

Call for Action: Action Plan for Nairobi Summit

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On Tuesday, 29 June, the Second Preparatory Meeting for the Nairobi Summit ended. A report will be sent shortly, but most immediately we wanted to seek your ACTION in a timely manner.

Why?

Agreement on an Action Plan is a key part of the preparatory process as this document will be a major product of the Nairobi Summit itself. For us, it is probably the most important of all of the documents expected from the Summit, as it will set the tone and framework for actions to be expected by States Parties for the next five years.

What?

We therefore seek your input on the Action Plan and your help in encouraging your government to send inputs. The process has been open and inclusive, and through the working group chairs we have had input thus far in the drafting of the various documents. The Action Plan was generally well-formulated, but lacking specific, time-bound actions and targets. We provided oral input at this Preparatory Meeting, as did numerous States Parties. We were pleased that many States Parties echoed our comments, but we were disappointed that not many mine-affected States Parties provided input, and discussion on victim assistance and mine action sections was limited. However, all may provide written comments by the 15 July to the President-Designate. We want to take full advantage of this opportunity to create a dynamic, ambitious, concrete Action Plan.

How?

Our working group chairs have reviewed it and drafted some main elements, and language, to be suggested. A summary of some of the main concerns for the full document is below, as well as draft language proposed by the Mine Action Working Group for the Mine Clearance section.

For now, we ask you to:

1. Read the document, available [here](#).
2. Send in any comments YOU wish ICBL to make : please send your comments to relevant working group co-chairs on the various sections by 7 July. They will then forward comprehensive comments for each section to Susan, who will compile ICBL comments and submit them to the President-Designate.
3. Share your comments with YOUR GOVERNMENT and encourage them to submit comments in writing to the President-Designate by 15 July. They can send comments to Ambassador Petritsch c/o Alex Kmentt at alexander.kmentt@bmaa.gv.at.

Summary

Action Plan - ICBL concerns

While the Action Plan is, in general, well formulated and comprehensive, it lacks concrete, time-bound actions linked to the various points raised. It re-iterates overall obligations of the Convention and overall goals to achieve them, without sufficient specific and concrete actions for attaining them.

It needs to be more action-oriented and include:

- specific, concrete actions
- timeframe and sequencing
- ability to measure, achievable actions
- language of obligation for convention obligations, ie more 'musts' or 'wills' and fewer 'shoulds'

Summary of some suggested main points for various sections:

Universalization

In line with Universalization Contact Group - prioritize states not party which produce, use, stockpile or transfer mines add more specific priorities? New tactics, strategies, actions?

Non-State Actors

Add sentences in relevant sections related to non-state actors such as:

- support work of ICBL country campaigns and other NGOs aimed at securing armed non-state actors commitments to stop the use, production, transfer and stockpiling of AP mines, including with new non-state compliance regimes such as the Geneva Call Deed of Commitment;
- facilitate the implementation of Mine Action activities, including victim assistance, in armed non-state actors controlled areas.

Victim assistance

Ideally the action plan would have explicit timelines and quantifiable objectives.

For example, under a) data collection, we could say "By 2009 data collection systems adequate for VA planning/coordination mechanisms should be in place in 10 out of the 20 most VA needy States Parties. The other 10 should be well on their way to reaching this objective."

Similar actions with target goals tied to 2009 timelines could be added for emergency medical care and physical rehabilitation; psycho-social support; social and economic reintegration; legislation and policy; and provision of assistance.

Substantive participation by survivor advocates in the work of the Convention should be an "action" by, for instance, inclusion of survivors on official government delegations and / or being supported by the Sponsorship Group to participate in the meetings of the Convention.

Mine Action

See draft circulated by the MAWG, including language such as:

- "In order to save lives, prevent injury and provide access to denied areas, States Parties must:
- identify and prioritise all mined areas for clearance
- mark and protect all mined areas not identified for immediate clearance
- complete clearance and destruction of all mines by the deadline"

See MAWG paper for additional explanations/sample language (to be sent separately)

Cooperation and Assistance

Stress the importance of multi-year funding to facilitate long-term planning of mine action and victim assistance programmes, without interruption.

Transparency and exchange of information

Add in Point C. reporting voluntarily on such matters as: "intended purpose and actual use of mines retained for training"; steps taken to ensure that claymore mines can only be operated in a command-detonated mode, etc.

Preventing and suppressing prohibited activities, facilitating compliance

Add "States Parties should request the United Nations system to outline their preparedness to operationalize Article 8 (e.g. Article 8.9 regarding requirements for fact-finding missions), should this be required."

Replace "should" with "must" in this section?

DRAFT: Mine Action Working Group

The Nairobi Summit marks the halfway point between the Convention's entry into force and the deadline for the first State Parties to clear all their antipersonnel mines. Meeting this obligation will be the most significant challenge facing State Parties during the period 2005-2009.

The main objective of Article 5 is ensuring the security and welfare of people affected by landmines. In order to save lives, prevent injury and provide access to denied areas, State Parties must

1. identify and prioritise all mined areas for clearance

Identification should be undertaken as swiftly and simply as possible. Rather than rely on successive, expensive and lengthy general, technical and impact surveys, State Parties should aim for a single comprehensive survey that is useful for both priority-setting and clearance purposes. Where possible it should make use of already existing mine information.

Prioritisation should be undertaken in liaison with mine-affected communities at the local level. These priorities should feed into a comprehensive national mine action plan that includes a definition of resources required to complete the task. State Parties must then identify nationally available governmental and non-governmental resources, and request any further specific assistance to meet the deadline.

2. mark and protect all mined areas not identified for immediate clearance

Perimeter marking, monitoring and protecting mined areas must be implemented in conjunction with targeted mine risk education programmes to discourage civilians from entering these areas. Marking, monitoring and protecting mined areas is an interim measure and it is not intended to replace or supplant treaty obligations.

3. complete clearance and destruction of all mines by the deadline

Sufficient personnel and equipment must be rapidly mobilised, effectively managed and consistently funded to ensure that the clearance deadline is met.

Preference should be given to existing and consistently proven methods. Any new technology must be cost-efficient and appropriate to local conditions.

State Parties that fail to complete clearance by the deadline and as a result request an extension must produce a report on completed activities and a detailed work plan for the full completion of clearance within a clearly defined timeframe.