

Statement on Mine Clearance, 27 November 2008

ICBL Statement on Mine Clearance

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Ninth Meeting of the States Parties, 27 November 2008

Mr. President,

We appreciate and support the progress that State Parties have made over the past 12 months towards clearing mined areas under their jurisdiction or control. As part of this process, NGOs continue to carry out demining in dozens of countries around the world. And every square meter of land safely released to the civilian population is potentially a life saved or a livelihood restored. However well the extension request process has worked over the past year, the fact that 15 States Parties felt it necessary to seek additional time beyond their legal deadline to fulfill their Article 5 obligations is not positive for the implementation of the Mine Ban Treaty. Indeed, the number of extension requests considered this week could even have been higher. The possibility remains that there are mined areas still in the north of Namibia, and there is still concern that Niger may be affected by antipersonnel as well as antivehicle mines—both States Parties with a 2009 deadline.

The ICBL continues to encourage mine-affected States to make every effort to complete clearance of mined areas under their jurisdiction or control as soon as possible, but not later than 10 years after becoming party to the treaty. To meet this challenge, each affected state should ensure that an effective and efficient mine action program is established as soon as, if not before, becoming party to the Mine Ban Treaty. It seems almost superfluous to mention the need to identify and understand the true nature, extent, and impact of the explosive hazard as early as possible in the life of the program. Yet, as we have seen over the past two days, even after many years and many millions of dollars of financial support, some programs are unable to provide credible estimates of the area of contamination.

We know that mines affect the daily lives of women, men, girls and boys differently—often the impacts are different even in the same community. We therefore encourage states to take another look at the UN guidelines as well as the study on gender and mine action by the Swiss Campaign to Ban Landmines, which suggest ways to ensure these differing impacts can be most effectively addressed. Hand in hand with better data on contamination and impact goes improved planning. The quality of strategic planning has increased markedly over the past few years—and the extension request process has further assisted this process. But too often, plans are still being adopted and then either ignored, or faithfully implemented when new data or differing circumstances should dictate the need for change. “Plan your work and work your plan” has become almost a cliché in development circles, but its basic tenets hold true.

Once plans are clear, the process of resource management can begin in earnest. Donors have been generous to mine action over the past decade, a reality we trust will continue. The dispersal of resources among programs has sometimes seemed iniquitous, but a well planned and rapidly implemented program is always more likely to attract international funding. In terms of national ownership, adopting national legislation is not required by the treaty, but will often generate better domestic support for mine action, and may even be a pre-requisite for regular national budgetary support.

Coordination, tasking, and quality assurance are all key elements in the management of a mine action program. As we noted during the discussion of Article 5 extension requests, while lack of funding is often cited as the reason for delays in demining, at least as important is the quality of management provided by the mine action program. Mine action centers are integral to appropriate tasking and quality management of demining operations, but strategic decisions about program direction also need to be made at inter-ministerial level.

This enables clearance priorities to be both explicit and clear, which means important decisions about allocation of resources between humanitarian, reconstruction, and development can be made effectively and in full

transparency. If all these elements are in place, only states with the most severe contamination or suffering other exceptional circumstances should need to seek additional time to complete clearance in accordance with Article 5 obligations. Looking forward, the Review Conference next year will likely be asked to consider at least three extension requests: Argentina, Cambodia, and Tajikistan. In Cambodia, we have seen positive developments as the program has worked effectively with its operators to come up with a plan to complete clearance within the shortest possible timeframe. Given reports of new antipersonnel mine contamination in the Philippines, we will be seeking clarity from that State Party on progress in its clearance operations. Beyond those States Parties, we look forward to hearing clarification from the Gambia (whose Article 5 deadline is 2013) on reports that antipersonnel mine contamination was encountered for the first time in December 2007.

This brings us to our last point, that of reporting. Regular and high-quality reporting is integral to effective monitoring of the implementation by affected States Parties of their Article 5 obligations. The earlier delays in implementation and shortfalls in funding can be identified, the quicker a remedy can be found. Unfortunately, the legal minimum of reporting required by Article 7 is not sufficient for these purposes. We therefore call on all affected States Parties to follow the example set by several, namely, to set out in Article 7 reports the estimated area of contamination by mines and to disaggregate annual clearance by area and type, not just by the number of devices cleared. All good demining programs should be readily able to provide more detailed data by calendar year on progress in mine clearance. They should also be able to disaggregate it from the achievements of battle area clearance (the clearance of areas affected by explosive remnants of war, including cluster munition remnants), which should be reported on under other instruments of international law.

Thank you for your kind attention.