

# ICBL Statement on Universalization, 1 December 2009

**Delivered by Katarzyna Derlicka, ICBL Advocacy and Campaigning Officer**

Madame President,

We had hoped to start our statement by congratulating new States Parties for joining the Mine Ban Treaty, but for the second straight year we will not have that pleasure. Not a single country has joined the Treaty since November 2007.

No doubt we have accomplished much on universalizing the Treaty and its norm since the First Review Conference, which has been well reflected in the draft Review and mentioned already by numerous delegations. We will not repeat all the achievements of the past five years, but rather try to look to the future and reflect on how we can reach universal adherence - an indispensable element for a mine-free world. Nevertheless, it is hard not to mention that since the First Review Conference 13 new states have joined the Treaty, including some notable former users and stockpilers, as well as affected countries, including Ethiopia, Iraq, Indonesia, Kuwait, and Ukraine. Equally, if not more, remarkable has been the successful stigmatization of the weapon, which has led to a near complete halt to government use, trade, and production of antipersonnel mines.

However, with the standstill on the universalization front in the past two years we have been asking ourselves two key questions: have we hit a brick wall and the 156 States Parties is as far as we can get? What should we be doing and how in the future to secure further progress?

The ICBL believes we have not hit the brick wall yet and there is still need and space to continue our joint universalization efforts. There are a few reasons, which make us confident that we still can and should achieve more.

First, the remarkable rate of adherence to the Treaty and its norm both since its adoption and in the past 5 years. The mine ban norm has become so firmly established, that for a significant number of countries it is only a matter of when they will join, not if they will join. We have always known that the last mile would be the longest one with the relatively few and relatively "harder" states remaining outside the Treaty. Nevertheless, by our count, at least one-third and up to one-half of the States not party could join in the next few years.

Second, the progressively growing interest in the Treaty and engagement by many States not party over the past years. There are 18 States not party present today in this room as observers. Most have taken steps toward accession such as ceasing production, export, and in some cases even use; adopting a national moratorium on transfer, use or production of antipersonnel mines; voting in favor of the annual UNGA Resolution calling for universalization of the treaty; submitting voluntary annual transparency reports; clearing contaminated areas and assisting victims, or destroying stocks of antipersonnel mines. Many of them behave as a de facto State Party. Two of them - Marshall Islands and Poland - as the treaty's signatories - have already a legal responsibility to observe the Treaty's core provisions. In addition Finland and Poland have had committed publicly to join the treaty in 2012. Half on the current States not party have supported the annual UN General Assembly Resolution on the Treaty. Among those who used to oppose it and now vote in favor are Azerbaijan, China, Kazakhstan, Laos, Marshall Islands, and Morocco. This year, Azerbaijan, Morocco, and Poland submitted voluntarily Article 7 reports; Laos indicated it would submit a report in the future, and Mongolia and Sri Lanka have done so in the past.

In addition, at least 59 non-state armed groups in 13 countries have agreed to ban the use of antipersonnel mines since 1999, including this year in India and Iran.

Other specific developments we have witnessed recently that we hope will bear a fruit in near future include the leadership shown by the Lao PDR as well as Lebanon in the process that led to the Convention on Cluster Munitions and we look forward to continue working closely with both states with the hope they will join this treaty very soon. We also expect accession soon by Mongolia, as a result of intense dialog and efforts undertaken this year by States Parties, the ISU and civil society, including a mission by the ICBL Diplomatic Advisor to

Ulaanbaatar earlier this year. We are pleased to see Nepal's Minister of Peace and Reconstruction this week with us and we hope this is a sign of Nepal's commitment to soon join the treaty. We are similarly hopeful to see Sri Lanka moving steadily toward joining the treaty after expressing will to do so last month at a national seminar on the MBT and related issues co organized by the authorities in Colombo together with Unicef and the Sri Lankan campaign to ban landmines. Also the Gulf states (Bahrain, Oman, and the UAE) have committed to accede to the treaty and should do that without further delay.

Last but not least, we are pleased that the United States has sent an observer delegation; this marks the first time the US has formally attended a Mine Ban Treaty conference. Several days ago, we were bitterly disappointed when a State Department spokesman said the US had concluded a review of its landmine policy and decided not to join the Treaty. However, the Obama administration subsequently issued a correction stating that a review was still underway and a final decision on accession had not been made. We urge the US to undertake a thorough and transparent review that is aimed at identifying the measures needed to enable the US to join the Mine Ban Treaty as soon as possible.

These are just a few examples that make us confident that we are still far away from the brick wall on universalization, and that significant progress can be made in the coming years.

To answer the second crucial question on what we do next and how we do it to ensure further progress on universalization:

The draft Cartagena Action Plan provides much if not all the answer. We believe the six concise and strong Actions dedicated to the convention's universalization constitute a very clear and good guidance for the States Parties' universalization work in the next five years.

We believe it is absolutely crucial that ALL States Parties take seriously their responsibility of protecting and further promoting THEIR convention and its norm through proactive engagement with States not party. Regrettably, in the past few years, apart from the ongoing work of the ICBL and the ICRC, we have seen only a handful of States Parties actively engaged in universalization work. In this respect, we would like to thank Canada and the recent Presidents of the Meetings of States Parties. However, if we want to see significant progress this cannot be an effort of a few States Parties and the civil society only - many more States Parties should get actively involved to make it a common, sustained effort.

Equally important is that the States Parties as per the CAP indeed "seize every opportunity to promote" the Convention and engage with States not party at the ministerial level and higher, something that has been rightly identified in the draft Review as a "dire need".

Lastly, the basis of the success of this treaty and its universalization and implementation has always been the unique partnership between civil society and governments. We are happy to see it reflected in the draft Review and in Action #2 of the CAP. We call on all States Parties to continue taking pride in this partnership and working closely with us toward our common goal. We assure you that ICBL will continue to do so.

The ICBL looks forward to working together with all of you in the next 5 years towards full universalization of the Treaty and a mine-free world, which together we have been making 'mission possible.'

We would also like to take this opportunity to call on all States to join the Convention on Cluster Munitions that so far has been signed by 103 states and ratified by 24 and will enter into force next year.

Thank you.