Friday 2 December 2011

SUMMARY

Universalizing the Convention (continued from 1 December)
The session on universalization of the Mine Ban Treaty continued, with Malaysia, France, South Africa, Japan, Cambodia, Senegal, UNMAT, and Canada making statements.

Throughout the session, many states thanked Special Envoy on Universalization, Prince Mired of Jordan, as well as the ICBL and ICRC for their various activities and contributions towards treaty universalization. Most states taking the floor also welcomed new States Parties South Sudan and Tuvalu, and congratulated Finland for its imminent adherence and Poland for its expected ratification in 2012.

Malaysia called for organizations and states to work hand in hand on implementation of treaty obligations, and thanked the ICBL and the ICRC and all those working towards universalization of the ban.

France stated that the Mine Ban Treaty has become model for implementation and universalization but reminded States Parties of their responsibility to continue working towards universalization, noting that several states remain outside the ban and do not show signs of joining in the near future.

South Africa expressed concern that while many states abide by the Mine Ban Treaty’s norms, there is a lack of progress on universalization, and called on States Parties to continue to make universalization a top priority.

Japan advocated for States Parties engaged in universalization efforts to take a unique approach to each state not party, identifying the types of activities that would be most effective in encouraging each particular state to join the treaty. Japan also encouraged States Parties to synchronize their efforts related to universalization of the Mine Ban Treaty with efforts related to the Convention on Cluster Munitions.

Cambodia gave details of its activities promoting the treaty in South East Asia, and announced its intention to continue activities in this region throughout 2012. Cambodia also praised those states not party that made statements during the 11MSP showing their understanding of the importance of universalizing the convention and expressing their support for the spirit of the Mine Ban Treaty.

Senegal noted that the Mine Ban Treaty has been successful in stigmatizing the weapon and expressed hope that further universalization would continue to increase the authority of the treaty.

UNMAT acknowledged with satisfaction the adherence of the two new State Parties, but expressed serious concern about the new allegations of use, which it said highlight the importance of universalizing the treaty and its norms, including engaging with non-state
armed groups. UNMAT also reminded States Parties that full universalization includes comprehensive and timely implementation of all treaty obligations by States Parties.

Canada stated that it considers universalization a core treaty obligation, noting that only by full universalization and clearance will states reach the goal of having no new victims. Canada also congratulated Belgium on its assumption of the role of Coordinator of the Universalization Contact Group.

Cooperation and Assistance
As Chair of the Standing Committee on Resources, Cooperation and Assistance that met for the first time in June 2011, the 10MSP President introduced the session on Cooperation and Assistance, noting that the session and Standing Committee meetings are an opportunity for states to discuss issues relating the resource mobilization, effectiveness of funding, national ownership, incorporation of mine action in development frameworks, as well as non-financial cooperation including the exchange of knowledge and experience. The 10MSP President pointed out that there is a need for two distinct discussions, one relating to clearance and one relating to victim assistance, as the two involve different timelines, actors and institutions.

The 11MSP President was unequivocal in reminding delegates that despite economic difficulties, States Parties have a solemn obligation to provide assistance for clearance and victim assistance, stating that when it comes to implementation, default is not an option. He asked each State Party, whether affected or not, to identify over the coming year how it can contribute. He asked States Parties to recall that when joining the treaty they agreed that there was a global problem and all States Parties would be part of the solution, urging all to push for progress as they enter the mine ban movement’s third decade.

Thailand, New Zealand, UK, Indonesia, South Africa, Spain, the Netherlands, Brazil, Sweden, Peru, UNMAT, Switzerland, Canada, Algeria, Austria, Norway, Germany, Colombia, the ICRC, Japan, Benin, GICHD, Australia, the US, the ICBL, and Chad took the floor.

Thailand outlined two proposals which had been met with positive feedback at the June 2011 intersessional meetings, one for the establishment of a Trust Fund to support Mine Ban Treaty implementation in South East Asia, and the other for the development of a database which would allow contributors to share information about available resources, including non-financial assistance, and recipients to share information about needs. Thailand called on the Implementation Support Unit to create background papers on these topics, including a cost estimate for the creation of a database, for discussion at the 2012 intersessional meetings.

Algeria, Australia and Indonesia expressed support for Thailand’s proposals.

New Zealand gave details of its assistance for mine clearance in Cambodia and UXO clearance in neighbouring Lao PDR, noting that in Cambodia it is taking an integrated approach to mine action, with a portion of funding going towards clearance, followed by support for agricultural development on cleared land.
The UK gave a detailed statement outlining its pledge to provide £30 million to its international mine action program over the period 2010-2013. It reported that its strategy focuses on linking mine action with development, encouraging national ownership, and prioritizing work where it will have the most impact. The UK stated that it takes an integrated approach, meaning that it does not differentiate between assistance for activities relating to mines, cluster munitions and other ERW.

Indonesia stated South to South cooperation was useful in the long term.

South Africa stressed the importance of national ownership and coordination between national and local governments and civil society in order to ensure effective use of resources. South Africa also expressed the hope that affected states with resource mobilization challenges would take advantage of the renewed focus on resources resulting from the creation of the new Standing Committee.

Spain urged states to look at security not just as a matter between states, but also as a matter involving the security of civilians during and after armed conflict. It detailed its support for clearance activities, both financial and in-kind, in the form of training for Colombian deminers in Spain.

The Netherlands noted that it contributes approximately €15 million per year for various sectors of mine action, and committed to maintain this level of support in future years, despite budget cuts affecting other areas. The Netherlands pledged to play an active role in the Standing Committee.

In a preamble to its statement on cooperation, Brazil noted that it consumed over 1000 mines retained under Article 3 for training in the last year. Brazil then gave details of its cooperation with Portuguese speaking African countries, involving Brazilian army officers working on demining training and translation of training materials. Brazil also strongly condemned new mine use and reported that it had condemned incidences of use in 2011 at a high level. Brazil announced that it is currently in contact with Libya to discuss possible technical cooperation, in addition to considering a $100,000 contribution. Brazil noted the provision financial or in-kind assistance to support affected States Parties in implementing treaty obligations is key for encouraging affected states not party to join the treaty.

Sweden gave details of the assistance provided in 2010 by the Swedish International Development Agency (SIDA). It also reported that an external review of mine action support concluded that donors needed to push for more focus on the impact and outcome of projects funded, that a more strategic approach is needed regarding national capacity building, and that it remains important to link mine action with development.

Peru made a joint statement with Ecuador noting that the two countries cooperate as if they were one on demining the border areas, giving details of information and equipment exchange, binational training and procedures, and sharing of costs. It also noted that Peru and Ecuador have met with Colombia in order share experiences.

The UN Mine Action Team announced that it will soon share findings once it has completed the review of the UN Inter-Agency Mine Action Strategy 2006-2010, and that it looks forward to getting input from states, NGO partners and other stakeholders in creating
the next strategy. It called for continued international support and noted that increased capacity of national institutions is positive for mine action in affected countries.

Switzerland called for sustained long-term commitment from donors to see through projects to completion and called for results and impact of work to presented more clearly.

Canada reported that it is committed to providing multiyear funding that is sustainable and encourages national ownership. It called for donors to set ambitious targets and noted that there is room for improvement in terms of reducing duplication and increasing efficiency in provision of support.

Algeria hailed the creation of the new Standing Committee offering the framework for states to discuss available and required resources, pointing out that lack of financial resources has been a major obstacle to some states which has delayed implementation of their obligations. Algeria stressed the importance of setting up links with the World Bank and other financial institutions in an effort to mobilize resources for mine action, and called on the Standing Committee to launch a review of resource mobilization mechanisms in the coming year.

Austria gave details of recently delivered and pledged funding, and stated that it remains committed to contributing to mine action in future, even if it is difficult.

Norway spoke about its funding for stockpile destruction in the Ukraine noting that Norway's one-off $1 million contribution was a targeted contribution that removed a bottleneck and allowed the Ukraine to use its national capacity and to mobilize additional international resources in order to carry out stockpile destruction. Norway committed to provide support for mine action in 2012 at a same level as in previous years.

In the session on clearance on 1 December 2011, Norway stated that it would require recipients of its support to report on gender equality in mine action programs. The importance of integrating gender equality and considerations into mine action was also stressed by Australia, Canada, Switzerland, and the UK.

Germany stated that it does not differentiate between mines, cluster munitions and other ERW in the projects it funds, and gave details of historical funding as well as funding it provided in 2011. Germany urged donors to focus on building local capacity.

Colombia advocated for donor states to take into account priorities set by national authorities in affected countries, and for national authorities to provide clear priorities and engage in dialogue with partners. Colombia stated that it has a resource mobilization strategy and clear internal priorities. Colombia stressed the importance of South to South cooperation, gave details of its experience-sharing initiatives with Cambodia, Ecuador and Peru, and expressed the belief that South to South cooperation should be discussed in the Standing Committee on Resources, Cooperation and Assistance forum.

The ICRC stated that the large number of extension requests indicates that levels of international support for mine action have not been sufficient, and also indicates that funding provided could be used more efficiently. The ICRC called for expanded use of land release methods. It noted that a small number of mine-affected countries receive the bulk
of funding and urged donors not to forget other countries. It called on affected states to share experiences with each other in order to increase efficiency.

**Japan** hailed the success of the side event it sponsored at the 11MSP to enable the sharing of lessons learned and gave details of the South to South cooperation projects that it has supported in **Colombia** and **Cambodia**.

**Benin** detailed the support received and activities carried out by its regional humanitarian demining center, (Centre de Perfectionnement aux Actions post-conflictuelles de Déminage et de Dépollution, CPADD) which provides training to deminers from NGOs and Mine Action Centers throughout the region.

The **GICHD** stressed the importance of evaluation of mine action programs in order to assess effectiveness of support, and announced that it has just published four policy briefs to assist in getting better value for money in mine action. It announced that it has recently handed over its francophone outreach activities CPADD in Benin and noted that it would like to carry out a similar program to enable the sharing of best practice throughout Arabic speaking countries, many of which have experienced a recent rise in contamination.

**Australia** committed to support all pillars of mine action through an integrated and long term approach, and recalled its $100 million mine action funding pledge covering 2010-2014. It noted that it increasingly provides multi-year funding in order to reduce administrative costs and provide flexibility. **Australia** called on affected states to provide accurate information on progress and needs, to increase national ownership, including making national contributions towards mine action, to ratify relevant conventions and to evaluate mine action activities and demonstrate their results and impact. **Australia** announced that it is undertaking a review of its Mine Action Strategy to be completed in February 2012, and a review of its Development for All Strategy to be undertaken in the first half of 2012, and invited feedback from stakeholders on both reviews.

The **US** gave details of its support for demining, risk education, victim assistance as well as stockpile maintenance and destruction of excess, unstable weapons and munitions, and noted that its publication To Walk the Earth in Safety detailing all financial support it provided in the previous year, was available to delegates at the 11MSP and would be released officially later in December.

The **ICBL** reiterated that concerted efforts from donors and affected states could help improve how mine action funds are expended, and shared recommendations and observations to this end.

**Chad** noted that exchange of techniques and experience is possible between affected states not party, as well as States Parties.

**Transparency and exchange of information**

**Belgium** as Chair of the Contact Group on Transparency opened the session. It detailed its efforts to enhance compliance with transparency reporting obligations, lauded the submission of three voluntary reports by states not party, but warned that they should not use this as an excuse not to join the convention, and expressed concern about the low rate of transparency report submission as well as the imprecision and low quality of some reports. **Belgium** announced that it will be consulting states about its proposal to amend
transparency reporting forms, noting that it plans to report on results of this consultation and to formulate amendments to the forms at the 2012 intersessional meetings. Belgium also invited interested parties to comment as it is currently updating a reporting guide to assist states in correctly and precisely completing transparency reporting forms.

The 11MSP President reminded States Parties that they have obligations to provide information stemming from Article 7 of the Mine Ban Treaty, as well as from the Cartagena Action Plan.

Turkey reiterated that an investigation into alleged mine use by its armed forces in 2009 is underway and the results of this investigation will be shared when the judicial process is concluded. Regarding a second possible use of mines, Turkey reported that media photos examined in its preliminary investigation into the possible use of M2A4 in April 2009 show that the mines in question appear to date from 1953.

The ICBL expressed concern at the low level of compliance with Article 7 reporting obligations and noted that many reports submitted contain insufficient detail. The ICBL called on all States Parties, in particular those with outstanding treaty obligations, to submit timely and detailed transparency reports, including expanded Form D on mines retained and Form J on victim assistance.

The ICBL then delivered a statement concerning mines retained for training and research, noting with concern that 44 States Parties retain over 1,000 mines each, including 11 States Parties that have reported mines retained, but have not reported consuming any for permitted purposes since the treaty entered into force for them. The ICBL stated that if mines retained are not being used at all for permitted purposes, it would appear to constitute stockpiling and should be treated as a compliance issue.

The ICRC shared the ICBL’s concern about the low Article 7 compliance rate, and urged states to comply at the earliest opportunity, and supported Belgium’s call for increased quality of reporting. The ICRC also expressed support for Belgium’s proposal to amend the reporting format and update the reporting guide.

Cameroon confirmed that it does not use, produce, stockpile or transfer antipersonnel mines, and that it is not mine-affected. It noted that it is in the process of acceding to the Convention on Cluster Munitions, and ratifying the CRPD. Cameroon reported that it is not awaiting completion of the CCM accession process to begin implementing its obligations, and has begun to destroy munitions and ERW on its territory.

Kenya announced that national implementation legislation as required under Article 9 of the Mine Ban Treaty is being fine-tuned and will be passed in 2012. Kenya offered to support humanitarian interventions by supplying military deminers.

Preventing and suppressing prohibited activities and facilitating compliance
The ICRC expressed concern that there has been little progress in the implementation of Article 9, noting that 63 States Parties have yet to pass legislation or make a formal announcement stating that existing legislation is sufficient. The ICRC reported that 22 states are in the process of passing legislation, but noted that the majority have been in
the process for five years or more. The ICRC reported that few states without legislation have submitted transparency reports covering year 2010, and even fewer have provided updates within transparency reports on the progress of legislation. The ICRC reminded States Parties that it is able to assist in the creation of national legislation, including by providing a model law.

Later in the session, the ICRC delivered a statement about compliance with the Mine Ban Treaty, condemning incidents of new use. The ICRC urged States Parties to fully investigate allegations of non-compliance, and to share information about such investigations openly. The ICRC stated that the test of the Mine Ban Treaty is how States Parties handle non-compliance.


The ICBL called on States Parties to examine whether retaining of mines for training without regularly consuming retained mines for such activities constitutes stockpiling. The ICBL pointed out that the Republic of Congo has been in violation of treaty for not securing an extension to its Article 5 deadline prior to its expiry, and noted that the lack of action on clearance in a number of countries may constitute a compliance problem, rather than an implementation issue.

In response to the ICBL and ICRC, Turkey reiterated its commitment to share details of its investigation once the judicial process has been concluded.

Consideration of requests submitted under Article 5
The 11MSP adopted the decisions of the Analyzing Group with regards to the extension requests submitted by Algeria, Chile, Congo, DRC, and Eritrea.

Chile, Eritrea and the Congo took the floor to express their commitment to meeting their goals as laid out in the extension requests. Eritrea and Congo appealed for international support toward meeting their extended deadlines.

Matters pertaining to the 12MSP
The 11MSP elected Matjaz Kovacic of Slovenia President Designate of the 12MSP to be held in Geneva, 3-7 December 2012.

Algeria suggested that the interactive character of Mine Ban Treaty Meetings of States Parties could be enhanced, and their duration be shortened to enhance effectiveness, proposing that the 12MSP President and Coordinating Committee could discuss this issue, a decision could be taken at the 12MSP, and would come into effect at the 13MSP.

Before the 11MSP adopted the final report and Phnom Penh Progress Report and the President closed the 11MSP, Colombia took the floor introduced Fundacion Arcangeles’ “Lend Your Leg” campaign and called for governments, together with civil society and
corporate sponsors, to participate in this awareness-raising campaign to be realized from 1 March to 4 April 2012.

The 11MSP President then closed the meeting, thanking all those in attendance, and those who participated in Wednesday’s informal session. He committed to continue work towards universalization of the treaty in South East Asia and announced that Prince Mired of Jordan would become the Treaty’s Special Envoy on Universalization, rather than the President’s envoy. Finally he led the 11MSP in a round of applause for the people who he noted have done magnificent work and committed themselves body and soul to work towards the treaty’s humanitarian goal.