

ICBL intervention on Art. 5 extension requests

Intersessional meeting to the Mine Ban Treaty, 20-22 June 2022, Geneva

Thank you Chair,

The ICBL thanks all States for presenting today their draft requests for Art. 5 deadline extension.

The ICBL has already shared detailed comments in writing on the draft requests with the Committee on Art. 5 Implementation, and we look forward to discussing these directly with the requesting States this week. In the interest of time, we will deliver only brief comments on all presented extension requests, as well as those still pending.

Starting with the extension request of **Ecuador**: the land remaining to be addressed is extremely small (0.04 km²) yet Ecuador is requesting another three years to fulfill its obligations under Art. 5. The current draft workplan is brief and unclear, and needs to be amended in line with Action#23 of the OAP. In particular, Ecuador should explain why only six days of operations can be carried out each year, and whether this could be extended to 24 days (or a full month) of operations in one year to finish the job – an approach which would seem both more efficient and cost effective (instead of deploying teams for a few days over several years). We would encourage Ecuador to provide a revised plan and budget to show what would be needed in terms of activities and budget to meet the desirable scenario of completing asap, well before 31 December 2025.

Guinea-Bissau is requesting an extension for a period of 24 months: to complete NTS to determine the extent and nature of contamination, to conduct technical survey, and to mark and clear spot tasks, in addition to conducting risk education. A further extension request will be prepared for submission by 31 March 2024, containing a detailed workplan built on the evidence of the survey. Since the proposed plan is dependent on timely completion of numerous activities planned for this year, it would be important for Guinea-Bissau to clarify how likely it is that these planned activities will be completed by end of this year, and if not completed, how this could potentially impact the proposed workplan and time frame of the requested extension. We welcome Guinea-Bissau's engagement with the treaty and in the individualized approach and encourage Guinea-Bissau to actively approach donors and work closely with operators to ensure needed support.

Turning to **Serbia**. Serbia has made slow progress in clearing the known Confirmed Hazardous Areas and has recently discovered new Suspected Hazardous Areas in Bujanovac Municipality. These Suspected Hazardous Areas have not yet been surveyed, despite being discovered in 2019. There is no detailed workplan for the requested period 2023 – 2025. Serbia states that it will have a clear picture of remaining contamination by November 2023 (21 MSP) and an updated work plan for the remaining period of the request, to 1 March 2025 will then be provided. Serbia should urgently proceed with completing the survey of these newly discovered SHAs under its current extension. Should that not be possible, Serbia needs to develop and present a clear workplan for the survey and clearance as soon as possible as required by Action#23 of the OAP and include it in the amended request to be

considered at the 20 MSP. If Serbia is not able to develop such a workplan, we believe Serbia should be granted an interim extension of one year to 1 March 2024, to carry out survey of the newly discovered areas and to develop a plan for clearance.

Sudan's draft request is complete and comprehensive. However, considering Sudan will need a very significant level of funding to achieve completion by 2027 while having faced funding challenges in the past, the main concern remains the feasibility of the presented plan. With this in mind, Sudan should indicate if the projected budget for each year (beyond the confirmed amounts for 2022 and 2023) is in discussion with donors, and it should present to the State's Parties alternative clearance planning according to predictable funding sources and projections. Sudan should also clarify specifically the amount of AP mine contaminated area to be released through NTS, TS, or clearance for each year under the plan.

The significant progress that **Thailand** has made during the last extension period from 2018, and the clarity that it has on the extent of its contaminated areas needs to be recognized and applauded. It is disappointing, however, that Thailand is currently requesting over three years until end of 2026, particularly as its neighbor, Cambodia, has and continues working towards its current Article 5 deadline of 31 December 2025. Since the progress is directly dependent on clearance of border areas and the bilateral cooperation between the two countries in this regard, we strongly encourage Thailand to reconsider its newly requested deadline and revise it to 31 December 2025. We call on all relevant partners to provide the necessary encouragement and support to both countries on their bilateral cooperation on border clearance and to discuss the means to achieve clearance in a mutually beneficial way in the border areas, with jointly agreed deadlines of 31 December 2025. By working cooperatively on clearing the border both Cambodia and Thailand would set a great example for the whole convention community, and together they could cross the finishing line in 2025!

Yemen is requesting an extension of five years until March 2028, with the likelihood that further extensions will be needed to meet its clearance commitments under Art. 5. While the challenges of preparing a detailed work plan by Yemen in the ongoing difficult circumstances are fully understood, a workplan still remains an essential element of any request for an extension deadline, and is required by OAP. In its revised request, it is very important Yemen develops and includes a workplan for the Baseline Survey (BLS), based on the prioritization matrix and accessible areas, to show which accessible areas will be surveyed during the extension period, when the activities will be undertaken, the expected completion date, and which operators will do the survey. This will provide some basis for tracking progress. Yemen would still be able to provide updates to this plan on an annual basis to reflect any changes in circumstances.

We would like to remind all States Parties of the importance to include within their requests a detailed, costed and multi-year plan for context-specific mine risk education and reduction in affected communities, as required by **Action#24** of the Oslo Action Plan. This is an action that appears to frequently be missing, with past risk education activities described, but no detailed forward-planning, explanations as to how high-risk groups will be reached.

Ecuador, Serbia, Thailand, and Yemen all need to include plans for how mine risk education and reduction will be addressed during their extension periods.

We also encourage all affected States to request only the amount of time for which they are able to plan, to enable close and regular check-in and follow-up on their survey and clearance planning and implementation progress.

The ongoing violation of the treaty by **Eritrea** following its failure to present a request for deadline extension in December 2020 remains a grave concern and we are greatly disappointed by Eritrea's lack of re-engagement and its absence at the meeting today.

We welcome the decision in regard to Eritrea adopted by States Parties at the 19 MSP that calls on Eritrea *“to submit a request for extension no later than 31 March 2022 for consideration by the Twentieth Meeting of the States Parties”*, and *“that failing the establishment of a cooperative dialogue with Eritrea and resolution to the current status of non-compliance, the States Parties should consider seeking clarification and resolving questions relating to compliance by Eritrea through the Secretary-General of the United Nations in accordance with Article 8.2 of the Convention.”*

We thank the Committee on Art. 5, the Presidency, the ISU, and all other partners for the outreach vis-à-vis Eritrea. Should Eritrea not come back into compliance ahead of the 20MSP, States Parties should take a decision at the MSP in November to implement the steps foreseen by Article 8.2 of the convention.

We are also deeply concerned about the pending extension request by **Afghanistan**, and we call on stakeholders to do all they can to ensure Afghanistan's request can be submitted and considered as soon as possible, to allow the continuation of formal compliance next to ongoing mine action work on the ground.

Thank you.