

ICBL Statement on Clearing Mined Areas, 1 December 2009

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Second Review Conference of the Mine Ban Treaty
1 December 2009**

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Madame President, Your Excellencies, Ladies and Gentlemen,

The Mine Ban Treaty held out a hope to countless people that soon - "as soon as possible" as the treaty says - their land would be cleared of antipersonnel mines and they would no longer fear for their lives when walking to their school, market, water source, or farmland. One of our goals this week is to measure how far we have come in fulfilling this promise and to rededicate ourselves to this task in the most urgent manner.

One of the many successes of the treaty has been the high number of mine-affected countries that joined - binding themselves to clear all mined areas in their territory in less than ten-years. The first decade has now passed, and 15 previously mine-affected states have been able to declare themselves free of mines. We warmly congratulate Albania, Greece, Rwanda, and Zambia for their recent announcements of completion before their deadlines. This is living up to the letter and the spirit of the convention!

On the other hand 36 States Parties are still engaged in demining - some with a sense of urgency equal to the need; others with a lack of progress and commitment that is extremely disappointing. The wide range in the quality of states' efforts has been brought to light through the 19 requests for extensions so far submitted to States Parties. No one expected that 19 states would request more time for demining, and the Review notes that a number of States Parties felt such a number was inconsistent with the treaty's obligation to clear mined areas "as soon as possible." Indeed at the First review Conference the NAP envisions "few if any" extension requests. As we and others have noted on many occasions, the possibility for an extension under Article 5 is one that was designed for those countries that would not have been able to - despite all their best efforts - finish within the proscribed 10 years.

Among the 19 states requesting extensions, there are certainly the exceptional cases that the extension provision was designed for - states with very high levels of contamination, such as Bosnia and Herzegovina and Cambodia, or states that due to security reasons cannot access mined areas, like Colombia, which will need to request an extension next year. Many states fell behind due to a lack of international support. But there are others that have simply started too late, have been plagued by mismanagement, or have not received the requisite financial or political support from their own government. This year, we found that Tajikistan and Uganda may have been able to finish on time if they had started earlier and had been given more resources by the international community and their own governments. The Cartagena Action Plan signals to States Parties facing upcoming deadlines that only States Parties facing such "exceptional circumstances" should be seeking an extension.

Vigilance needs to continue even after extensions are granted to ensure states do not need additional extensions and that they meet the goal - as suggested for many in the decisions of the 9MSP - of finishing faster than the time granted. Of the 15 States Parties that received extensions last year, at least 7 already appear to be behind on the plans they submitted in their requests. Based on currently available information, Croatia has only looks likely to release only around 65% of its 2009 target, and Bosnia-Herzegovina will only meet 50% of its target for release through technical survey and clearance. Due to a lack of political and promised financial support, Thailand was only able to clear 3% of its target for 2009 by the middle of the year. On the other hand, Denmark, Jordan, and at least four others seem on track to meet their targets.

We believe there should also have been mention in the Review and the Action Plan of the need for states submitting requests for extensions to only request the shortest number of years absolutely needed. Again, we don't find this to be the case this year, especially concerning Tajikistan. Some lessons learned are reflected in the Review and the action plan, with recommendations of both the 7MSP and the 8MSP noted. These documents

place a special emphasis on identification of mined areas, which is still a major concern in many countries, including Cambodia. For all states receiving extensions, we believe that the time planned for completion should be under regular review with an aim to keeping it as short as possible. As we will highlight on the specific states, we believe when the situation of states changes significantly relative to the plan they submitted, they should present a revised work plan to a future Meeting of States Parties.

If fully implemented, the Cartagena Action Plan can help get states back on track to clearing the land quickly and safely. Indeed, the section on "clearing mined areas" begins with a call on all states to clear areas "as soon as possible," whether they have just joined the convention or are working towards an extended deadline. First and foremost, States Parties need to know what the extent of the problem is, and Action 14 therefore calls on them to identify the precise locations of all remaining mined areas by the 10th MSP. This may be difficult, but we encourage states to rise to this challenge because effective planning and operations depend on having this knowledge. For those states that have 10 years or more of mine action behind them, it is high time for them to be able to say with some amount of certainty where the mined areas are. Adapting the new IMAS on land release into national standards, policies and procedures as called for in Action 16 will help. We also call on States Parties to ensure any future surveys gather such precise information. Getting accurate data will be facilitated by Action 17, which calls on states to supplement the usual reports on number of mines cleared with much more useful information on how much land has been returned for productive use. This information will be most useful when broken down by the method of release: be it clearance, technical survey or non-technical survey, as the Action also requires.

The Action Plan and Review also remind States Parties that once mined areas are identified, all of them must be cleared, not just those with immediate impact on populations, though of course those areas should be the highest priority for clearance. We still see some states mention "impact-free" or "mine-safe" as an end result for their mine clearance programs, and we still see some donors using the same terms to describe the goal of their support, although this is less than what the treaty requires.

The requirement also applies to border zones and areas around security installations. Failing to clear these areas might - as the Review notes - indicate ongoing use and therefore a violation of Article 1. The ICBL strongly encourages States Parties that are delaying clearance of mined areas along contested borders to make all possible efforts to arrange for clearing of the entire area without linking it to eventual delineation of the border. Making use of a neutral third party to conduct the clearance may be one way to ensure the work is done in a way that gains the confidence of both sides.

Finally, the Review and Action Plan reflect developments in mine risk education methodologies, noting that risk education in most states no longer works well with one-way mass communication, but rather should be tailored to the specific situation of the community and use community liaison to ensure there is two-way communication. An important lesson learned that is not well articulated in the Review or the Action Plan is the need to find viable alternatives for those who take risks knowingly in order to eke out a living or to acquire food or fuel for their families.

Of course, through all areas of mine action, the specific needs and priorities of women and girls must be taken into account, as well as the information they hold on mined areas, or they may not be able to benefit from and contribute to risk education, clearance, or released land on an equal basis with men and boys, as is reflected in the Action Plan.

Madame President, the Landmine Monitor estimated that there are around 3,000km² of land remaining to be cleared around the world. We call on States Parties to come away from Cartagena with renewed energy and commitment to tackling this large, but manageable remaining challenge. It will take time, resources, and hard work, but it is doable. It is "mission possible," and it is a mission that will save lives.

Thank you.