

Thursday 1 December 2011

## SUMMARY

### Clearing mined areas (continued from 29 & 30 November)

The discussion on clearance continued and the remaining States Parties in the process of implementing Article 5 clearance obligations (**Angola, Cyprus, Turkey, Serbia, Sudan, South Sudan**) spoke.

Before continuing with their planned statements, several states took the opportunity to thank the organizers and participants of Wednesday's informal session, which they said paid tribute to survivors and founders of the mine ban movement, and reminded delegates about why they are gathered at the 11MSP.

**Angola** announced that it is working hard, with the help of the Implementation Support Unit to prepare the extension request that it will be required to submit by 31 March 2012, as it is unable to meet its deadline of 1 January 2013. It gave details of its past clearance activities and the scope of the remaining contamination.

**Cyprus** committed to completing clearance in areas under its control by its June 2013 deadline, and gave details of progress made to this end, but reported that there has been no progress in demining areas currently under "military occupation."

**Turkey** reported that in collaboration with NAMSA, a tendering process for clearance of contaminated area on Turkey's border with **Syria** is nearing completion, and the contractor is expected to begin clearance in October 2012, with completion expected in 2016. Turkey also announced the decision that it would begin clearance on its eastern border, applying lessons from the Syrian border demining activities.

**Serbia** announced that it hopes to be able to complete clearance by its deadline of 1 March 2014, but noted that challenges are numerous. It reported that it is mobilizing resources for clearance and told delegates that without assistance Serbia may not be able to meet its deadline. **Serbia** gave details of its experiences sharing information with **Croatia**.

**Sudan** announced that despite its efforts, it will be required to submit an extension request as it is unable to meet its deadline of April 2014. Due to survey, **Sudan** stated that it now has a clear understanding of the scope of the remaining problem, which it stated is confined as a result of land release activities, and can be treated in a short time. **Sudan** explained that lack of support and insecurity in some affected regions are the obstacles that prevent it from meeting its original deadline.

**South Sudan** outlined its mine action objectives and priorities, its progress to date and stated that contamination remained serious, noting that survey has not been carried out in some inaccessible areas, and that recent clashes may have introduced new mine/ERW contamination. It cited several challenges including insecurity, lack of funding, and difficult

climatic conditions. In a rare candid moment, **South Sudan** stated succinctly that international organizations may not “last long”, and will “go away as soon as there is a tsunami anywhere,” stressing the importance of national ownership and of building domestic capacity for continued progress.

**Ethiopia** did not speak, but the **11 MSP President** announced that its written statement would be available on the **Implementation Support Unit** website.

The **11MSP President** then opened the floor for other states and organizations wishing to comment on this topic: **Hungary, Germany, Norway, Switzerland, ICBL, Greece, ICRC, GICHD, Palau, South Africa, Indonesia, Zambia, UNMAT, Canada, and Australia.**

**Hungary** announced that in 2011 while carrying out a cross border cooperation project with **Croatia**, new contamination was discovered in **Hungary**. Hungary assured the 11MSP that it is taking steps to ensure clearance, that it has a plan in place and financing assured, and that the clearance of the newly discovered area will begin in a few weeks and will last for 24 months. **Hungary** noted that details on methodology and a time schedule has been circulated in writing.

**Germany** repeated the announcement made originally at the intersessional standing committee meetings in June 2011 that soviet era contamination has been found at a military base in its territory. It reported on progress since June, stating that a steering group has been established to allow coordination between local and national authorities, efforts have continued to exclude civilians from the area, and that a strategy has been developed to address the fact that contamination includes different types of ordnance.

**Norway** welcomed the good news of clearance completion from **Burundi** and **Nigeria**, as well as updates from states that are on track to meet their clearance deadlines, but noted that too many States Parties have fallen behind. **Norway** also expressed concern that states started clearance too late, and that some states with extended deadlines are not taking into consideration the conclusions and recommendations made in the approval of their extension requests, a concern reiterated by others, including **Zambia**. **Norway** announced that it would be more stringent in requiring recipients to report, using clear indicators, on gender equality in mine action programs that receive Norwegian assistance.

Finally, **Norway** proposed that the **11MSP President** engage in consultation with States Parties, **ICRC, ICBL** and other stakeholders, on how to deal with the issue of States Parties discovering mined areas after Article 5 clearance deadlines have been met. **Australia, Canada** and **Zambia** expressed support for this proposal, supporting discussion at the 2012 intersessional meeting, and a decision at the 12MSP.

**Switzerland** called for South to South collaboration to continue and become more widespread, a sentiment repeated by **Zambia**, and stressed the importance of national ownership of clearance programs. **Switzerland** encouraged affected states to take steps to avoid bias in survey, arguing that biased survey could lead to inefficiency and inappropriate resource allocation.

The **ICBL** then took the opportunity offered by the **11MSP President** to respond to the preceding statements in the session on mine clearance, noting with regret that

**Montenegro, Ethiopia and Iraq** did not provide an update, and expressing the hope that **Greece** would give details about residual contamination on the island of Rhodes.

The **ICBL** urged **Angola** to request a short initial extension followed by a second extension once the extent of contamination is better understood. The **ICBL** noted that it believes **Cyprus** will not succeed in clearing all mined areas before the deadline and will be required to submit an extension request next year. The **ICBL** called on **Cyprus** to accept the **UN**'s previously offered assistance in carrying out clearance in the buffer zone.

The **ICBL** also praised **Germany** and **Hungary** for transparently reporting on contamination discovered after they had met clearance deadlines, though it noted **Hungary** could have shared information in a more timely manner, a point that **Norway** also raised.

**Greece** responded to the comments of the **ICBL** stating that clearance remains one of its priority, noting that the mined area is marked, and making a commitment to continue carrying out inspection until all mines unaccounted for have been located and cleared.

The **ICRC** expressed concern that too many of the presentations from states engaged in clearance lacked information about future plans and did not provide information about whether states were on track to meet their deadlines. The **ICRC** shared the concerns expressed by the **ICBL** on the previous day about the **UK**'s statement, and provided a sharp critique. The **ICRC** reminded delegates that when the **UK** was granted an extension, it agreed to submit plans detailing future demining by 30 June 2010, but noted that the **UK** has not yet submitted any plans. It also noted that when it was granted an extension, the **UK** reaffirmed its commitment to clear all mines *as soon as possible*, which the **UK** contradicted in its statement to the 11MSP, by stating that it prioritizes clearance projects that save lives.

**GICHD** gave an update on its operational work to support States Parties in meeting clearance obligations. **GICHD** reported assisting **DRC, Tajikistan, and Jordan** in 2011 with the creation of national mine action standards. **GICHD** reported that most states are now using the latest version of IMSMA, and announced that the system will be moving to a wiki format to facilitate collaboration.

**Palau** welcomed new State Party **Tuvalu**, and encouraged other Pacific nations to join the Mine Ban Treaty. **Palau** reported on two years of clearance, thanking donors for financial and in-kind contributions, but reminded states of the scope of its contamination, which includes decaying and unstable WWII-era mines, ERW, and UXO, on land and underwater. **Palau** noted the potentially devastating effects on Palau's economy that could result from a mine/ERW incident involving a tourist, and called for continued and expanded support.

**South Africa** encouraged states to draw up clearance plans as soon as they join the treaty. **South Africa** called on all States Parties to make a contribution: affected states by working together internationally, regionally and subregionally to exchange information and technical expertise, and states in a position to do so, by providing funding.

**UNMAT** encouraged all affected States Parties to adopt land release methods in order to increase efficiency and make land available for development. **UNMAT** congratulated

states on record levels of clearance, and noted that the UN provided support to some of the countries with the highest levels of clearance in 2010.

### **Stockpile destruction**

As outgoing Co-chair of the Standing Committee on Stockpile Destruction, the **Philippines** introduced the statements of States Parties with outstanding Article 4 stockpile destruction deadlines.

**Belarus** confirmed that administrative and practical procedures have been completed, and destruction of its 3.35 million PFM1 antipersonnel mines is about to begin, with the Ministry of Defense responsible for timely transfer of ammunition to the destruction site, so that destruction is ensured. **Belarus** announced that destruction will be complete by May 2013.

**Greece** reported that its dire and unprecedented economic situation has curtailed stockpile destruction activities, as well as a pending legal proceeding with a stockpile destruction contractor, but assured States Parties that the delay in complying with Article 4 of the Mine Ban Treaty is not deliberate or indicative of a lack of willingness. It noted it is considering alternative options and communicating with companies that specialize in destruction in order to meet its stockpile destruction obligations.

**Turkey** announced, to applause from the plenary, that it completed stockpile destruction on 21 June 2011, using only national sources of funding. It reported that it destroyed nearly 3 million antipersonnel mines in **Turkey** and a further 22,000 were destroyed in **Germany** by a German company.

**Ukraine** announced that it has decided to destroy all PMN mines retained for training, and stated that it will use only study models to train personnel. It also gave details on the upcoming commencement of a destruction program whereby 3 million PFM1 mines will be destroyed with funding from a NATO Maintenance and Supply Agency Partnership for Peace Trust Fund. Ukraine stated that its POM and OZM mines are safely stored at **Ukrainian** military depots, and that destruction of PFM mines remains **Ukraine's** top priority as there is a much larger quantity of those than of other types of mines.

**FYR Macedonia**, which had declared completion of stockpile destruction in 2003, announced that it had discovered approximately 200 antipersonnel mines while examining its stockpiles in relation to the Convention on Cluster Munitions, and announced that with the support of the **Implementation Support Unit** and **GICHD**, all mines could easily be destroyed in early 2012.

**Germany** announced that it is looking forward to serving as Co-chair of the Standing Committee on Stockpile Destruction alongside **Romania** in the coming year.

**Nigeria** stated that it looked forward to its role as Co-rapporteur of the Standing Committee on Stockpile Destruction, and pointed out that though currently few States Parties have stockpile destruction obligations pending, this issue will once again become relevant to larger numbers as new States Parties with stockpiles to be destroyed join the treaty.

**Guinea-Bissau**, which had declared completion of stockpile destruction in 2005, reported that fewer than 50 antipersonnel mines were found at military bases during a **UN**

assessment mission. It declared that it had no intention of retaining the mines for training and committed to destroy the mines as soon as possible and not later than 1 March 2012, thanking **UNMAS** the assistance it intended to offer in this regard.

The **ICBL** commented on the preceding statements, congratulating **Turkey** on the completion of its stockpile destruction obligations, lauding **Macedonia** and **Guinea-Bissau** for their transparent reporting of newly discovered stockpiles, and **Belarus** for signing a contract for the destruction of its stockpile.

The **ICBL** expressed concern the delay of stockpile destruction in **Greece** caused by financial constraints, in addition to the legal appeal of the destruction contractor, calling on **Greece** to do its utmost to complete stockpile destruction as a matter of priority despite challenges.

The **ICBL** noted that while the **Ukraine** has the capacity to destroy 1 million mines per year, it has destroyed few mines so far, and expressed concern that **Ukraine** has not requested assistance with, and has no plans for, the timely destruction of its POM2 and OZM mines, which it announced would be stored while it focuses on the destruction of its PFM mines.

The **ICRC** offered congratulations to states that had made progress in stockpile destruction, but shared the **ICBL**'s concerns about **Greece** and **Ukraine**, pointing out that **Greece** has not made progress in destroying the remaining 60% of its stockpile after almost two years. While praising **Ukraine**'s progress, it expressed the hope that progress on the destruction of the remaining 50% of stockpiles will soon be made. The **ICRC** expressed pleasure that **Belarus** has concluded all administrative steps necessary to begin destruction, but pointed out that due to the dates agreed in the contract with the private company tasked with destruction, only 16 months remain for **Belarus** to destroy over 3 million mines.

**Senegal** encouraged States Parties to seek assistance to reinforce stockpile destruction capacity as needed.

### **Implementation support**

The **10MSP President** reported on the amended agreement on the **Implementation Support Unit**, concluded with **GICHD** and signed on 6 September 2011.

The **10MSP President** reported on the work of the Open-Ended Working Group on **ISU** Finances. Despite extensive consultations and general agreement as to the value of a well-functioning ISU and the need to review the existing model to ensure sustainability, predictability and equal burden sharing, the **10MSP President** had been unable to formulate a proposal for decision by the 11MSP. He identified a lack of understanding on how the present scheme works and global financial concerns as the obstacles to reaching agreement.

However considerable progress has been made and there is broad acceptance of a hybrid funding scheme with a distinction drawn between the tasks to be financed by voluntary contributions and those funded by assessed contributions. The **10MSP President**

recommended that the present financing model of the **ISU** be preserved and negotiations be resumed when external circumstances are more favourable to an agreement.

**Algeria, Australia, Chile, Switzerland, Thailand, Senegal and Norway** took the floor and spoke about the necessity of sustainable and predictable funding for the **ISU**. They strongly urged all States Parties to resume discussions and find a solution to the financing model as soon as circumstances allow, and in the meantime to make further contributions and take other steps to allow the **ISU** to operate effectively.

The **11MSP** approved a report on the **ISU**'s activities, functioning and finances, an audited annual financial report and the work plan and budget for 2012. The **ISU Director** presented the report, work plan and budget and the cost-saving measures which have been taken to allow the **ISU** to operate within its means, including the prioritisation of support for implementation over support for universalization of the treaty. He orally introduced amendments to paragraphs 17 to 20 of the work plan and budget, and to paragraphs 32, 39 and other sections of the report.

The **10MSP President** reported that the Coordinating Committee had endorsed the work plan and budget and noted with concern the uncertain financial situation of the **ISU** in 2012. **Prince Mired of Jordan, Canada, Palau, Colombia, Austria, Nigeria and Mauritania** expressed strong support for the **ISU** and the Work Plan and Budget for 2012.

The **11MSP** approved a proposal to rationalise the number of States Parties in leadership positions in Standing Committees which was presented by the **10MSP President** (see document #APLC/MSP.11/2011/3). The **11MSP** also approved the list of new Co-chairs and Co-rapporteurs, to serve from the end of the 11MSP to the end of the 12MSP, put forward by **Canada and Thailand**, Co-Chairs of the Standing Committee on the General Status and Operation of the Convention.

The **11MSP** agreed that the Co-rapporteurs would continue for the period from the end of the 12MSP to the end of the 13MSP. The **11MSP** approved the dates for meetings of the Standing Committees in 2012 as 21– 25 May 2012.

The **ICRC** commended the experimental sessions at the 2011 intersessional meetings as a positive forum for discussion and recommended that informal, interactive and focused discussions be continued in the future, especially in the areas of stockpile destruction and victim assistance. The **ICRC** proposed certain improvements to the structure of these discussions, in particular that they be more informal, interactive and distinguished from the reporting done in plenary, focused on future challenges rather than achievements and with increased participation from capital-based state representatives.

## **Universalization**

**Belgium**, as Coordinator of the Universalization Contact Group, opened the session on universalization of the Mine Ban Treaty by calling upon States Parties to invest further in promoting universalization at a regional level and establishing regional universalization champions.

**Belgium** reminded States Parties of their responsibilities under the Cartagena Action Plan to promote and universalize the treaty, and urged them to encourage states not party and

states that have recently undergone a change in leadership to join the treaty. **Belgium** proposed States Parties make universalization a part of their mainstream foreign policy and also called on all States Parties of the Mine Ban Treaty to join the Convention on Cluster Munitions.

**Belgium** announced that the **Implementation Support Unit** has received a letter from **Tonga** stating that it is beginning the process of become a State Party to the Mine Ban Treaty.

The **10MSP President** then provided an update on his work in the area of universalization over the past year, in particular with representatives of **Finland, Poland** and **Kazakhstan** and his anticipated work with **Morocco** in the future.

**Prince Mired of Jordan**, the President's Special Envoy on Universalization, reported on his universalization missions to the **Republic of Korea, Tuvalu** and **Tonga**, his attempts to engage with **Nepal** and **Sri Lanka**, and his meetings in **Fiji** with representatives from **Fiji, Micronesia, the Marshall Islands, Australia** and **New Zealand**. He repeated his call to States Parties to assist in these endeavours at a high diplomatic level in whatever way possible.

**Lao PDR** reported that it strongly supports and is taking steps to prepare to join the Mine Ban Treaty, including conducting workshops to raise public awareness and submitting its voluntary Article 7 transparency report.

The **US** had no developments to report, stating that its landmine policy review is still ongoing and that until a decision has been made its current policy remains in place.

**Somalia** reported that it is on the verge of acceding to the Mine Ban Treaty and intends to become a State Party within the next few months. It encouraged all remaining states to join the treaty to facilitate universalization.

The **ICBL** applauded the efforts of **Tuvalu, South Sudan** and various states not party towards universalization, and condemned the new use of mines in **Israel, Libya, Myanmar**, and the serious allegation of use in **Syria**. It encouraged **Poland, Lao PDR, Nepal, Mongolia** and **Lebanon** to continue progress towards accession to the Mine Ban Treaty, and urged all states to join the Convention on Cluster Munitions.

The **ICBL** also contended that the mine ban cannot be global and universal unless non-state armed groups abide by it and that these groups should be encouraged to renounce the use of mines and destroy stockpiles, either by signing the Geneva Call Deed of Commitment or by other means.

In reply, **Turkey** expressed concern about NGOs engaging with non-state armed groups without informing and receiving authorization from the relevant state.

The **ICRC** welcomed the steps already taken and yet to be taken by **Tuvalu, South Sudan, Finland, Lao PDR, Somalia, Poland** and **Tonga** towards joining the Mine Ban Treaty. It also welcomed the Libyan National Transitional Council pledge to renounce mines and expressed hope that **Libya's** new government will take steps to join the treaty.

It commended regional initiatives towards universalization such as the meeting of commonwealth law officials in July 2011 and the seminar of 12 Asian states in Cambodia in September 2011.

**Palau** spoke about how promoting awareness will encourage other Pacific states to appreciate the value of the Mine Ban Treaty and expressed confidence that the states of the Pacific can play a leading role in achieving the aims of the treaty.