

Ninth Meeting

Geneva, 24-28 November 2008

Item 13 of the provisional agenda

**Consideration of requests submitted
under article 5**

**REQUEST FOR AN EXTENSION OF THE DEADLINE FOR COMPLETING
THE DESTRUCTION OF ANTI-PERSONNEL MINES, IN ACCORDANCE
WITH ARTICLE 5 OF THE CONVENTION**

Executive summary

Submitted by Nicaragua

1. The internal conflict which took place in Nicaragua during the 1980s left the country highly contaminated with anti-personnel mines. This contamination had a great impact in the social, economic and humanitarian spheres and on the development of the communities concerned and the country in general. The Nicaraguan Social Security Institute (INSS) is known to have 25,000 war-wounded on its books, and it is estimated that at least 10 per cent of them were wounded by mines or booby traps. Many cases go unrecorded because of considerable underreporting owing to the remoteness of the areas affected and their absence of institutions. According to information provided by the Comprehensive Action against Antipersonnel Mines programme of the Organization of American States (AICMA-OAS), a total of 1,101 mine victims were recorded between 1997 and 2007, of whom 211 died.

2. These mines have had a great socio-economic impact due to the fact that they were planted in densely populated areas bordering neighbouring States, in farmlands, near human settlements and in inland areas of Nicaragua. Mines were emplaced in 14 of Nicaragua's 15 departments and two autonomous regions, and 74 of its 152 municipalities had a serious problem from having been mined. In 1989, the departments with the greatest number of municipalities and people affected were Chontales, Estela, Jinotega, Madriz, Matagalpa, Nueva Segovia, the North Atlantic Autonomous Region, the South Atlantic Autonomous Region and Río San Juan. In addition to

the humanitarian and social consequences, the mines problem seriously affected the development of the nation in general, since various pylons, roads, bridges and other key infrastructures were damaged by mines.

3. Nicaragua began its national demining programme in 1989 using its own resources. Nevertheless, in view of the scale of the problem, in 1990 the Government requested the assistance of the Organization of American States (OAS) to conduct a study assessing the anti-personnel mines situation in Nicaragua and contributing to a solution to the problem, and to determine international aid requirements for the implementation of a demining programme, aimed at the total elimination of all mines emplaced in Nicaraguan territory. On the basis of the official request from the Government of Nicaragua, the OAS General Assembly issued a resolution appointing a commission of military experts from the Inter-American Defense Board (IADB) to assess the situation in cooperation with the Nicaraguan Armed Forces and to propose possible solutions.

4. In April 1992, the Government of Nicaragua presented the National Humanitarian Demining Programme to OAS in Washington. The Programme entailed the demining of all mined sites (areas) in Nicaraguan territory within 10 years, with the assistance of IADB. It would serve as the working basis for organizing all future activities.

5. Having identified the extent of the mine problem in 1989, the Nicaraguan Armed Forces conducted operations to limit the contaminated areas and thus the risk to the population:

- (i) The original mine problem in Nicaragua consisted of 991 sites with a total of 135,643 mines. The mined sites comprised the roads infrastructure and the electricity grid (part of the Central American interconnected network);
- (ii) The greatest concentration of mines was planted along the northern and southern frontiers of Nicaragua. The original records identified 991 mined sites (areas), but in February 2008, the existence of a universe of 1,005 sites (mined areas) was established, including areas in addition to those identified in the original records;
- (iii) To date 958 sites have been demined. By February 2008, a total of 155,192 mines had been destroyed during operations in which 15,833 unrecorded mines were

identified. Just over 7,000 mines were destroyed over broad areas as a result of the unrecorded remining of minefields or extension of the area to be cleared. A recent example is the Río Cipresal minefield; it was recorded as having 200 mines, but thus far 1,402 mines have been destroyed, i.e. an additional 1,202 (due to remining), and the operation has not yet been completed;

- (iv) In addition, from 1989 to February 2008 almost 2 million unexploded ordnances (UXOs) were successfully destroyed; 61.41 per cent of them were small-calibre devices. Although it is not exactly part of the demining commitments, the destruction of UXOs is an important task for demining units and part of operational efforts;
- (v) In February 2008, 66 municipalities affected were cleared, with 8 still to be demined: 5 in the department of Nueva Segovia (Jalapa, Mozonte, Murra, San Fernando, Wiwili de Nueva Segovia), 1 in the department of Jinotega (Wiwili de Jinotega), 1 in the department of Matagalpa (La Dalia) and 1 in the South Atlantic Autonomous Region (Bocana de Pawais);
- (vi) At the beginning of the 1990s, more than half a million Nicaraguans lived within a 5-kilometre radius of danger areas. As a result of progress achieved thus far under the National Humanitarian Demining Programme, fewer than 30,000 inhabitants now live in such conditions. Directly and indirectly, demining has benefited more than 2 million people living near mined areas.

6. The knowledge and experience accumulated by our deminers (officers, sergeants and soldiers) over more than 18 years means that they are now specialists in the subject, and that the Programme has its own national supervisors, who ensure strict compliance with international regulations and procedures (International Mine Action Standards (IMAS) and the United Nations Mine Action Service (UNMAS)) when carrying out humanitarian demining operations. They work in cooperation with international monitors from the Mine Removal Assistance Mission for Central America of the Inter-American Defense Board (MARMINCA/IADB) who certify the work of national supervisors and of small units, in accordance with the established regulations and procedures.

7. Furthermore, our deminers work with international monitors who certify the work. Quality control of demining operations involves supervision and/or monitoring of the quality management systems and operational procedures before and during the demining process. All demining operations require a final check of the cleared area, which is determined by the most recent use of the land and the characteristics of the minefield. The second stage involves the technical inspection of the cleared land, which is known as internal quality assurance; it provides the necessary guarantees that all the clearance requirements have been complied with.

8. In order to prevent any further casualties from minefields planted by the Nicaraguan Armed Forces in sites in Nicaragua, first of all double and single barbed wire was placed around them and warning signs were erected. The warning signs disappeared and the fences collapsed or were damaged by people who learned to live with the risk of mines. At the start of the demining operations, warning signs and yellow plastic tape were put up at the sites to prevent accidents; however, people living near the mined zones or areas removed the signs without understanding their significance, despite having participated in the awareness-raising workshops organized by OAS staff for the local population.

9. In the 1990s, State policy was to relocate agricultural workers who had been displaced by the war in certain areas. Nevertheless the vast majority returned to their place of origin, preferring to live with the mines problem. This caused accidents, mainly among people visiting the area and occasionally among people living near the mined sites, who did not have the option of leaving.

10. In addition to these preventive measures, the National Demining Commission coordinates preventive education campaigns with OAS in the rural areas affected, through visits to schools, public meetings, house-to-house visits and announcements over the national radio and other media. During these campaigns a variety of preventive education materials are disseminated. Education has proved to be an effective preventive measure.

11. From 1999 to 2007, Nicaragua and international donors invested approximately US\$ 60.75 million in humanitarian demining operations in Nicaragua. About US\$ 10.25 million of that amount was provided by the Government of Nicaragua.

12. Of the 58 unrecorded mined sites there are still 47 minefields to be demined, which are listed in the most recent report on demining operations in Nicaragua (No. 104). According to information on the mined areas identified, there are still 17,188 mines to be destroyed. The mine clearance operations at the 47 mined sites (mined areas) are planned for March 2008 to December 2009, with an individual timetable for each operation (see annexes 1 and 1.1).

13. The circumstances preventing Nicaragua from meeting the objective set by the Ottawa Treaty within 10 years of its entry into force are a combination of the factors listed below:

- (i) Records: As indicated earlier, the original records showed that 135,643 mines had been emplaced in Nicaragua. By February 2008, there was a universe of 175,849 mines, with more than 40,000 (23 per cent of the total cleared) added for various reasons (reports received, unrecorded mines, remaining). It was estimated that the universe of mines represented around 80 per cent of existing mined areas, and subsequently unrecorded mined areas were identified. Owing to the number of mines emplaced and the existence of minefields about which there was no accurate information, assessments were made in cooperation with international monitors (MARMINCA/IADB), establishing the strong likelihood that more than 20 per cent of mines emplaced had not been taken into account in the original records;
- (ii) This theory was confirmed by practice. In fact, the number of mines emplaced increased for the following reasons: unrecorded minefields reported by the public or discovered by deminers before demining; remaining of sites (when compared with the original information on a mined area, more mines than those recorded will be destroyed); this includes the identification of suspect areas where an estimate of the number of mines emplaced has been made for the purposes of operational planning;
- (iii) Efforts deployed to investigate complaints and identify and destroy UXOs takes operational time away from the demining units;

- (iv) Staff: Owing to budgetary constraints, in April 2007, the number of men on operational fronts 3, 4, 5 and DS was reduced by 100. As a consequence, the number of mines targeted for destruction was also reduced. This continued reduction has restricted the operational capacity of the operational fronts, thereby jeopardizing the objectives set;
- (v) Environment: In its recent history Nicaragua has experienced three category 5 hurricanes (Joan in 1987, Mitch in 1998 and Felix in 2007). They affected all aspects of the demining process ranging from the dispersal and transfer of mines to changes in the terrain where mines had been laid, thus complicating demining operations. One important effect of the heavy rainfall which in recent years reached an all-time high was to make access to the areas of operation difficult because the roads had been washed away;
- (vi) These phenomena created a mine clearance problem on an unprecedented scale and substantial changes to the land conditions in Nicaragua, making it difficult to achieve the planning objectives set, which did not take the subsequent effects into account. Mines were dispersed, it was difficult to establish priorities, forms are out of date because of land movements (landslides), river beds are widening (frontier areas) and of course this has increased the number of people at risk.
- (vii) Topography: Nicaragua's topography increases the degree of difficulty of operations by 30 to 40 per cent, due to various factors. There is higher rainfall in the geographical areas where the operations are conducted (because of the altitude and latitude). The roads deteriorate quickly, which means premature wear and tear of equipment, longer transportation times, staff having to carry out emergency repairs etc. Conditions are cloudy every day between 8 a.m. and 10 a.m., which hinders aeromedical evacuation and delays and disrupts operations in general throughout the day. In many cases, owing to the absence of roads, staff have to walk as much as two hours in order to reach the minefields (mined areas), and then have to walk another two hours back;

- (viii) Budget: At present the budget required for operations planned in 2008 is partially guaranteed. However there is a deficit of US\$ 1.2 million for 2008. This will affect in particular two operational fronts of the mine clearance unit in the second half of the year and the last four months. Approaches have been made to donors, but as yet no response has been received;
- (ix) As far as 2009 is concerned, there will be a deficit for the whole year. This means that the current operational structure of US\$ 5 million will be maintained and it is estimated that once the National Human Development Plan has been concluded US\$ 400,000 will be required to keep a reduced demining operational front running to deal with reports of UXOs and their destruction in 2010.

14. The deadline for Nicaragua to comply with its obligation to destroy all mines planted in its territory within 10 years of the entry into force of the Convention expires in May 2009. A one-year extension is necessary to finalize work at the 47 remaining sites, which cover a total of 285,800 km². The one-year extension will be from May 2009 to May 2010, provided that the necessary financial resources are available; otherwise there would have to be a further extension.

15. Demining operations at the 47 sites will be conducted between May 2008 and December 2009 according to the operational timetable for each site (see annexes 1 and 1.1). A total of US\$ 6.6 million will be required for operations during the extension period, with a postponement of the completion date from May 2009 to May 2010. Following the completion of the operations in May 2010 it will be necessary to maintain a reduced operational structure equivalent to one operational front until December 2010 in areas of previous conflicts.

16. In conclusion, Nicaragua reiterates its firm determination to continue carrying out demining operations in compliance with the Convention. However, this objective cannot be attained without the generous cooperation and economic support of the States parties to the Convention, which is becoming urgent since to date no assurance has been given that this support will continue.
