

# Comments on Extension Requests

ICBL Comments on Extension Requests  
10th Meeting of the States Parties of the Mine Ban Treaty  
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Before commenting on Chad's extension request, the ICBL would like to make a few general points about the extension requests and the process for reviewing them. As of this week, we have 22 States Parties that have requested an extension, three of them for a second time. As the ICBL and others have said many times, such a large number of extension requests is surely not what was intended when states agreed to include a provision for extensions in the Mine Ban Treaty, and surely not in line with Article 5's requirement to act "as soon as possible" to identify and clear all mined areas.

The reason we return to this message time and again is not just because of our concern that states live up to their treaty obligations, but because of our concern about the impact such delays have on the everyday lives people living in those 22 states. We believe there is a clear link between a rigorous process for submitting and reviewing extension requests and concrete progress on the ground. The questions, comments, and analysis coming from States Parties should prompt mine-affected states to plan better, act more efficiently and effectively, and finish the job in the shortest possible timeframe.

But for this process to work we need those States Parties seeking additional time to submit their requests with sufficient time for them to be carefully considered. At the 7MSP States Parties agreed that draft requests should be submitted no fewer than 9 months before the decisions on them would be taken. This year only Colombia did so, with the last request coming from Chad only in September. In addition, we need ALL States Parties, including all members of the "analyzing group," to take seriously their treaty obligation to assess and decide on extension requests. The feedback they give to requesting states can - and has in several cases - helped to improve plans, clarify challenges, and even reduce the amount of time planned to finish clearance.

The ICBL also contributes to this process by preparing comments on the requests, which we have sent to the Analysing Group earlier in the year and we have distributed to you at lunch. Overall, we were pleased that almost all of the requesting states are seeking a fairly short extension period, which is in line with the duty to act as quickly as possible. At the same time, three of these states are seeking a second extension, and two of those will need yet another extension after this one. We find most worrisome that after ten years of implementation, all six of these states needed - either now or in their original extension requests - more time to identify mined areas, which is the first essential step in complying with Article 5. While locating mined areas can be more challenging in some states than others, the mine action community has the expertise to do accomplish this task, and the provisions of Article 6 were designed to ensure such support can be given.

**Chad** is one of the states that asked for an initial extension to be able to get a clear picture of contamination, and now is in the unfortunate position of needing a second interim extension to meet this same goal. Many factors were at play in Chad's inability to identify mined areas in the first 10 years, ranging from lack of national capacity to continuing internal conflict. But the need for a second interim request is largely due to a 15-month delay in getting funding for the survey from Japan through the UN Voluntary Trust Fund.

It is clear therefore that Chad needs additional time to conduct and evaluate the originally planned survey before it can develop a comprehensive demining plan. It also needs time to conduct a survey in Tibesti, which both requests indicate is likely to have a significant amount of landmine contamination, but was not previously accessible because of insecurity. It has not been clear to us, however, why a three year extension period was requested now that the survey is underway and only expected to take 10 months. Today Chad explained that the additional time is to allow Chad to also survey the Tibesti region, but more information would still be useful about its plans to conduct this survey within the extension period, including how it expects to fund the survey and how long it is expected to take.

Chad has put forward a work plan for 2010-2012, which gives very little specific information on objectives apart from finishing the survey of all areas outside Tibesti and a small degree of clearance. The request also notes that its strategic demining plan will be entirely revisited in early 2012. With this in mind, it would be more logical for Chad to seek only a two-year extension period. Taking note of Chad's announced plans to begin work on survey

of the Tibesti region, we hope this survey can be completed in much less than three years and that it will permit Chad to develop a full picture of mine contamination to be gathered before submitting an additional, and hopefully last extension request.

Finally, the ICBL believes that Chad should give a better indication about its plans to mobilize resources in the current and expected future extension period. We applaud Chad for contributing a substantial amount of funding, but apart from general projections of bilateral and multinational donors, Chad gives no information about how it will acquire the necessary resources. A clear resource mobilization plan would not only help Chad communicate its needs to donors, but would also help States Parties evaluate the probability of achieving its goals for this extension period.

### **Colombia**

Colombia's extension request has several positive elements, including the plan to finish clearing all military bases before its deadline, a continuing large national contribution to mine action and projections for even higher levels in the future, and a plan to increase military demining capacity and to open Colombia up to mine action by civilian deminers. At the same time, the request highlights the difficulties Colombia has faced in trying to quantify the amount of contaminated areas due to insecurity and the continuation of mine use by NSAGs. In the ICBL's view, the request could have gone much further in acknowledging the fact that survey and clearance are not possible in most suspected areas for security reasons, and for this reason it is not possible to have a reliable estimate of current or future contamination on which to base demining and funding plans.

Colombia does include information on 14 municipalities that it plans to clear from 2011-13 because they are judged to meet the security and political conditions to begin clearance. But it does not state if these 14 areas constitute all the areas deemed ready for demining, or whether there is in fact a larger number of municipalities that could be safely demined if more resources were made available. In other words, it is unclear whether an increase in capacity (through more NGO deminers and/or more funding) would enable Colombia to achieve more in the next three years, or if this is the maximum Colombia feels it can achieve in the existing political circumstances. More broadly, it would be useful to know what the total suspected hazardous area is in those parts of Colombia that are judged safe to survey and clear (leaving aside for now the other areas, where safe/accurate survey is not possible). We recommend such information be clearly provided at the 10MSP.

We would also like to know more about progress in developing the necessary laws and/or regulations to allow civilian deminers to operate. As around two-thirds of the planned resources and a large portion of the demining capacity from 2011-2020 are expected to come through civilian deminers, the operational plan becomes highly questionable if the legal framework is not developed quickly.

We had suggested to Colombia and the Analysing Group that it would be more logical for Colombia to request an extension only for the time needed to carry out its 2011-2013 plan, at which point it could prepare another request based on the progress, challenges, and political context at that time.

A next best solution we suggested would be for States Parties to include a set of benchmarks in their decision that would allow them to regularly review progress as well as the evolving security context. We believe the decision on Colombia's request should include specific annual objectives based on the commitments laid out in Colombia's request - such as the number of municipalities to be cleared or released through other means by both military and by civilian deminers, the number of teams (military and civilian) available for demining or survey, the number of municipalities or other areas to survey per year, annual commitments of funding - as well as other time-bound goals such as the creation of a legal framework for civilian deminers to operate by the end of 2011.

We welcome Colombia's commitment to return to the 11MSP with a report on improved methods for identifying suspected hazardous areas and to the 13MSP with a new three-year plan based on experience from 2011-13, and we hope to see these commitments reflected in the final decision on its request. Currently the request provides little information on the post-2013 period, though it projects a large and sharply-increasing amount of human and financial resources and productivity for this period. States Parties should therefore have an opportunity to provide significant feedback on the new plan, including via questions and comments from the Analysing Group. At that point an additional set of benchmarks based on the new plan should be developed by States Parties.

### **Guinea-Bissau**

The ICBL finds it highly regrettable that Guinea-Bissau has made so little progress to date on survey and

clearance, which is not in keeping with the treaty's requirement to clear all mined areas as soon as possible. The reasons for the slow progress are mostly tied to a lack of resources for clearance. Indeed, the level of international support has been very low, which the request explains in part by noting the lack of donor presence in Bissau. But Guinea-Bissau has had UNDP technical assistance for many years and has participated regularly at meetings of the Mine Ban Treaty, where it has had ample opportunities to present its plans and needs for assistance. In addition, Guinea-Bissau has not contributed any of its own resources, which is a critical sign of national ownership.

More extensive survey work and more effective use of a land release approach may also have enabled Guinea-Bissau to meet its Article 5 deadline. It is good to hear that such activities are now underway and that the goal is to finish clearance by the original deadline.

The ICBL recommends that Guinea-Bissau be granted a two-month extension since we believe that States Parties needing additional time for clearance should always seek and receive the shortest possible extension period. But Guinea-Bissau should be called upon to do its utmost in the coming year to ensure there is sufficient funding to clear the identified mined areas by its deadline and other States Parties should respond to calls for assistance. Guinea-Bissau should also be encouraged to make a national contribution to mine action in 2011 as a sign of its commitment to finishing the job as soon as possible. Finally, Guinea-Bissau should commit to using all safe and effective methods to release suspected hazardous areas, including technical and non-technical survey, in order to finish its Article 5 obligations in the most efficient manner.

### **Mauritania**

Mauritania's progress in identifying and clearing all mined areas under its jurisdiction and control has been disappointingly slow, especially in its first six years, which is a reflection of the low level of government support for the demining efforts, as well a reflection of the small amount of international assistance Mauritania has received to date. Other reasons include a reliance on manual demining techniques in early years and difficult physical conditions. The extension request takes note of this slow progress, as well as some of the steps taken to increase the pace in recent years, including through an explicit land release process and the shift of the mine action center from military to civilian control. But much more support from the government, as well as assistance from the international community, will be needed if the demining program is to achieve the goals laid out in the request. Mauritania's plans to provide 10% of the clearance costs is a good sign of such commitment.

Looking ahead, the request puts forward an ambitious plan for 2011 through 2015, which is another positive sign of Mauritania's commitment to achieving its Article 5 obligations in a more timely manner. The mine action plan put forward in the extension request is, however, rather vague, and leads to a number of questions, which can be put in the ICBL comments on we distributed. Overall, we think more information should be provided on plans for land release in the extension period since the predicted amount of land to be released is much higher than in previous years, whereas there is no predicted funding needed for land release after 2012 and small budgets for 2010 and 2011. It would also be useful to know more about plans for mechanical demining, including how the machines could be repaired in isolated desert conditions.

To be achievable, the demining plan will need to be matched with appropriate land release processes and sufficient international cooperation and assistance. It is notable that Mauritania's contribution to mine clearance from 2001 to 2009 was almost twice as much as the international assistance it received, a ratio that will need to shift considerably if it is to succeed in its post-2010 plan. A vague plan is put forward in the request about how such resources will be found. Mauritania should provide much more information on how it expects to raise the necessary funds, including plans to demonstrate to donors that mine action is a high priority for economic and humanitarian reasons.

In sum, the ICBL finds that with sufficient international support, Mauritania should be able to finish clearing all known mined areas in five years or less. The ICBL therefore recommends that Mauritania be granted a five-year extension and calls on all states in a position to do so to provide higher levels of financial, material and technical assistance.

### **Zimbabwe**

It is positive that despite a lack of international assistance in the past two years, Zimbabwe was able to conduct analysis in order to sharply reduce the amount of suspected areas, which brings it closer to a more reliable picture of the remaining contamination. Given the current lack of equipment for deminers, it may make more sense for Zimbabwe to continue to focus mostly on survey in this extension period, which would mean reducing

the large number of deminers and moving them to survey work. The request does indicate that a limited amount of survey tasks will take place, but that they should only take two months to carry out. The request also states that Zimbabwe intends to reduce by up to 50% the remaining suspected hazardous areas through further survey, which will require significantly more survey capacity. Without the information gained through additional survey, Zimbabwe's cost estimate of USD 100 million for clearing all mined areas seems premature.

Overall, the ICBL believes that States Parties should grant Zimbabwe another extension of 24 months. Zimbabwe's decision to request only short extensions seems the best approach given the uncertainty of its situation relative to the international community. Periodic, short-term assessments of Zimbabwe's capacity keep the spotlight on the problems it faces and maintain pressure on the international community to provide needed assistance as well as on the government of Zimbabwe to find ways to mobilize such support.

At the same time, Zimbabwe should use this time to pursue more energetically different avenues for international assistance, including by listing mine action as a priority in strategic documents related to development and connecting clearance with available humanitarian assistance. It should also focus more in this extension period on activities it may be able to carry out without significant new resources, such as increased survey to gain a more precise estimate of the remaining contamination, changing the status of ZMAC to a civilian organization, and ensuring its national demining standards are IMAS compliant. All of these may help open doors for increased international support. The ICBL also encourages Zimbabwe to continue its own national contributions to enable clearance and survey to continue.

In addition, in granting Zimbabwe a second extension, States Parties also need to consider how they can provide funds, equipment and technical support needed to carry out the activities planned for this period. Not only because such assistance is a requirement under Article 6, but also because when endorsing the plans submitted with the request, it is logical that States Parties provide the necessary support to enable Zimbabwe to carry out the planned activities, and we urge them to do so.

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