

Twenty-fifth Annual Conference of the High Contracting Parties to Amended Protocol II 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

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Agenda item 7

General exchange of views

Situation with Regard to Compliance with the Norms and Principles of International Humanitarian Law During the Special Military Operation in Ukraine

Submitted by the Russian Federation

1. We note numerous cases of violations by the Kiev regime of the norms and principles of international humanitarian law (IHL) during the special military operation (SMO) in Ukraine.
2. Having chosen terrorist tactics, the units of the Ukrainian Armed Forces (UAF) and national armed groups shell the territory of the Russian Federation on a daily basis, aiming at causing maximum damage to civilian infrastructure and civilians. To this end, they deliberately employ inhumane weapons (mines, booby-traps, and explosive objects) against the civilian population, mining roadsides in between populated areas, bridges, dams, residential buildings, educational and medical institutions. We regularly record evidence of the UAF's mass and indiscriminate mining of urban and rural areas with PFM-1 "Lepestok" anti-personnel mines, as well as the coastline.
3. Within just 18 months since the start of the SMO, 130 cases of civilians, including 11 children, injured or killed by PFM-1 have been registered in the Donetsk People's Republic alone. Such actions constitute a direct violation by Ukraine of the Amended Protocol II (AP-2) to the Convention on Certain Conventional Weapons (CCW), in particular Article 3 and the Technical Annex, which prohibits the use of anti-personnel mines without self-destruction and self-deactivation mechanism, as well as the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction (the Anti-Personnel Mine Ban Convention). By joining the Convention Kiev was to have destroyed all stockpiles of anti-personnel mines by 2010, except for the minimum number needed to develop mine detection methods and train specialists. As reality shows, the destruction has been carried out only on paper.
4. The Ukrainian armed forces continue to actively employ French-made MI AC HPD F2 anti-tank mines which, contrary to the AP-2 provisions, cannot be cleared or removed. The mine reacts to the magnetic field of an object and does not distinguish between different types of equipment. As a consequence, it poses a threat not only to combat vehicles, but also to civilian means of transport and special equipment. The target sensor responds to signals from a simple metal detector as well, which means the mine is also dangerous for demining specialists carrying out clearance operations. German DM31 mine used by the UAF to mine roads is its analogue. The device is also equipped with a magnetic sensor and detonates not as a result of direct contact, but at the approach of a metal surface. In other words, all it takes to set it off is just being around in a bulletproof vest or running a metal detector over it.
5. German AT-2 mines, which are actively used by the UAF, also pose a serious threat to civilians. The munition's magnetic sensor reacts to metal objects, even the smallest ones.



AT-2 can be activated both by a car and by a button on the clothes of a passer-by. Any attempt to move the mine triggers its detonation. It is also known that the Ukrainian side employs German DM1399 mines which are practically impossible to deactivate, since this type of weapon has a self-destruction system with high-explosive effect, as well as an extremely sensitive fuse that reacts both to civilian equipment and to humans.

6. The use of the abovementioned mines constitutes a direct violation of AP-2.

7. The continued increase in military supplies means an ever deeper involvement of Western countries in the hostilities and war crimes being committed, contributes to the escalation of conflict, and delays its resolution.

8. Unlike the Kiev regime, the Russian Federation is fully committed to the norms and principles of IHL, including the 1949 Geneva Conventions and their Protocols, as well as the CCW and its Protocols. Since the beginning of the SMO, the Armed Forces of the Russian Federation have been operating in accordance with the Manual on International Humanitarian Law for the Armed Forces of the Russian Federation, which was developed taking into account IHL-related international treaties, to which Russia is a party. For example, the Manual defines basic requirements for the use of anti-personnel mines in accordance with the AP-2 provisions.

9. During scheduled combat training exercises, the Russian Armed Forces personnel is briefed on IHL norms and principles, including the provisions and technical requirements of AP-2. Commanders of all ranks in the special operation zone have been acquainted with these norms and in fact monitor Russian servicemen's compliance with them.

10. In order to stabilize the socio-economic situation in mine-infested regions as soon as possible, Russia regularly takes necessary measures to prevent casualties and injuries in the zone of SMO. In accordance with the 2022-2023 demining plan for the territories of the new constituent entities of the Russian Federation, more than 43 thousand hectares of terrain have been cleared, and more than 1 million 200 thousand explosive objects detected and destroyed. On a daily basis, mine clearance teams primarily check socially important facilities (hospitals, kindergartens, schools, as well as power, water and gas supply facilities, etc.), residential areas, industrial enterprises, rural areas, infrastructure facilities, areas reserved for the construction of new facilities, roads, bridges, etc.

11. We record regular requests for medical assistance from civilians in the liberated territories. According to the Russian Ministry of Defence, the main types of treatment sought from surgeons remain that for shrapnel wounds caused by explosions of prohibited PFM-1 mines, foreign-made remotely-delivered anti-personnel mines, and cluster shells.

12. Simultaneously, work is underway to raise awareness of the local population about the danger of mines, especially among children. Officers of the Engineering Troops of Russian Armed Forces give classes on the basics of life safety at schools on the subject of "What to do when explosive objects are detected".

13. In recent years, the Russian Federation has disposed of more than 11 million anti-personnel mines that reached the end of their service life. The results of national demining work are regularly reflected in CCW, AP-2 and Protocol V reports, and in responses to the OSCE Questionnaire on Anti-Personnel Mines and Explosive Remnants of War.

14. Russian law enforcement agencies investigate and carefully document all evidence of shelling of Russian regions by Ukrainian militants. Violations of the IHL norms and principles and of the CCW and Anti-Personnel Mine Ban Convention provisions by the Kiev regime, with the connivance of Western States, require an immediate response from the entire international community and bringing perpetrators to justice. Disregard of this problem leads to further degradation of the international law system in the field of arms control, disarmament and non-proliferation, as well as the security situation in Europe and international stability in general.
