

Statement on Universalization, 26 November 2008

Thank you Mr President.

The ICBL wishes to take this opportunity to thank His Royal Highness Prince Mired of Jordan for the energy and determination he put in pursuing universalization of the Mine Ban Treaty during his term as President, reminding us all that universalization is a necessary precondition for the goals of the treaty to be truly achieved. We now look forward to continuing the good work with the new presidency.

Unfortunately, despite the efforts made by many of us during the year, not one single state has added itself to the list of States Parties since we last met by the shores of the Dead Sea one year ago. This is deeply troubling, as it is the first time since the treaty's entry into force that a whole year has gone by without one single addition to the Mine Ban Treaty community.

We always knew the last mile would be the hardest one but we also know that we cannot give up now. We therefore need to redouble our efforts, collectively and individually, to get new countries on board the treaty before the Second Review Conference. The ICBL will certainly continue to do so and is calling on all States Parties to renew and increase their diplomatic initiatives and support with concrete activities, in collaboration with all actors engaged in universalization, the commitment they made in signing the treaty, and reiterated in Nairobi in 2004 to "work strenuously for the promotion of its universalization in all relevant fora".

Despite the lack of new accessions or ratifications this year, the hard work on the universalization front is leading to partial but hopefully significant steps in several States not Party. The ICBL welcomes the announcement by Azerbaijan that it has submitted its voluntary article 7 report and hopes that this will not only open the way to further steps on the way to accession, but also foster confidence in the region and set a positive example for other neighbouring countries.

Poland, one of the two last remaining signatories together with the Marshall Islands, has recently announced it will ratify in 2012 – 13 years after signing – thus bringing ratification forward from the previously announced 2015 deadline. While we appreciate this, and recognize that Poland is *de facto* complying with most of the provisions of the treaty, we believe it is a very moderate step forward, as Poland announced its readiness to ratify the treaty at the First Review Conference and there does not seem to be a convincing reason why it could not do so by the Second Review Conference.

2012 is also the deadline for accession set by Finland, the only other EU member alongside Poland remaining outside the treaty, which also has not shown any positive movement towards the treaty in the past few years.

Mr President, the argument of *de facto* compliance is used very often by States not Party in response to universalization demarches - "why do we need to accede/ratify if we are already doing what the treaty requires?". As we have said in the past, abiding by the provisions of the treaty without accepting to be legally and irreversibly bound by them is simply not good enough. Moreover, some of these states continue practices that would violate the treaty such as stocking landmines or deriving military benefit from existing minefields.

Even countries that have never used antipersonnel mines and have no intention of doing so in the future should join without delay thus strengthening even further the international consensus that these weapons are simply not acceptable. The ICBL hopes that countries belonging to this group such as Bahrain, Oman, the United Arab Emirates and others will consider it important to give their contribution to a mine-free world by joining the treaty.

In the course of the past year the ICBL and its members worldwide have engaged with a wide range of States not Party through correspondence, embassy meetings, lobbying at international conferences – including those related to the Oslo process on cluster munitions – and more recently at the UN First Committee. We visited Lebanon, Libya, Morocco, Poland and we are planning a follow-up mission to Nepal before the end of the year. ICBL members in several countries – including some that are still listed as producers and large stockpilers of

landmines such as India, Pakistan, the USA and others - have campaigned relentlessly for positive movement by their governments, and the achievement in countries like Azerbaijan and Nepal, to name but two, are in no small part the result of such civil society efforts. The ICBL and its members have also engaged extensively with Georgia in the aftermath of the conflict this summer and are hoping to see positive movement there.

ICBL members have also been engaging with Non-State Armed Groups in a number of countries, in recognition of the fact that to be truly universal and effective the ban must be embraced by all actors involved in armed conflicts. This includes activities to engage Non-State Armed Groups through a variety of tools and means, including unilateral declarations, bilateral agreements and the inclusion of elements of a ban in ceasefire agreements. In this connection, the ICBL welcomes the new initiative by the Philippines Campaign to Ban Landmines under which four Non-State Armed Groups in the Philippines signed a newly launched document called "Rebel Declaration of Adherence to International Humanitarian Law on Landmines".

To close on a positive note, next week we will be celebrating in Oslo the signature of another historic convention aimed at reducing the human suffering caused by indiscriminate weapons: the Convention on Cluster Munitions. The ICBL welcomes the positive engagement and leadership shown by certain States not Party to the Mine Ban Treaty in the Oslo process, such as in the case of Laos and Lebanon, both of whom have recently hosted regional meetings on the cluster munitions ban. The ICBL sees the Mine Ban Treaty and the Convention on Cluster Munitions as complementary and mutually reinforcing and thinks that it would be only natural for states joining the Convention on Cluster Munitions to extend their humanitarian engagement to landmines too.

Thank you.