

ICBL Statement on Compliance
Third Review Conference of the Mine Ban Treaty
26 June 2014



Thank you Mr. President,

Fifteen years after the Mine Ban Treaty entered into force, States Parties can celebrate an outstanding record of compliance, especially with the core obligations of Article 1. Among States Parties, there have been very few cases of alleged violations, and only one case where a State Party has acknowledged use of antipersonnel mines. This shows the force of an exceptionally effective treaty.

The ICBL's completion challenge includes a call for no more use by any actor, anywhere, within 10 years. We see this as an entirely feasible goal given the low level of use today, even by those outside the treaty, and the firm international stigma against antipersonnel mines. But we're not there yet, and disturbingly there remain a few unresolved cases of known or alleged use by States Parties.

In this regard, we are pleased to see the development of a new committee on cooperative compliance. Instead of an ad hoc approach to addressing cases of known or alleged non-compliance, states have decided that a more systematic approach would be better for the health of the convention. We applaud this initiative, and hope it will not only help resolve ongoing cases, but also help deter others from arising.

Indeed, it is certainly our expectation that there will be no more cases of known or alleged non-compliance even if we must always remain vigilant. Yet there are still ongoing cases that require the attention of this committee, as well as all States Parties, notably in Yemen, Sudan and Turkey.

Yemen acknowledged last November in a public statement that during the course of its internal conflict in 2011-12, members of the Republican Guard planted thousands of antipersonnel mines near Bani Jarmooz in the most serious treaty violation to date. We are extraordinarily troubled by the fact that mines were laid by a State Party, and that those mines led to the death and injury of civilians.

We sincerely appreciate the transparency Yemen has shown about this case of use, as well as the commitment it made at the 13th Meeting of States Parties to identify and prosecute those responsible; urgently undertake marking, fencing, clearance, risk education, and victim assistance; and to report back to States Parties by the end of March and again at the end of this year on its progress.

In March, however, we only heard about Yemen's plans and intentions, but little about concrete action. Moreover, to date no one has been held accountable for the landmine use, and it is unclear if any investigation has yet been carried out regarding those responsible, the

source of the mines, or the possible presence of additional stocks.

We thank Yemen for its update today, but we ask it to proceed more diligently in its investigation and to ensure the area is cleared immediately. We ask other States Parties to engage with Yemen extensively, both to emphasize the urgency of resolving this matter, and to support its mine action efforts. We expect much more concrete and meaningful progress by the end of 2014.

Concerning Turkey, the ICBL again would like to request more information on the investigations of two separate allegations of use dating from 2009, as well as to inform States Parties what national law fully enforces the mine ban, and what steps are being taken to inform its armed forces of their international legal obligations.

There have also been in recent years allegations of use by members of the armed forces of South Sudan and Sudan. South Sudan presented a report on its investigation in April, indicating that any new mine use was only carried out by non-state armed groups. In my own country, Sudan, we have shared with the government photos of several crates of antipersonnel mines in an area of ongoing conflict. It is urgent to determine if such mines were used – by any party to the conflict – as well as if they have been destroyed. So far Sudan has set up an investigative committee, but the security situation has prevented access to the most of the areas where the photographs were taken. We thank Sudan for the report it made this week on an initial investigation, and we urge it to investigate and report on the other areas as soon as possible.

Mr. President, these use allegations demand the attention of all States Parties, as they invoke the most serious violation of the treaty. States should not shy away from discussing allegations of use openly, so that clarification of the situation can be achieved. And their expression of deep concern about acknowledged use lets the world know that any use of antipersonnel mines by any actor cannot be tolerated.

In order to achieve the end of all use of antipersonnel mines by any actor, the ICBL believes that activities to engage non-state armed groups in a ban on antipersonnel mines and advocacy on humanitarian mine action should also remain a priority for the mine ban community. States Parties should facilitate this process by providing access for engagement and monitoring by civil society, and supporting humanitarian mine action by appropriate entities. In this regard, the ICBL welcomes the recent signing of Geneva Call's Deed of Commitment by the Sudan People's Liberation Movement-North.

Use of mines is not, however, the only compliance issue facing States Parties. We have already noted this week the ongoing non-compliance with Article 4 by three States Parties, as well as our view that many states are keeping mines under the Article 3 exception without demonstrating their use for permitted purposes. As well, there continues to be low respect for the Article 5 obligation to clear all mined areas as soon as possible. And the compliance rate for the transparency reporting requirement falls ever lower every year.

Mr. President, the ICBL sincerely believes that the mine ban community is strong enough to overcome these remaining problems, as long as states remain active and committed to this goal. We are encouraged by the creation of a new treaty machinery that will place greater emphasis on state-to-state oversight, while underscoring the spirit of openness, partnership, and cooperation the treaty is known for. We are confident that such a structure, along with the continued engagement of all States Parties, will reinforce compliance with all treaty obligations, and will help us meet the completion challenge.

Thank you