ICBL Comments on Extension Requests: Algeria, Chile, Rep. of Congo, DR Congo, Eritrea
11th Meeting of States Parties to the Mine Ban Treaty
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Algeria
Algeria acknowledges that it started clearance operations to fulfill Article 5 too late. It also notes both the humanitarian and security implications of delays in completing clearance. Nonetheless, Algeria’s request for five additional years appears to be well-reasoned, and the fact that Algeria is meeting all of the costs of its clearance deserves recognition. We would have liked to hear Algeria commit unequivocally to clear all of the known remaining mined areas within the extension period, including the so-called “museum” areas. We would also have liked to hear more details on the conditions and timeframe for marking all known mined areas. We hope that Algeria will report regularly on progress made on these two issues.

Algeria states that it is using only manual clearance and does not mention any planned survey activities. Yet States Parties are encouraged, including through the Cartagena Action Plan, to use non-technical and technical survey to help reduce the amount of land that needs clearance. Algeria does note that it conducted a technical survey and a Landmine Impact Survey, but does not provide specific information on the results. We believe States Parties’ decision on the request should encourage Algeria to make better use of all safe and effective methods to release suspected hazardous areas, including technical and non-technical survey, in order to finish its Article 5 obligations in the most efficient manner.

Algeria also notes that in the northwest, three mined areas offer particular technical challenges that do not yet allow firm dates to be set for the completion of clearance. We recommend that States Parties encourage Algeria to regularly report on progress made in overcoming these challenges.

Chile
Chile admits it has taken a conservative approach to identifying mined areas and clearing them, which has slowed overall progress. Nonetheless, Chile’s extension request appears to be well-reasoned, and the fact that Chile is meeting all of the costs of its clearance deserves recognition.

The request indicates that through March 2011 a total of 48 minefields and 4 dangerous areas have been released, totalling more than 9.3km2. Full details of previous land release would be welcome in order to understand how this total land release was calculated. Data should be disaggregated by year and by activity, whether clearance, technical survey, or non-technical survey. This will help assess the plan for the extension period.

In addition, each remaining mined area includes a security perimeter based on the footprint of a possible landmine explosion. Chile should provide the size of the security perimeter for each mined area as well as how this perimeter was released on previously cleared areas, whether it was through full clearance or survey. The information will also assist States Parties to assess the planned productivity.

Given that Chile is requesting a long period of eight additional years, we encourage States Parties to monitor progress made against annual targets throughout the period, and to request regular reports from Chile on the completion of the different phases of its plan.

Rep. of Congo
Il est profondément regrettable que la République du Congo ait attendu l’expiration du délai établi par l’Article 5 pour présenter une demande de prorogation. Pour cela, le Congo est en violation du Traité d’Interdiction des mines après dix ans au cours desquels il a n’a pas été en mesure de confirmer la nature et l’étendue des zones contaminées par les mines antipersonnel, ni de commencer la dépollution.

Jusqu’ici, six villages ont été identifiés comme contaminés lors d’enquêtes non-techniques, mais la demande ne mentionne pas combien de villages dans le district de Kimongo n’ont pas encore fait l’objet d’une enquête générale.

Nous accueillons avec plaisir le fait que le gouvernement congolais va en 2012 octroyer des fonds de ses propres budgets pour soutenir les activités anti-mines. Il est également positif que des discussions informelles soient en
cours quant à la possibilité de recevoir de l’aide d’une ONG pour terminer l’enquête et procéder au déminage nécessaire.

Nous recommandons l’octroi d’une période intérimaire de 14 mois qui permettra au Congo de mieux déterminer l’étendue du problème et ainsi de soumettre une demande définitive, détaillée et réaliste d’ici la fin mars 2012 pour remplir les obligations de l’article 5. Cette demande définitive devra être accompagnée d’un calendrier d’activités.

**DR Congo**

We welcome that DRC has reduced the requested period from a four-year interim period to a 26-month interim period. Through the use of survey and database clean-up, it appears that DRC has secured a good understanding of the extent of the problem. Efforts should now focus on either cancelling suspected mined areas or confirming and clearing them.

Unfortunately, the extension request does not seem to include any detailed or even general plan for the release of the 82 mined areas currently registered. In addition, it is not clear if mine clearance will be carried out in confirmed areas while survey is underway in suspected areas. The DRC should explain why survey and clearance cannot take place in already confirmed areas at the same time as the General Mine Action Survey is carried out in other areas, especially with such a large planned annual budget.

The national law on the implementation of the Mine Ban Treaty was promulgated in 2011. It calls for the creation of a national mine action center. We welcome these efforts to increase national ownership. More information on how and when the handover from UNMACC to the national mine action center will take place would be useful, given uncertainty about the future of the UN peacekeeping mission beyond June 2012.

The request notes the need for some 30 million dollars per year. We would welcome more information on DRC’s resource mobilization strategy.

Overall, mine clearance in DRC appears to have been very slow. We look forward to hearing the full results of the ongoing surveys soon, and we hope DRC will be in a position to present in early 2013 a strong and ambitious plan to complete mine clearance.

**Eritrea**

Before commenting on Eritrea’s request, I would like to make a few remarks or a more general nature. The ICBL believes that the ten-year deadline allocated for clearance under the treaty should, in most cases, prove sufficient for affected States Parties to identify and clear all areas contaminated with antipersonnel mines under their jurisdiction or control.

The Cartagena Action Plan signals that only those States Parties facing exceptional circumstances should be seeking an extension. But although it was intended only for heavily-affected states, the extension request process has been very widely used. More than half of the States Parties believed to have outstanding mine clearance obligations are already taking advantage of a first or second deadline extension period, or are requesting one this week. Meanwhile, every day, people fear for their lives when walking to their school, water source, or farmland. As recalled in the Cartagena Action Plan, the speed and manner of mine clearance has crucial implications for development and human security, and for the safety and well-being of affected individuals and their communities.

Regarding Eritrea’s request -- despite the delays in determining the scope of contamination and conducting clearance, it is positive that Eritrea is seeking an interim extension to get better clarity and develop a work plan for completion. But unfortunately Eritrea’s request is still missing several pieces of information needed to assess its operational plan for 2012–2015.

It would be useful if Eritrea provided greater clarity on the number of affected communities and suspected hazardous areas cleared from 2001 to 2010 in relation to the number identified by the Landmine Impact Survey, as there seem to be inconsistencies in the figures provided. We understand that further work is needed to refine the estimated contamination, but Eritrea should be in a position to indicate how many suspected hazardous remain today and what is the total estimated size.
Eritrea should present a survey plan through 2014 based on the number of survey teams available. It would also be useful if Eritrea clarified the basis for calculating that 50% of its remaining suspected hazardous areas would be reduced by the end of 2012.

Eritrea admits that without significant external support, it will take much longer to complete the national mine clearing program than was planned initially. It expelled demining NGOs and UN technical support in 2003 to 2005 and has since declined informally any proposed support from international NGOs, saying it will only accept direct funding to the program. Given that Eritrea has refused international technical support for the last six years, how reliable will its land release methodology be?

We would also suggest that Eritrea provides a rationale for its resource mobilization strategy in light of the unfortunately poor record in attracting international funding since 2005.

Thank you.