims of those mines, the German delegation called only for technical restrictions in order "to minimize the dangers resulting from long-lived or non-detectable mines."<sup>30</sup> The GIBL considers it doubtful that technical restrictions can significantly reduce the effects on civilians of ATM/AVMs, which extend beyond immediate death and injury to include substantial longterm effects on the social and economic fabric of a country.<sup>31</sup>

### **Production, Research and Development (R&D)**

As reported in the *Landmine Monitor Report 1999*, there is no indication that Germany has recently produced APMs. But this does not mean that all activities in the mine area have ceased: Germany belongs to the world 'Top Twenty' of patent holders in the field of landmine and mine component technology (see Table 1) since 1963. In the run-up to the Ottawa Convention on Banning Antipersonnel Mines the fear was often expressed that this would be a starting point of extensive development of mine systems not covered by the ban. In the case of Germany this fear seems to have become reality, with the integration of APM properties into ATM/AVMs by fitting them with antihandling devices. From 1990 to 1994 alone Germany invested almost DM 2.2 billion (US\$ 1.15 billion)<sup>32</sup> in the modernization (procurement only) of mine systems for the German Armed Forces. In the next years it can be expected that Germany will spend at least DM 745 million (US\$ 392 million) on military mine technology.<sup>33</sup>

---

Landmines Bill (undated): "Mr. Leahy: I am told by the Pentagon, ..., at least 1,700 of the self-destruct mines never detonated. We can put down 100,000 self-destruct mines and have at least 90 percent of them work and you still have about 10,000 that do not."); Rae McGrath, *Landmines and Unexploded Ordnance - A Resource Book*, (London: Sterling, 2000), p. 11. McGrath refers to off-the-record statements of producers and military which estimate the failure rate of correctly deployed landmines at around ten per cent.

<sup>29</sup>Statement by the German delegation to the First Conference of States Parties to the Amended Protocol II of the Convention on Conventional Weapons, Geneva, 15-17 December 1999.

<sup>30</sup>Ibid.

<sup>31</sup>Many examples are given in Thomas Küchenmeister, *Antipersonnel Effects of Antivehicle Mines*, pp. 10-12. To give an example of how a single ATM is able to destroy the economic, social and cultural exchange of a society for decades if it is not cleared, as in Mozambique: "Poderane – Vulalo Road. Background: This was part of the road linking two district capitals, Milange and Morrumbala. The area between the capitals was held by Renamo and it was feared that they had mined the road. Effects: A section of this main link road was not traveled for over 10 years. The towns of Chire and Morire were to all intents and purposes cut off every rainy season when the new, temporary road flooded. Clearance: HALO cleared 10.5km of the road between 30 October 1995 and 12 February 1996. One Russian AV mine was cleared from the road. Rehabilitation of the road began immediately after clearance and allowed heavy vehicles to enter an area of famine and neglect. Conclusion: Two towns were cut off the rest of the world for over 10 years by a single anti tank mine." Quoted from: HaloTrust, *The Effect of Anti Vehicle (AV) Mines on Humanitarian Programmes – Prepared by the Halo Trust in Response To Specific Questions From the ICRC*, 17 March 2000.

<sup>32</sup>The exchange rate used throughout this report is US\$1 = DM 1.9.

<sup>33</sup>Thomas Küchenmeister, *Antipersonnel Effects of Antivehicle Mines*, pp. 2-3.

Table 1. The World's 'Top-Twenty' Companies in Landmine Technology R&D<sup>34</sup>

Companies / Institutions	Patent activities total	Country
Daimler Chrysler AG	142	Germany
Rheinmetall AG	129	Germany
Dynamit Nobel AG	125	Germany
Diehl Stiftung & Co	115	Germany
Giat Industries SA	83	France
Thomson CSF	66	France
SAAB AB (Celsius AB)	42	Sweden
Etat-Francais Armement	35	France
US Secretary of Army	30	USA
Honeywell INC	20	USA
Lacroix Tous Artifices Etienne	19	France
Soc. Armement Alsetex	17	France
Boeicho Gijutsu Kenkyu Honbuch	16	Japan
Valsella Meccanotecnica Spa	14	Italy
British Aerospace plc	12	UK
US Secretary of Navy	9	USA
Israel Aircraft Industry Ltd	9	Israel
Ruggieri SA	9	France

Notes: The Table covers all patents held by the 'Top-Twenty' companies, their subsidiaries, predecessors or within joint ventures, in the following patent classifications: Fuzes for controlled mines or mine fields, Submunitions, Self-propelled mine-clearing vehicles, Landmines, Minelaying land vehicles, Landmine components, Contact fuzes, Fuzes for initiating mine ejection. Not necessarily all patents of the classes 'submunition' and 'contact fuzes' refer to landmines. Due to joint ventures multiple entries of patents are possible. Data are not complete because they represent only main patent classes of publicly available patents.

### Transfer

In November 1999 the German Initiative to Ban Landmines investigated German plans to export twenty-three Skorpion mine delivery systems and 36,000 AT-2 antitank mines to Greece.<sup>35</sup> This was confirmed by the Ministry of Defense in press reports.<sup>36</sup> Previous mine exports are detailed in last year's Landmine Monitor.<sup>37</sup>

<sup>34</sup>World Patent Index, 1963-November 1999, collated by Thomas Küchenmeister, GIBL. The Table includes mine protection for the MARDER armored infantry fighting vehicle. This demonstrates that the costs of mine warfare cover not only research and development, and procurement of landmines, but also follow-up costs in terms of protection when landmines are in use. The Table does not include the costs of increasing the battle effectiveness of the mine launcher Skorpion (150 vehicles), and of the rocket launcher/AT 2 rocket launched mines (154 vehicles); development phase 2002-2004, procurement phase 2005-2008. *Wehrtechnik III*, September 1999, p. 36.

<sup>35</sup>This investigation was widely reported and discussed in the German media: *die tageszeitung*, 3 November 1999, *Associated Press*, 3 November 1999, *Handelsblatt*, 3 November 1999, *Frankfurter Rundschau*, 4 November 1999, *Südwest Presse*, 4 November 1999, *Rhein-Zeitung*, 4 November 1999, *Berliner Zeitung*, 4 November 1999, *Süddeutsche Zeitung*, 4 November, *Freitag*, 5 November 1999.

<sup>36</sup>*Associated Press*, 3 November 1999, *die tageszeitung*, 4 November 1999.

<sup>37</sup>ICBL, *Landmine Monitor Report 1999*, pp. 618-621.

Another cause of concern is the Government's understanding about United States' stockpiles of APMs in Germany. The United States has more than 112,000 AP mines stockpiled in Germany, according to Human Rights Watch, including approximately 75,000 U.S. Army ADAM, 16,000 Army GEMSS, 14,000 Air Force Gator, 6,000 Volcano and 1,000 MOPMS AP mines.<sup>38</sup> But the Government's position is that according to the Status on Foreign Forces Agreement weapons of foreign forces within Germany are not covered by German law and under control.<sup>39</sup> This understanding was reiterated by representatives of the Ministry of Defense in an interview in March 2000, and applied also to possible transit of U.S. APMs through Germany to U.S. military bases.<sup>40</sup> This position accords with the Memorandum of Understanding issued in January 1998, at the time of Germany's ratification of the Ottawa Convention on Banning Antipersonnel Mines.<sup>41</sup> The GIBL urges the German Government to take the political action necessary to carry out its pledge to promote universalisation of the Ottawa Convention on Banning Antipersonnel Mines.

### **Stockpiling and Destruction**

The Ministry of Defense states that in December 1997 the destruction of all APMs of the German Armed Forces including APMs of the former German Democratic Republic was completed, with the exception of approximately 3,000 APMs retained for training and technical tests.<sup>42</sup> This is inconsistent with the research findings of Thomas Küchenmeister and Otfried Nassauer, who report that some of these landmines had not been destroyed but transferred to other countries at an earlier date.<sup>43</sup> The Ministry of Defense has clarified that the DM 39 is no longer in use, and destruction of stocks should be finished within the year 2000.<sup>44</sup> Also, funds for the development of the COBRA area-denial mine are suspended,<sup>45</sup> however, whether this suspension will become permanent or is the interim result of recent budgetary limits must be monitored.

---

<sup>38</sup>Data as of 1997. Provided to Human Rights Watch by U.S. government sources in March 1999. See also: Mary Wareham, *Antipersonnel Landmine Stockpiles and their Destruction*, Fact Sheet (New York: Human Rights Watch, 1999), prepared for the Standing Committee of Experts on Stockpile Destruction, Geneva, 9-10 December 1999, revised 14 December 1999.

<sup>39</sup>"Tretminen – Verbotene Lagerung" (Pedal Mines – Prohibited Stockpiling), *Spiegel*, 21, 1998, p. 20: "According to the Agreement on the stay of foreign forces and Nato's Status on foreign Forces Agreement weapons of foreign forces and their stockpiling does not fall under German control", argues the spokesperson of the German Ministry of Defense"; Federal Ministry of Defense, Bonn, 2 December 1997: "Wie alle andern Waffen unterliegen auch die US Landminen aufgrund obiger Bestimmungen nicht der Kontrolle der Bundesrepublik Deutschland." ("Due to regulations mentioned above [SOFA] US landmines like all other weapons do not fall under control of the Federal Republic of Germany.")

<sup>40</sup>Landmine Monitor/Germany interview with representatives of the Federal Ministry of Defense, Berlin, 9 March 2000.

<sup>41</sup>For details, see: ICBL, *Landmine Monitor Report 1999*, pp. 608-609.

<sup>42</sup>Landmine Monitor/Germany interview with representatives of the Federal Ministry of Defense, Berlin, 9 March 2000; Report to the OSCE, 13 December 1999; Ottawa Convention on Banning Antipersonnel Mines, Reporting formats for Article 7, Germany, 1 January 1999-31 December 1999, Form D; Letter from Ministry of Defense, Berlin, 15 May 2000; quantities of APMs destroyed were reported in the *Landmine Monitor Report 1999* and in the longer version by Markus Haake, published by the GIBL, available at: <http://www.landmine.de>

<sup>43</sup>Thomas Küchenmeister, Otfried Nassauer, *"Gute Mine" zum bösen Spiel: Landminen made in Germany* (Put on a brave face/mine, grin and bear it: landmines made in Germany), (Idstein: Komzi-Verlag, 1995), p. 119.

<sup>44</sup>Letter from Ministry of Defense, Berlin, 15 May 2000.

<sup>45</sup>Landmine Monitor/Germany interview with representatives of the Federal Ministry of Defense, Berlin, 9 March 2000.

## Use

There is no evidence of new use of APMs in Germany, although German soldiers are at risk of being involved in operations involving APMs. Two of Germany's NATO allies - USA and Turkey - have not signed the Ottawa Convention on Banning Antipersonnel Mines and the United States reserves the right to use APMs, therefore the use of APMs is possible in joint military operations, such as that threatened in Yugoslavia in early 1999 during NATO airstrikes.<sup>46</sup> This could mean a major risk for the German soldiers operating in out-of-area missions, since the German legislation definitively forbids all Germans in any circumstances being involved in APM-laying operations whether in Germany or elsewhere.<sup>47</sup> This is a very sensitive issue: Germany does not want to intervene in the military strategy of another state, but must ensure that German soldiers will not come into conflict with the German law. The Ministry of Defense says that this matter is under control: "[A]s far as joint and combined operations are concerned German soldiers will be in full compliance with the Ottawa Convention and national laws."<sup>48</sup> Further details have not been given of how Germany soldiers will be able to abide by German law when one of its non-Ottawa Convention on Banning Antipersonnel Mines allies decides to use APMs in joint operations.

So, on the basis of the information in this report, does Germany remain "a driving force in the Ottawa process"? Without doubt Germany has been a driving force to bring the Ottawa Convention on its track - first and foremost due to its early renunciation on the use of APMs and the unilateral export prohibition on APMs in 1996. But Germany keeps the obligation of the prohibition on APMs only with respect to the classic "dumb" mines. At the same time the German government excludes all other landmines from the ban, even those, which can act like an APM. States like Canada and Italy already decided to destruct these mines, since they can be triggered by the presence, proximity, or contact of a person. In the developed industry countries the classic landmines are already replaced by modern, more effective landmine systems, most of them fitted with anti-handling-devices (AHD), which integrates the function of APMs. It is doubtful whether, in these respects, the German government fully meets its obligations under the Ottawa Convention on Banning Antipersonnel Mines and CCW Amended Protocol II.

---

<sup>46</sup>ICBL, *Statement on Continued Use of Antipersonnel Mines in Yugoslavia*, press release, Maputo, Mozambique, 8-9 May 1999.

<sup>47</sup>Bundesgesetzblatt Teil I/(Federal Law Gazette, Part I), No. 43, 9 July 1998, p. 1778:

"§ 18 a, Prohibition of Antipersonnel Mines, (1) It is prohibited, 1. to use, to develop, to produce, to deal with, to get from another person or to let to another person, to import, to export, to transit through the German territory, or to transfer out of or into the German territory, or to control Antipersonnel Mines, particularly to transport or to stock or to retain them. 2. to encourage someone else to an act specified under No 1, or 3. to support an act specified under No 1. (2) For the purpose of defining an Antipersonnel Mine applies the definition under Article 2 of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, 03 December 1997. (3) Paragraph (1) does not apply to acts which are permitted under the Convention mentioned in paragraph (1). ... § 21 Offenses outside the territory of this law, § 19, paragraph 2, No. 2, paragraph 3, No. 2, paragraph 5 and 6, § 20 as well as § 21 apply also to offenses, which were done outside the validity of these regulations irrespective of the national law of the scene of the crime, if the perpetrator is German." [Original in German, unofficial translation]

<sup>48</sup>Letter from Ministry of Defense, Berlin, 15 May 2000.

### Mine Action Funding

The third point made by Foreign Office Minister Volmer at the First Meeting of State Parties in May 1999 was that "mine clearance cannot be disconnected from the general development strategy of a state."<sup>49</sup> This is the case because, in most countries, mine victims live in a context of generalized poverty and underdevelopment.<sup>50</sup> Not only the individual mine victim, also the whole community and often the whole society is severely damaged by the presence of landmines. Developmentally sound, integrated measures to address wider development, peacebuilding, health and poverty issues are necessary. To the extent possible, mine action programs should be based at the community level and integrated within national policies and strategies.

However, neither Germany nor any other State has attempted to define concretely the relationship of mine clearance and development in the past. On the contrary, endeavors to define this relationship came from the community of international nongovernmental organizations (NGOs). In 1997 a gathering of international experts, campaigners and fieldworkers both from the North and the South established a framework for mine action programs from a development-oriented point of view - also known as the Bad Honnef framework. This was further developed at a review conference in 1999.<sup>51</sup> The Bad Honnef framework defines mine action as a comprehensive, participatory and integrated approach in order to empower and enhance mine-affected communities and countries to deal with the symptoms as well as with the roots of the mine problem. This approach is summarized as: "It is not sufficient to simply provide a few technical 'inputs' such as mineclearance and the provision of prosthetics. Rather, rebuilding and development must be approached 'societally', in other words through a lengthy struggle to change those things which on the one hand made war possible and which on the other hand have been seriously damaged by war; namely the social fabric, traditional social transactions and the economic foundations of the country."<sup>52</sup> Thus, the connection of humanitarian mine clearance and development requires the combination of mine clearance, mine awareness, and mine victim rehabilitation with reconstruction, reconciliation, and peacekeeping or-building activities.

The Ministry of Foreign Affairs spent in 1999 a total amount of DM 19.67 million (US\$ 10.35 million) on humanitarian mine action, as detailed in Table 2. It is commendable that the German government continues its efforts in this area, even if this is not increased from the level of 1998.<sup>53</sup>

---

<sup>49</sup>Volmer: *Europa bleibt treibende Kraft im Ottawa-Prozess* (Volmer: Europe remains to be a driving force within the Ottawa-process), press release, 4 May 1999.

<sup>50</sup>See <http://www.demining.brtrc.com/maps/world.htm>

<sup>51</sup>Mine Action Programmes from a Development-Oriented Point of View ("The Bad Honnef Framework"), 1999 revised version, German Initiative to Ban Landmines, available at: <http://www.landmine.de>. This document is also available in Arabic, Chinese, French, German, Russian, Portuguese and Spanish, from German Initiative to Ban Landmines, c/o BITS, Rykestraße 13, 10405 Berlin (Fax: +49 (0)30 428 01 688, Email: [gibl.haake@t-online.de](mailto:gibl.haake@t-online.de))

<sup>52</sup>Ibid.

<sup>53</sup>For details of German spending on mine action pre-1999, see: ICBL, *Landmine Monitor Report 1999*, pp. 621-624 and the longer version available at: <http://www.landmine.de>. This contradicts the demand of Social Democrat MP Dr. Volker Kröning in 1997 that the resources for humanitarian mine action should increase to DM 30 million per year (US\$ 15.8 million): *Deutscher Bundestag: Plenarprotokoll* (German Parliament Document) 13/210, 11 December 1997, p. 19194.

Table 2. Funding of humanitarian mine action by the Ministry of Foreign Affairs in 1999<sup>54</sup>

Country	Type of assistance	DM	US\$ equivalent
Angola	Support of mine clearance projects of NGO Menschen gegen Minen in Bengo Province; support of mine clearance projects of the NGO Stiftung Sankt Barbara in Cunene Province	2,210,000	1,163,158
Guinea-Bissau	Delivery of mine detectors	50,000	26,316
Chad	Delivery of mine detectors	110,000	57,895
Zimbabwe	Support of the UN assessment mission	20,000	10,526
Mozambique	Provision of a German Technical Advisor, physician and equipment for national mine clearance agency CND; support of a mine clearance project of NGO Phoenix; support for testing of airborne multisensor mine detector	1,050,000	552,632
Somalia	Support of an level II-survey	200,000	105,263
Afghanistan	Support of UN emergency aid program; support of Afghan NGO Mine Dog Centre for education and use of mine tracker dogs; support through experts, provision of 75 detection tools to UNOCHA; support of 'Female & Children Mine Awareness' program and mechanical mine clearance program of Afghan NGO OMAR	5,430,000	2,857,895
Tadjikistan	Provision of detection tools for building up national mine clearance component.	80,000	42,105
Yemen	Provision of personnel to UN mine clearance program	80,000	42,105
Vietnam	Support of mine clearance project of NGO Solidaritätsdienst International within resettlement program; support of NGO Potsdam Kommunikation for UXO survey in Hue Province	950,000	500,000
Laos	Support of a project to clear mines and UXOs (with German supervisor of Laos demining teams)	2,170,000	1,142,105
Cambodia	Support of mine clearance project in Siem Reap Province; field testing and operation of Rhino mine clearance technology with national mine clearance body CMAC	2,550,000	1,342,105
Kosovo	Support of mine/UXO clearance project of HELP; support of UXO clearance project of Potsdam Kommunikation; support of UXO clearance project of Halo Trust; provision of German military experts to MACC; support of the mine awareness project of Handicap International	1,570,000	826,316
Kosovo	Provision of DM 1.2 million to Slovenia's International Trust Fund (ITF) for continuation of projects in 2000	1,200,000	631,579
Bosnia & Herzegovina	Support of mine clearance project of HELP in the frame of reconstruction of Stup and Filipovic villages; support of mine clearance project of NGO Köln Franziskaner in the frame of the reconstruction of Kosici village; provision of military mine clearance experts to BHMAL in Banja Luka; support of clearance project of Entity Army through provision of tools and aid for the mine victim fund; integrated mine clearance project of NGO Weltentminungsdienst in Vidovice region	1,070,000	563,158
Bosnia & Herzegovina	Provision of DM 0.8 million to the ITF for continuation of projects in 2000	800,000	421,053

<sup>54</sup>Deutscher Bundestag Drucksache (German Parliament Document) 14/3233, pp. 63-65.

Country	Type of assistance	DM	US\$ equivalent
Croatia	Provision of detection tools to CROMAC; provision of military mine clearance experts to WEU mission; support of mine clearance project of Weltentminungsdienst within reconstruction of Pakrac village	130,000	68,421
Total		19,670,000	10,352,632

The total allocated by the Ministry of Foreign Affairs for humanitarian mine action in the period between 1993 and 1999 amounts to DM73,905,797 (US\$ 38,897,788). Table 3 shows how this amount was allocated.<sup>55</sup> Thirteen per cent (DM 9.75 million or US\$ 5.13 million) of these resources were allocated mainly to field-test mine clearance technology in Mozambique, Bosnia-Herzegovina, and Cambodia,<sup>56</sup> roughly half of this amount (DM 4.88 million, or US\$ 2.57 million) went to companies related to landmine producers.<sup>57</sup>

<sup>55</sup>Slightly less than DM 6.2 million (US\$ 3.25 million) was spent on mine clearance activities related to development measures like reconstruction and/or resettlement of Internally Displaced People and/or peacekeeping operations. This means around eight per cent of funding for humanitarian mine action went to development-oriented programs, while around eighty-nine per cent (DM 65.6 million or US\$ 45.5 million) was spent on restricted mine clearance/mine awareness activities. Thus the funding behavior of the Ministry of Foreign Affairs only partly corresponds with the demand of its State Minister.

<sup>56</sup>According to the German Ministry for Foreign Affairs these field-tests were carried out in existing aid projects. The clearance of the assigned area was executed on the basis of a contract, which agreed the carrying out of the clearance regardless of the used mine clearance technology. It is not possible to specify the exact amount spent on the test trials, because these activities were mixed with others: Letters from Ministry of Foreign Affairs, Bonn, 22 November 1995, 17 September 1997, 2 February 1999, 3 December 1999; Deutscher Bundestag Drucksache (German Parliament Document) 14/3233, pp. 63-65.

<sup>57</sup>Flensburger Fahrzeuggesellschaft (FFG) and MAK, as reported in 1999. see: <http://www.landmine.de> In 1999 the Ministry of Foreign Affairs spent DM 2.55 million (US\$ 1.34 million) on a field-test of the Rhino mine clearance machine developed by MAK (13 per cent of the 1999 budget for humanitarian mine clearance).

This seems to continue the political slogan of the former Minister Klaus Kinkel, who declared when the 40<sup>th</sup> ratification instrument of the Ottawa Convention on Banning Antipersonnel Mines was deposited at the UN in September 1998: "A priority of the German efforts in the area [of humanitarian mine action] is the support of mechanical mine clearance technology, which enables to clear anti-personnel mines quicker and less dangerous [than manual detection tools]. It is absurd, that people can fly to the moon, but the huge mine fields are still manual cleared!": *Internationales Übereinkommen über das Verbot von Antipersonenminen tritt in sechs Monaten in Kraft* (International Convention on the prohibition of Anti-personnel Mines will come into force in six month), press release, Bonn, 17 September 1998, [http://www.auswaertiges-amt.de/6\\_archiv/98/p/p980917b.htm](http://www.auswaertiges-amt.de/6_archiv/98/p/p980917b.htm)

The Bad Honnef framework acknowledges the necessity of research and development in mine clearance technology, but stresses that this should "be based on end-user requirements and existing technologies". It is doubtful if the technologies promoted by the Ministry of Foreign Affairs meet these requirements. For instance, the Minebreaker 2000 developed by FFG weighs approximately forty-eight tons, does not work in wooded and/or rough terrain, consumes a huge amount of fuel, and has high purchase costs. Thus, most of mine-affected countries must do mine clearance without German high technology. For example:

Thorsten Peter, "Performance Report – The Minebreaker 2000", *Journal of Mine Action*, Vol.3, No. 1, <http://hdic.jmu.edu/hdic/journal/3.2/profiles/minebreaker/minebreaker.htm>

Table 3. Priorities in the funding of humanitarian mine action by the Ministry of Foreign Affairs 1993-1999<sup>58</sup>

Year	1993	1994	1995	1996	1997	1998	1999	1993-1999
Total amount in DM	590,000	796,491	2,210,300	19,538,043	12,130,963	18,970,000	19,670,000	73,905,797
Percentage	100 %	100 %	100 %	100 %	100 %	100 %	100 %	100 %
Mine clearance & mine awareness activities	590,000	796,491	2,210,300	17,850,228	10,919,181	17,760,000	15,520,000	65,646,200
Percentage	100%	100%	100%	91.36%	90.01%	93.62%	78.90%	88.82%
Mine clearance & reconstruction/resettlement/peace-keeping activities	-	-	-	1,687,815	1,211,782	1,140,000	2,150,000	6,189,597
Percentage	0%	0%	0%	8.64%	9.99%	6.01%	10.93%	8.37%
Year	1993	1994	1995	1996	1997	1998	1999	1993-1999
Unrestricted	-	-	-	-	-	70,000	-	70,000
Percentage	0%	0%	0%	0%	0%	0.37%		0.09%
Not applicable	-	-	-	-	-	-	2,000,000	2,000,000
Percentage	0%	0%	0%	0%	0%	0%	10.17%	2.71%

Maj. Frank Akins and Maj. Arthur Tulak (undated) <http://call.army.mil/call/trngqtr/tq1-99/akins.htm>, : "The Minebreaker 2000 system works well on relatively level pieces of ground with light vegetation. It can process over 20,000 m<sup>2</sup> of ground per day. It is not designed to work in wooded and/or rough terrain."

Deonna Kelli, *Landmines: Costly Aftermath Of War in Afghanistan* (Washington D.C.: Islam Online, undated): "German Minebreaker 2000: The Minebreaker 2000 mine removal system uses speed, impact and mass to destroy mines using a re-gear'd Leopard Tank Chassis, which moves at farm tractor speeds. The cost to buy and operate such equipment, however, is quite prohibitive. ... The 'sifter' portion of the Minebreaker 2000 System, is another mechanized alternative to mine-removal by people and dogs, but comes at price that crippled Afghan economy cannot afford." - <http://www.islamonline.net/iol-english/dowalia/special-7/nrep2.apa>

Al Venter, "New mines in Angola", *Bulletin of the Atomic Scientists*, 55, 3, (May/June) 1999, pp. 14.: "While machines are theoretically able to do the job of clearing anti-tank mines in many areas, Angola presented a host of problems. There are almost no permanent bridges left standing in the interior, which is laced with rivers and streams. That made it impossible to use equipment such as the German Minebreaker 2000; the only way to get that kind of hardware to the scene was to fly it in, using cargo craft that were often not available. Once in place, the machines couldn't be transferred overland to another area because of the bridge problem." - <http://bullatomsci.org/issues/1999/mj99/mj99venter.html>

<sup>58</sup>Statements by the Ministry of Foreign Affairs, Bonn, 22 November 1995, 17 September 1997, 2 February 1999, 3 December 1999; Deutscher Bundestag Drucksache (German Parliament Document) 14/3233, pp. 63-65; collated by Markus Haake, GIBL

In the period 1992-1999 Germany contributed DM 129 million (US\$ 67.89 million) to the European Commission, which allocated a total of approximately US\$ 236 million to humanitarian mine action in that period.<sup>59</sup>

Mine victim assistance and rehabilitation is the responsibility of the Ministry for Economic Co-operation and Development. In the period 1993-99 a total of DM 34.2 million (around US\$ 18 million) was allocated to mine clearance/mine awareness or victim assistance activities (see Table 4) and, in 1999 a total of DM 2.03 million (US\$ 1.05 million).<sup>60</sup> The Ministry finances mine-related activities only if they can be integrated as part of broader development projects.<sup>61</sup> This is an obstacle for mine action programs applying for funding if those programs are not in countries where Germany runs broader development projects, but it does ensure that all mine-related activities funded by the German Development Department are part of a broader development strategy – at least theoretically, because most of these activities are actually implemented by the Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ – German Company for Technical Co-operation) which follows the policies set out in its program handbook *Development-oriented Emergency Aid - Integrated Demining*. This handbook describes in detail mine clearance activities which involve mineaffected communities in the demining, but development measures like medical and social rehabilitation are only provided to the extent of investigation, collection of data on mine victims, and recommendations.<sup>62</sup> The title - *Emergency Aid* - indicates this: these programs are carried out in emergency situations, so longterm commitment including development measures is left to follow-up programs, which are not part of GTZ mine action.

---

<sup>59</sup> Deutscher Bundestag Drucksache (German Parliament Document) 14/3233, p. 19.

<sup>60</sup> Source: Deutscher Bundestag Drucksache (German Parliament Document) 14/3233, pp.18 and 66. The figures in this source are inconsistent: the text indicates a total of DM 21.7 million of both the Ministry of Foreign Affairs and the Ministry for Economic Co-operation and Development in 1999 (which means a total of DM 2.03 million allocated by the Development Department if one subtracts the 1999 total funding of the Ministry of Foreign Affairs of DM 19.67 million), while the Table in the appendix indicates a total of 1999 funding of the Development Department of around DM 2,6 million.

<sup>61</sup> Deutscher Bundestag Drucksache (German Parliament Document) 14/3233, p. 18.

<sup>62</sup> Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ), *Entwicklungsorientierte Nothilfe – Integrierte Entminung, Arbeitspapier* (Development-oriented Emergency Aid – Integrated Demining, working paper) No. 7, undated, p. 10.

Table 4. Funding of development-oriented emergency aid (integrated demining) by the Ministry for Economic Co-operation and Development 1993-99<sup>63</sup>

			DM	US\$ equivalent		
Total of funding in the period 1993-1999			34,228,233	18,014,859		
Period	Supported country	Description of assistance	resources in DM for Mine clearance	US\$-equivalent	resources in DM for victim assistance	US\$-equivalent
1994 – 2000	Angola	Technical cooperation/ survivor assistance: Center of physical therapy and rehabilitation in Luanda	-	-	13,187,000	6,940,526
1996 and 1998	Angola	Emergency aid/ survivor assistance: Center for rehabilitation in Luena/Moxico	250,000	131,579	2,512,000	1,322,105
Not specified	Mozambique	Technical and financing cooperation/ mine clearance: especially programs for reconstruction of national roads	2,374,000	1,249,474	-	-
Not specified	Mozambique	Emergency Aid: rural reconstruction program in Manica and Sofala provinces	1,000,000	526,316	-	-
Not specified	Mozambique	Community mine awareness	600,000	315,789	-	-
1996 and 1997	Cambodia	Technical and financing cooperation/ mine clearance: e.g. extension of rural paths	2,190,000	1,152,632	-	-
1993 and 1997	Cambodia	Technical and financing cooperation/ survivor assistance	-	-	942,000	495,789
1995 – 1997	Laos	Financing cooperation/ survivor assistance: reconstruction of the national road, clearing UXO, training demining personnel	773,233	406,965	-	-
1993 – 2000	Vietnam	Technical cooperation / survivor assistance: Center for Orthopedics	-	-	10,400,000	5,473,684
Subtotals	from 1993 - 1999		7,187,233	3,782,754	27,041,000	14,232,105
Percentage			21%		79%	

<sup>63</sup> Sources: German Ministry for Economic Co-operation and Development, Bonn, 14 April 2000; Deutscher Bundestag Drucksache (German Parliament Document) 14/3233, p. 66.

Judged against its declared aim of integrating mine action in a broader development context and vice versa, the continued financial support of the German government for humanitarian mine action shows its commitment to the Ottawa Convention on Banning Antipersonnel Mines, but the reality of the situation is far from perfect. Firstly, the Ministry of Foreign Affairs continues, even after the change of government in 1998, to favor a technical rather than a development-oriented approach. One result is the promotion of mine clearance technology, but it does seem that most of the resources were spent on enhancing the local capacities to carry out mine clearance on their own. The slight increase in funding for development-oriented mine action programs in 1999 may be a hopeful sign of change in the funding policy of the Ministry of Foreign Affairs.

Secondly, there is also a lack of coordination. Partly due to limits imposed by budgetary rules, partly due to general policy decisions, both German funding offices are not ready to assist each other in concrete mine action operations. For example, the Ministry of Foreign Affairs funds mine-related activities (mostly with a technical approach) in Guinea-Bissau, Chad, Zimbabwe, Somalia, Afghanistan, Tajikistan, Yemen, Kosovo and Bosnia Herzegovina, but the Ministry for Economic Co-operation and Development is not present in this areas to tackle mine-related development problems. In Angola, Mozambique, Cambodia, Laos and Vietnam both ministries funded or still fund mine-related activities, but there is no coordination between them and no link between mine clearance operations funded by the Foreign Ministry and rehabilitation or reconstruction activities funded by the Development Ministry, at least as far as the available sources reveal.

Thirdly, the strict division of mine clearance and development issues, and the lack of coordination between the donors, leads to a lack of simultaneity of available funds for mine related actors trying to turn the comprehensive, integrated approach into reality.<sup>64</sup> Different policy priorities and different application formats, as well as reporting requirements of different donors, make it nearly impossible to respond to the mine problem in a comprehensive way. To make a reality of development-oriented mine action requires a longterm commitment.

### **NGO activities**

To complete the picture of Germany's efforts in mine action, the activities of German nongovernmental organizations (NGOs) should also taken into account. There are many NGO initiatives to offer help to mine victims.<sup>65</sup> Their activities range from restricted mine clearance and mine awareness projects to emergency aid and physical, psychological and socioeconomic rehabilitation of mine victims, their families and communities (as described in the Bad Honnef

---

<sup>64</sup>Thomas Gebauer, Medico International, *Integrated Mine Action Programmes – The Example of the Rehabilitation Centre in Moxico/Angola*, unpublished lecture at the Bad Honnef Framework Roundtable, London, 1 March 2000.

<sup>65</sup>These NGO initiatives are too numerous and diverse to describe here; many are small and consist of one or other mine-related project/program. This report concentrates on the activities of GIBL member organizations: Bread for the World, Christoffel Mission for the Blind, German Justitia et Pax Commission, German Committee for Freedom from Hunger, German Caritas, Social Service Agency of the Evangelical Church in Germany, EIRENE International, Handicap International Germany, Jesuit Refugee Service, Kindernothilfe (Help for Children in Need), medico international, Misereor, OXFAM Germany, Pax Christi, Solidarity Service International, terre des hommes, UNICEF Germany. Projects of the German NGO Help e.V. and Weltentminungsdienst e.V. (World Demining Service) are not considered; they run bigger mine clearance/mine awareness projects partly with reconstruction/resettlement components in Bosnia & Herzegovina and Kosovo; see: <http://www.help-ev.de/projecte/>, <http://www.welt-entminungs-hilfe.de/proj.html>.

framework). Member organizations of the German Initiative to Ban Landmines spent approximately DM 20.74 million (US\$ 10.91 million) on mine-related activities from 1995-1999<sup>66</sup> (see Table 5). Sixty-five per cent of these funds were allocated to victim assistance embedded in social-economic rehabilitation measures or in development/ food/ reconstruction/ resettlement/ peacekeeping activities or in integrated mine action programs which cover mine clearance, mine awareness, physical and psychosocial rehabilitation, socio-economic and cultural rehabilitation as well as political advocacy.<sup>67</sup>

Table 5. NGO Funding of humanitarian mine action 1995-1999<sup>68</sup>

Year	1995	1996	1997	1998	1999	1995-99
Total amount in DM	1,095,301	1,181,483	3,886,554	4,140,544	10,440,501	20,744,383
Percentage	100.00%	100.00%	100.00%	100.00%	100.00%	100.00%
Mine clearance & mine awareness activities	-	2,250	295,826	1,024,600	2,606,195	3,928,871
Percentage	0.00%	0.19%	7.61%	24.75%	24.96%	18.94%
Victim assistance (medical treatment, physical rehabilitation)	-	-	95,200	-	2,340,794	2,435,994
Percentage	0.00%	0.00%	2.45%	0.00%	22.42%	11.74%
Victim assistance (psychological + socio-economic rehabilitation)	972,125	1,069,586	2,719,550	868,760	1,590,224	7,220,245
Percentage	88.75%	90.53%	69.97%	20.98%	15.23%	34.81%
Victim assistance and development/food/reconstruction/resettlement/ peace-keeping activities	55,176	18,447	651,978	56,250	843,600	1,625,451
Percentage	5.04%	1.56%	16.78%	1.36%	8.08%	7.84%
Victim assistance (support of political advocacy)	68,000	91,200	124,000	246,934	457,071	987,205
In percentage	6.21%	7.72%	3.19%	5.96%	4.38%	4.76%
Integrated Mine Action Program (mine clearance, mine awareness, physical & psycho-social rehabilitation, socio-economic and cultural rehabilitation, political advocacy)	-	-	-	1,944,000	2,602,617	4,546,617
Percentage	0.00%	0.00%	0.00%	46.95%	24.93%	21.92%

<sup>66</sup>Some of these programs are cofinanced by the Ministries of Foreign Affairs and Economic Cooperation and Development; their contributions are subtracted from the total in order to show the NGO contribution. Sources: Misereor questionnaire to GIBL member organizations 1995-1998, email from Hein Winnubst, Aachen, 25 November 1999, GIBL questionnaire to member organizations 1999, Markus Haake, Berlin, June 2000; collated by Markus Haake, GIBL.

<sup>67</sup>Nineteen per cent of the total was spent on restricted mine clearance and mine awareness programs. Twelve per cent of the funds went to restricted victim assistance programs, concentrated on medical treatment and physical rehabilitation of individual mine victims. Five per cent of the funds was spent on advocacy work.

<sup>68</sup>Misereor questionnaire to the member organization of the GIBL, 1995-1998, email from Hein Winnubst, Aachen 25 November 1999; GIBL questionnaire 1999 to the member organization of the GIBL, Markus Haake (GIBL), Berlin June 2000; collated by Markus Haake, GIBL.

NGO efforts on mine action cushion the lack of developmental orientation in the Ministry for Foreign Affairs allocations. It is conspicuous that the efforts to realize the integrated approach to mine action outlined in the Bad Honnef framework come from the NGO community. It is encouraging to see that some of these programs are cofinanced by both the Ministry for Foreign Affairs and the Ministry for Economic Cooperation and Development, but these programs exist in the absence of longterm commitment by the donors.

In the light of the Bad Honnef framework it is of concern that the efforts for integrated mine action programs decreased last year to twenty-five percent of the total spent on humanitarian mine action, while in 1998 this effort was forty-seven per cent. The reason for this decrease is difficult to identify - it might be that the project departments of the NGOs involved are not aware enough of the holistic, comprehensive approach, or that the donor side restricts support to limited activities. At this stage donors should be encouraged to refer to the integrated approach of the Bad Honnef framework when they approve applications for mine action programs, and this applies of course also to NGOs when they apply for funds for mine action. The level of cooperation and coordination between NGOs involved in mine action as well as between NGOs and donors must be improved, in order to promote the connection of mine clearance and development.

### **Landmine Problem and Mine Victims**

Although Germany is far from being a heavily mined country, on 16 March 2000 an accident with an antipersonnel mine almost happened in Germany.<sup>69</sup> Two walkers found a strange little black box in the ground at the former German-German frontier. They were curious about it and kicked it, when suddenly one of the walker remembered the lessons he learned in the Army and realised this could be a landmine. Indeed, it was a landmine. Twenty years after the military of the former German Democratic Republic demined the German-German frontier, probably one of the best recorded minefields in the world, and five years after private companies undertook a second mine clearance operation in this area,<sup>70</sup> this APM still remained in the ground.

On 22 September 1999 five German soldiers, part of the NATO-led KFOR peacekeeping forces, went into a minefield near to the Albanian border. Three of them sustained minor injuries while two of them were heavily injured, none of them critically.<sup>71</sup> According to one report, several soldiers of the KFOR peacekeeping forces have been killed or injured by landmines since the KFOR operation started in Kosovo/Yugoslavia. The landmines could have been laid by both the Serbian armed forces and the Kosovo-Albanian Liberation Army during the Kosovo conflict in 1999.<sup>72</sup>

---

<sup>69</sup>“Unscheinbar versteckt im Boden” (Inconspicuously hidden in the ground), *Volksblatt-Mellrichstadt*, 18 March 2000, <http://www.volksblatt-wuerzburg.de>

<sup>70</sup>As reported in the longer version of the *Landmine Monitor Report 1999* for Germany: <http://www.landmine.de>; see also: Bundesdrucksache (German Parliament Document) 13/1023, p. 1, <http://dip.bundestag.de>

<sup>71</sup>*Reuters*, 23 September 1999, *Associated Press*, 23 September 1999, *Spiegel-online*, 23 September 1999.

<sup>72</sup>*Spiegel-online*, 23 September 1999.

**Acknowledgement**

The publication of this report is supported by the *Ausschuß für entwicklungspolitische Bildung und Publizistik* (ABP), and the *Katholischen Fonds für weltkirchliche und entwicklungsbezogene Bildungs- und Öffentlichkeitsarbeit*.

**Contact**

German Initiative to Ban Landmines

c/o BITS

Rykestrasse 13

10405 Berlin

Germany

Phone: +49 30 421 36 86

Fax: +49 30 428 01 688

Email: [gibl.haake@t-online.de](mailto:gibl.haake@t-online.de)

Homepage: <http://www.landmine.de>