

# Statement on Article 3 (Retained Mines)

## ICBL Statement on Article 3 (Retained Mines)

Tenth Meeting of States Parties to the Mine Ban Treaty  
3 December 2010

Mr. President,

Seventy-eight States Parties have declared that they do NOT retain any antipersonnel mines for training or development purposes. **Kuwait** joined this group in 2009. Of these states, 24 previously stockpiled antipersonnel mines.

A total of 77 States Parties report that they do retain antipersonnel mines under the exception in Article 3 of the Mine Ban Treaty, including four States Parties that reported for the first time this year that they were retaining mines. **Cambodia** declared it was retaining 182 mines after many years of reporting no retention, but it did not provide an explanation. **DR Congo** confirmed for the first time that it retains some live antipersonnel mines for training, but it did not disclose the types and numbers of mines retained. Finally, **Cape Verde** and **Gambia** both declared retained mines in their overdue initial Article 7 reports that were submitted in 2009.

One State Party, **Equatorial Guinea**, has never indicated whether it possesses antipersonnel mines, let alone retains any mines. Its initial transparency report was due in August 1999.

It is disconcerting that most States Parties that retain mines are not including information in their Article 7 reports on how the mines are being used, as called for in Action 57 of the Cartagena Action Plan. Indeed, we count only 28 States Parties that have used the expanded format of Form D at least once since its adoption by States Parties in 2005. These states are: **Afghanistan, Argentina, Belgium, Bosnia and Herzegovina, Canada, Chile, Croatia, Czech Republic, France, Germany, Guinea-Bissau, Indonesia, Japan, Latvia, Malawi, Mauritania, Nicaragua, Peru, Portugal, Romania, Rwanda, Serbia, Slovakia, Tajikistan, Thailand, Tunisia, Turkey**, and the **United Kingdom**.

On a positive note, several states that did report noted a decrease in the number of mines retained after a reevaluation of their requirements to ensure it is kept to the "minimum number absolutely necessary," as called for in Action 56 of the Cartagena Action Plan. **Cyprus** decided to reduce the number of mines it retains by destroying 494 mines in 2010, leaving a total of 500. Indonesia destroyed 2,524 of its 4,978 mines initially retained, while **Peru** destroyed an additional 1,985 retained mines, leaving 2,060. The ICBL welcomes these steps.

Also, **Greece** for the first time reported that it has consumed retained mines in training activities, a total of 1,066 mines in 2009.

Mr. President, a major concern for the ICBL is the large number of States Parties that retain mines, but apparently are not using those mines for permitted purposes. For these States Parties, the number of mines retained remains the same year after year, indicating none are consumed (that is, destroyed) during training or research activities, and no other details are provided about how the mines are being used.

A total of 13 States Parties have not reported consuming any mines for permitted purposes since the treaty entered force for them: **Angola, Bangladesh, Belarus, Bhutan, Burundi, Cape Verde, Cyprus, Djibouti, Ethiopia, Nigeria, Senegal, Togo**, and **Venezuela**. [Update: Venezuela has indicated that it consumed retained mines in 2010]. Numerous other states have not reported consumption for multiple years. The ICBL sees this as an abuse of the exception for retaining mines. If retained mines are not being utilized at all for the permitted purposes, it would appear to constitute ongoing stockpiling, and should therefore be treated as a compliance issue.

Another area of concern involves changes by States Parties in the number of retained mines that are not accompanied by an explanation in the transparency reports. While it is positive that 14 states reported a reduction in the number of mines retained in 2009, they did not provide any explanation for the change. These

states are: **Brazil, Bulgaria, Chile, the Czech Republic, Denmark, Germany, Italy, the Netherlands, Portugal, Spain,** and the **UK**. Conversely, five states increased the number of mines retained without explanation between calendar years 2008 and 2009: **Australia, Canada, Eritrea, Mozambique,** and **South Africa**. The ICBL calls on all of these states to provide such information in order to establish the necessary level of confidence that the exception permitted by Article 3 is being implemented in a consistent and transparent manner.

Finally, we would like to point out that several states continue to report on mines retained for training and research purposes that are irreversibly incapable of functioning as an antipersonnel mine. **Afghanistan, Australia, Belgium, Eritrea, Iraq, Portugal,** and **Serbia** reported that some mines they retain are inert or fuzeless, while **Bosnia and Herzegovina** indicated that all of its retained mines are fuzeless. Although States Parties are not required to report these mines in Form D, this information demonstrates that inert, fuzeless and free-from-explosives devices can function equally as effectively for permitted purposes as "live" mines, demonstrating that States Parties do not need to retain "live" mines for training.

Thank you.