

No. 22495. 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. CONCLUDED AT GENEVA ON 10 OCTOBER 1980¹

RATIFICATION

Instrument deposited on:

24 June 1994

CANADA

(With effect from 24 December 1994. Accepting Protocols I, II and III².)

With the following declarations:

- "1. It is the understanding of the Government of Canada that:
 - (a) The compliance of commanders and others responsible for planning, deciding upon, or executing attacks to which the Convention and its Protocols apply cannot be judged on the basis of information which subsequently comes to light but must be assessed on the basis of the information available to them at the time that such actions were taken; and
 - (b) Where terms are not defined in the present Convention and its Protocols they shall, so far as is relevant, be construed in the same sense as terms contained in additional Protocol I to the Geneva Conventions of August 12, 1949.
2. With respect to Protocol I,³ it is the understanding of the Government of Canada that the use of plastics or similar materials for detonators or other weapons parts not designed to cause injury is not prohibited.
3. With respect to Protocol II it is the understanding of the Government of Canada that:
 - (a) Any obligation to record the location of remotely delivered mines pursuant to sub-paragraph 1(a) of article 5 refers to the location of mine fields and not to the location of individual remotely delivered mines;
 - (b) The term pre-planned, as used in sub-paragraph 1 (a) of article 7 means that the position of the minefield in question should have been determined in advance so that an accurate record of the location of the minefield, when laid, can be made;

¹United Nations, *Treaty Series*, vol. 1342, p. 137, and annex A in volumes 1350, 1393, 1457, 1463, 1464, 1495, 1520, 1527, 1543, 1663, 1679, 1695, 1696, 1702, 1712, 1723, 1732, 1745, 1751 and 1760.

²*Ibid.*, vol. 1342, p. 137.

³*Ibid.*, vol. 1125, p. 3.

- (c) The phrase "or similar functions" used in article 8, includes the concepts of "peace-making, preventive peacekeeping and peace enforcement" as defined in an agenda for peace (United Nations document A/47/277 S/2411 of 17 June 1992).
4. With respect to Protocol III, it is the understanding of the Government of Canada that the expression "clearly separated" in paragraph 3 of article 2 includes both spatial separation or separation by means of an effective physical barrier between the military objective and the concentration of civilians."

Registered ex officio on 24 June 1994.
