

**ICBL Comments on Requests for Article 5 Extensions
Mine Ban Treaty Intersessional Standing Committee Meetings
Geneva, Switzerland
28 May 2013**



Chad

Après avoir déjà reçu deux prorogations, le Tchad ne semble toujours pas en mesure de présenter une image claire de la superficie contaminée. Le Tchad a annexé sa Stratégie de l'Action contre les Mines 2013-2017 à sa demande de prorogation de délai. Les chiffres concernant la superficie contaminée présentés dans la demande de prorogation ne correspondent pas à ceux de la Stratégie présentée en annexe. Le Tchad devrait préciser lequel de ces chiffres reflète la superficie contaminée et, dans la mesure du possible, ventiler les chiffres en vertu du type de contamination puisque l'article 5 ne concerne que les mines antipersonnel.

Le Tchad reconnaît dans sa demande que les difficultés de gestion et de transparence financière ont eu un impact sur les activités de déminage. L'ICBL considère qu'une telle reconnaissance est positive, en particulier au vu des mesures déjà mises en place pour remédier à ces difficultés et au vu du plan détaillé de renforcement des capacités. L'ICBL encourage le Tchad à intensifier le dialogue avec les donateurs et les autres parties prenantes, tel que prévu dans la Stratégie de l'Action contre les Mines.

En ce qui concerne les plans pour la période de prorogation: alors que la demande de prorogation sollicite une nouvelle date butoir fixée à 2019, la Stratégie prévoit quant à elle que le déminage sera terminé en 2017. Il ne semble donc pas y avoir de plan couvrant les deux dernières années demandées. Le Tchad devrait préciser le calendrier en vertu duquel il entend travailler, et fournir des renseignements détaillés sur les activités conduites pendant les deux dernières années. S'il n'est pas possible de prévoir ces activités pour le moment en raison de l'insécurité au Tibesti, le Tchad devrait s'engager à présenter à une date ultérieure, d'ici 2017, un plan détaillé couvrant 2018-2019. Par ailleurs, le Tchad mentionne qu'une revue intermédiaire des activités de déminage est prévue en 2015, suite à l'élaboration du nouveau plan national de développement. Le Tchad devrait s'engager à informer les Etats parties des résultats de cette revue intermédiaire.

En ce qui concerne le financement: il est positif que le Tchad ait inclus l'action contre les mines dans son plan national de développement; cela met clairement en valeur l'action contre les mines auprès des bailleurs internationaux. Il est aussi très positif que le Tchad compte financer une partie de son programme. Des renseignements additionnels sur la mobilisation de ressources internationales seraient utiles. Nous invitons aussi le Tchad à présenter un budget plus complet dans sa demande de prorogation, ce qui donnerait aux bailleurs potentiels un meilleur aperçu de la situation.

Germany

Germany is requesting around 2 years to clear an area about the size of a football field (10,000m²). This is proportionally the longest extension ever requested under the Mine Ban Treaty. We appreciate that Germany will need additional time to set up operations and tender the clearance work, and the fact that

the non-metal mines in place will slow progress. At the same time, this rate of clearance is far slower than any other State Party. The ICBL is therefore concerned with the message that this sends to less wealthy States Parties and/or those dealing with heavy antipersonnel mine contamination about what is an acceptable rate of productivity under Article 5. We also do not see this rate in keeping with the treaty's obligation to clear mined areas "as soon as possible," nor with the call for states submitting requests under this new procedure to make the period of time "as short as possible."

Given these observations, and the lack of a clear or detailed rationale for this period of time, we urge Germany to re-evaluate its plan with a view to completing clearance in a shorter period of time.

Mozambique

We have not had time to read or assess Mozambique's request, which was only submitted Friday, but the presentation today shows a clear, detailed plan forward, as well as an impressive amount of work already achieved during the current extension period, which shows strong national commitment to finishing clearance as quickly as possible. We know Mozambique is disappointed that despite these efforts that they will need a bit more time, but we really appreciate the fact that they are seeking additional time rather than possibly letting the deadline slip. We welcome the fact that the request is for what seems the shortest possible amount of time possible, and we hope collaboration with Zimbabwe proceeds quickly so the work can get underway as soon as possible.

Serbia

Serbia had almost completed its Article 5 obligations in 2009, well ahead of its deadline, but unfortunately discovered at that point additional mined areas in the south of Serbia. But progress in recent years appears to have slowed considerably. In 2012 Serbia cleared only a total of 164,019m² of mined area containing four antipersonnel mines, far below the levels it had been clearing previously. In 2010 and 2011, it cleared no mines at all. Survey since 2010 has only covered 1.4km², which does not seem like a high rate of productivity. The discovery of only four mines in an area of 164,019m² also appears to indicate that more technical survey needs to be undertaken on the areas identified as "Risk Areas" before clearance begins.

In addition, the plans for the extension period do not appear sufficiently ambitious. The request states that almost half the suspect area is expected to be cancelled through survey, so the total extent of mine contamination requiring clearance would be approximately 2.3km². At the same time, it projects a sharp decrease in activity after 2015, with clearance levels reduced by 50% or more just when the completion of overall survey work would seemingly free up resources for faster clearance. If productivity were kept at consistent levels, it seems Serbia could finish at least two years earlier. Serbia should therefore consider reviewing the plan with a view to shortening the projected timeline.

The request repeatedly states that the remaining mined areas pose a "constant threat to the safety of the local population" as they lie near residential areas, schoolyards, and areas where people frequently carry out daily activities. Economic opportunities in this notably poor area of Serbia are also severely impacted. Serbia should be encouraged to act more swiftly to survey and clear these areas given the impact on the local communities.

The requests also reports that there is no systematic and centrally kept database on mine accidents and mine victims. Serbia should establish a database on landmine and other UXO casualties and ensure the local population is well informed of the landmine threat.

Serbia expects international donors to fund the entirety of its mine and cluster munitions clearance. But Serbia should be in a position to meet more of its projected modest clearance costs (€2.5 million). An increase in national contributions would send a much stronger signal of Serbia's commitment to meeting its treaty obligations than the current low level of funding. Given the impact on the population and the treaty requirement to complete Article 5 "as soon as possible," Serbia should increase its projected budget to enable completion with a shorter period of time. Serbia should meet all gaps in international funding by providing increased national funds.

Sudan

We thank Sudan for its presentation. We would like to share a few succinct comments. A more detailed set of comments on Sudan's request is available outside this room. While Annex 1 of Sudan's extension request presents a clearance calendar covering the full extension period, the extension request makes it clear that activities in 2016-2019 are heavily dependent on an improvement in the security situation in the states of South Kordofan and Blue Nile. Knowing that the security situation is likely to fluctuate, Sudan should regularly update States Parties on the status of access to, and progress in clearance of those states. In addition, as the security situation in these states will have an important impact on Sudan's ability to carry out planned activities, an updated plan for antipersonnel mine clearance covering the post-2015 period should be shared with States Parties before this time, preferably by the Third Review Conference.

A number of international mine clearance NGO have closed down their operations in the country recently, which we understand was because they faced substantial administrative restrictions that impeded their operations. Sudan should clarify why these organizations have left, and what steps it may take to facilitate their return. It should also provide more information on whether its available clearance capacity is sufficient to fulfil its 2013-2019 plan, and if not, what steps it will take to increase capacity.

We note that the request does not include a budget and does not indicate what financial resources are needed or are available though some information on funds needed was provided today. Resources are critical if Sudan is to meet its extended deadline. Sudan lost considerable funding from assessed peacekeeping funds when the UN Mission in Sudan ended in July 2011. Given the difficulties in raising funds from international donors, Sudan should meaningfully increase its financial commitment to mine clearance in order to become the main contributor to its mine action program. Like any other extension request, Sudan's request should include an overall budget with annual breakdown; it should clarify the amount of national contribution and explain the resource mobilization plan.

Turkey

Our main comment on Turkey's request is that it has made very little progress in addressing its large-scale mine contamination since becoming a State Party in March 2004, and the extension request does not provide sufficient explanation for these delays nor a sense of urgency in getting clearance underway. It appears instead that the initiation of full-scale clearance activities will only begin on internally and along borders in late 2014 or 2015 – or 11 years after joining the Mine Ban Treaty.

Part of the delays in making substantial progress may relate to Turkey's failure to establish an appropriate institutional framework for mine action, which the request acknowledges, but gives no indication of why such delays have occurred, or why it will take until 2014 to set them up.

In terms of survey and clearance, only a total of 1.15km² has been cleared to date out of an original estimated contamination of almost 215km². Of particular concern is the lack of progress in areas "other than borders," which have the most impact on local communities. This includes 637 areas with mines laid by Turkish military armed forces around military installations. Turkey reports that it has conducted limited clearance of areas around military posts to enable military movement, but does not explain why it did not continue with full clearance of these areas despite full knowledge of the location of the mined areas. As States Parties have discussed over the years, a State Party may not delay clearance of an area in order to derive military benefit from the mined area as this would be inconsistent with Article 1 of the treaty.

Regarding progress on the Syrian border, we do not understand why the process has been going on since 2009 and has still not resulted in the initiation of clearance.

Now looking to the future, as Turkey said it preferred to focus on, the extension request cites the process to begin clearance on the border with Syria as the highest priority, yet the request does not indicate precisely when clearance will begin nor does it give annual targets for clearance.

A more detailed plan for the clearance of other border areas is provided, though again, the scope of clearance is not broken down on an annual basis, and work is only planned to begin in 2015 after another long tender process. Once en route, clearance of the border areas is subject to an ambitious timeframe. But the ICBL is also concerned that clearance of the border with Iraq, another area of strategic value for the Turkish military, is not scheduled until 2022.

We are also concerned that Turkey does not plan to begin clearance of areas around military installations for another two years. In addition, once clearance is set to begin around military installations, Turkey plans to leave the "areas that will benefit the local population" for the last category of internal areas to clear. Again, we do not understand why the Turkish Armed Forces cannot begin full-scale clearance of these areas before 2015, nor, as the ICRC said, why it should take so long. The request also provides no information on how it plans to survey and clear internal suspected mined areas, which it notes cause the "majority of casualties." We therefore encourage Turkey to should push forward the necessary structural and administrative processes or take other steps needed to make faster progress on the ground.

On a positive note, Turkey reports that it will finance the entirety of the Syrian border clearance, which is expected to cost \$550 million. Such a large contribution to its clearance program is commendable, and a positive indication of its commitment to this project. It also notes that it has secured from the EU

two-thirds of the funding needed to clear the remaining border areas, which is also good news. But would like to ask Turkey to clarify how it plans to finance the remaining one-third of the project to clear other border areas as well as the clearance of areas other than borders.