

**PRELIMINARY OBSERVATIONS  
COMMITTEE ON ARTICLE 5 IMPLEMENTATION  
(Switzerland, Chile, Colombia and the Netherlands)**

**Intersessional Meetings  
7-8 June 2018**

**PART 1: Introduction**

**I. Activities of the Committee**

1. The Committee met for the first time on 16 January 2018 to discuss its work plan for the year and has met regularly since. On 9 February 2018 the Committee wrote letters to the following States Parties:
  - a. to Bosnia and Herzegovina, Croatia, Cyprus, Serbia, Sudan, Ukraine and the United Kingdom to recall to them the process for requesting an extension established by the States Parties;
  - b. to 31 States Parties in the process of implementing Article 5 obligations to recall the 30 April deadline for providing updated information on implementation in accordance with Article 7; to stress the importance of respecting this deadline, given the short timeframe between the deadline and the intersessional meetings of 7-8 June; to inform them on how it would proceed in preparing preliminary observations for the intersessional meetings; and to encourage them to use the Guide to Reporting;
  - c. to Angola, Eritrea, Iraq, Niger and Peru which were due to submit updated work plans and provide additional information as requested by decisions taken by Meetings of the States Parties on their requests for extension.
2. During the United Nations National Mine Action Directors Meeting (13 – 16 February 2018), the Committee held bilateral meetings with representatives of Bosnia and Herzegovina, Croatia, Sudan and Ukraine, which had indicated that they would need to submit a request for extension in 2018, in order to discuss progress in the development and submission of their requests. In addition, the Committee also met with Cambodia, Iraq, Mauritania, Somalia, Sri Lanka and Tajikistan to discuss their progress and challenges in implementing their mine clearance obligations.
3. On 7 March 2018, the Committee held bilateral meetings with Serbia and Ukraine in order to discuss progress in the development and submission of their extension requests.
4. After having received extension requests by Bosnia and Herzegovina, Croatia, Cyprus, Serbia, Sudan and the United Kingdom the Committee reached out to expert organisations on 24 April 2018 to request input on those requests, in accordance with the process established by the States Parties.
5. On 29 April 2018, the Committee sent a letter to States Parties to inform them of the receipt of requests for extension submitted by Bosnia and Herzegovina, Croatia, Cyprus, Serbia, Sudan, and the United Kingdom and to point out that Ukraine's extension request had still not been received. With the extension request process ongoing, the engagement with these States Parties continues to date.

6. On 30 April 2018, the Committee met with Mozambique, a State Party which declared completion in 2015 and in doing so had indicated that there remained areas that were for years had been underwater and therefore inaccessible as well as discovered a previously unknown mined area which it addressed in 2017, in order to request an update on the situation with the inaccessible area as well as additional clarity on the work carried out in 2017 to address the discovered previously unknown mined areas.
7. Also on 30 April 2018, the Committee met with Niger to discuss Niger's outstanding work plan and Article 7 report as well as other matter regarding progress in implementing its Article 5 commitments.
8. In the lead up to the intersessional meetings the Committee worked on the development of preliminary observations based on information submitted by the States Parties. The Committee further worked on arranging bi-lateral meetings to take place during the period of 6 June – 8 June with States Parties which submitted or will in the near future submit requests as well as with those with outstanding work plans and commitments.
9. As per the decision of the Sixteenth Meeting of the States Parties (16MSP) on Ukraine, the Committee continued to make itself available for engagement with Ukraine in order to support its efforts to submit as soon as possible a request for extension in accordance with the process established by the States Parties. In light of this dialogue a meeting will take place in Kiev with authorities of Ukraine concerning this matter.

## **II. Methodology for the preparation of preliminary observations**

10. The Committee is mandated to “review relevant information on Article 5 implementation submitted by States Parties, including in the context of Article 7 obligations and on efforts undertaken under Article 6 on international cooperation and assistance.” In preparing its observations, the Committee drew upon information submitted by States Parties in 2018 in the context of Article 7 reporting, information contained in requests for extended deadlines that were submitted in 2018, and any additional information provided in writing by States Parties on Article 5 implementation.
11. In line with its purpose of intensifying efforts to ensure the full implementation of Article 5, and in an effort to continue the approach established in 2015, the Committee gave particular attention to the following aspects of the Maputo Action Plan:
  - a. Increased clarity regarding remaining implementation challenges, with this clarity encouraged through Article 7 reports, Article 5 extension requests and information provided pursuant to decisions taken on requests.
  - b. Improvements in the measurability of Article 5 implementation over time, with improvements in the quality of information permitting greater understanding and comparability.
  - c. Efficient and expedient implementation with commitments to apply the most relevant land release standards and methodologies.
12. Given the subject matter covered in Actions #8 to #11, the Committee proceeded in preparing preliminary observations on the following matters:

- Clarity regarding remaining challenges
  - Progress in implementation
  - National plans for clearance and survey
  - The application of land release standards, policies and methodologies
  - Actions related to commitments in extension requests and decisions on requests
  - Mine risk reduction efforts
13. In reviewing information provided by States Parties on Article 5 implementation, the Committee noted different degrees of clarity regarding the location of all areas that contain, or are suspected to contain, anti-personnel mines. As a result, the Committee has used terminology in its preliminary observations in the following manner:
- a. “High degree of clarity” has been used when a State Party has provided a list of all remaining areas known or suspected to contain anti-personnel mines and with this list including the estimated size of each area, the status of each area (i.e., “known” or “suspected”), and information on the geographic location of each area.
  - b. “Clarity” has been used when a State Party has provided a summary table of all remaining areas known or suspected to contain anti-personnel mines according to regions / provinces / districts within the State, with this list including the number of areas known to contain anti-personnel mines and the number of areas suspected to contain anti-personnel mines in each region / province / district within the State, and the estimated size of the area concerned per region / province / district.
  - c. “Some clarity” has been used when a State Party has provided a summary table listing some information related to the number of areas known or suspected to contain anti-personnel mines in each region / province / district within the State.

## **II. Information provided by States Parties on Article 5 implementation**

14. At the close of the 16MSP, 31 States Parties had reported having an obligation under Article 5 of the Convention.
15. Of the 31 States Parties in the process of fulfilling obligations under Article 5, until 15 May 2018, the following had provided information on progress in implementation:
- a. 22 States Parties submitted Article 7 transparency reports containing updated information on implementation of Article 5: Afghanistan, Argentina, Bosnia and Herzegovina, Cambodia, Chad, Chile, Colombia, Croatia, Cyprus, Democratic Republic of the Congo, Ecuador, Iraq, Mauritania, Peru, Senegal, Serbia, South Sudan, Sudan, Thailand, Turkey, the United Kingdom and Zimbabwe.
  - b. Of the five States Parties that were due to submit updated information/work plans pursuant to decisions taken on their requests for extended deadlines – the Democratic Republic of the Congo, Eritrea, Iraq, Niger, Peru - only two States Parties - Iraq and Peru – submitted updated information/work plans.
  - c. On 7 December 2017, Ethiopia acted upon the decisions of the Fourteenth Meeting of the States Parties on its request for extension by submitting an updated work plan for the implementation of Article 5 of the Convention.

- d. Of the seven States Parties that indicated they would need to submit a request for extension for consideration of the 17MSP – six submitted requests for extension – Bosnia and Herzegovina, Croatia, Cyprus, Serbia, Sudan, and the United Kingdom.
  - e. In spite of the Committee's best efforts and sustained dialogue since the 16MSP, as of 15 May 2018, Ukraine has still not submitted a request for extension in accordance with the decision of the 16MSP and the extension request process established by the 7MSP.
16. Of the 31 States Parties in the process of fulfilling obligations under Article 5, as of 15 May 2018, 9 did not submit Article 7 reports to update information on areas known or suspected to contain anti-personnel mines and on measures to address these areas: Angola, Eritrea, Ethiopia, Niger, Oman, Somalia, Tajikistan, Ukraine and Yemen.

### **III. Observations of a general nature**

17. The Committee welcomes the information submitted by States Parties as well as the engagement with the Committee during bilateral meetings which has allowed for a cooperative dialogue to take place between the Committee and the States Parties.
18. The Committee observes that there has been a slight drop in the number of reports submitted to date (25 reports submitted by this time in 2017). The Committee recalls that the submission of an Article 7 report on an annual basis is an obligation under the Convention. The Committee observes that, in spite of this drop, a positive trend was observed in the quality of some of the reports submitted.
19. The Committee further observes that of the 9 States Parties that have not reported in 2018, Eritrea, Niger and Somalia stand out for repeatedly failing to report for the last 4 to 6 years. The Committee notes that a specific engagement leading to the 17MSP will be required with these States Parties. The Committee continues to be concerned about States Parties with Article 5 obligations that have not submitted their Article 7 transparency reports and emphasises the importance of the submission of outstanding reports in order for the Committee to develop its conclusions to be presented to the 17MSP.
20. The Committee observes that, of the 31 States Parties that are in the process of implementing Article 5, few have submitted reports by the deadline of 30 April. The Committee emphasizes the importance of timely submission to ensure early engagement with the Committee and support the timely preparation of the States Parties for the intersessional meetings. The Committee further observes that, despite efforts to encourage its use, not all States Parties with Article 5 obligations have employed the guidance contained in the Guide to Reporting, which could be of considerable assistance in providing clarity concerning progress and status in implementing Article 5 commitments.
21. The Committee is grateful to Afghanistan, Cambodia, Chile, the Democratic Republic of the Congo, Ecuador, Mauritania, Senegal, Serbia, South Sudan, Sudan, Thailand, Turkey and Zimbabwe for having employed parts of the Guide to Reporting to provide as much clarity as possible concerning their remaining challenge and progress made.
22. The Committee observes that some States Parties have not yet adopted the most relevant land release standards, policies and methodologies, in line with the International Mine Action Standards (IMAS) and in a manner consistent with Action #9 of the Maputo Action Plan. The

Committee also observes that amendments made by States Parties to their national standards are not always shared in accordance with Action #9. The Committee notes that direct engagement with concerned States Parties is needed to ensure the implementation of the IMAS and remedy the lack of transparency.

23. The Committee observes that in a number of cases progress in implementation could be more clearly presented if all States implementing Article 5 obligations used terminology contained within, and in a manner consistent with, the IMAS (i.e. “confirmed hazardous area”, “suspected hazardous area”; disaggregating data by activity that is non-technical survey, technical survey and clearance; reporting progress according to the result of each activity that is land that is cancelled, reduced, cleared). The Committee notes that direct engagement with concerned States Parties is needed to ensure the proper use of this terminology.
24. The Committee observes that a number of States Parties could provide additional clarity regarding their remaining challenge by providing a list of the remaining areas known or suspected to contain anti-personnel mines, with this list including the estimated size of each area, the status of each area (i.e. “confirmed hazardous area”, “suspected hazardous area”) and information on the geographic location of each area in conformity with the Guide to Reporting. The Committee noted that direct engagement with concerned States Parties is needed to increase clarity.
25. The Committee observes that a number of States Parties continue to face challenges in implementing their Article 5 commitments due to a number of factors including large areas pending to be addressed, funding challenges and security concerns. The Committee noted that it is essential for States Parties to continue to clearly report on the challenges they face in implementing their Article 5 commitments. The Committee further notes that States Parties facing challenges in implementation could consider taking part in the Convention’s *individualized approach* led by the Committee on the Enhancement of Cooperation and Assistance.
26. The Committee observes that in a number of cases progress in addressing mined areas varies substantively from one year to the next and in some cases the remaining challenge also is subject to substantial variations. The Committee encourages States Parties to provide details on the reasons for these variations in their reports.
27. The Committee observes that, in addition to anti-personnel mines, a number of States Parties face challenges associated with other explosive remnants of war and UXOs. In these States Parties, efforts to implement Article 5 are only part of the totality of efforts required to address explosive hazards. The Committee observes that, this being the case, it is important that States Parties continue to disaggregate their contamination in order to ensure clarity concerning the remaining challenge.
28. The Committee recalls that, States Parties with areas confirmed or suspected to contain anti-personnel mines of an improvised nature are required to report these areas under Article 7 of the Convention and address these areas as part of their Convention obligations.
29. In this regard the Committee recalls that the decision of the 12MSP concerning situations in which a State Party discovers mined areas, including newly mined areas, after its original or extended deadline to implement Article 5 has expired is pertinent and must be applied by States Parties finding themselves in situations foreseen by that decision.

30. Acknowledging the valuable contribution of the Anti-Personnel Mine Ban Convention's Implementation Support Unit, the Committee notes that States Parties requiring assistance are best served by directly engaging with the ISU in order to benefit from its advice and support in matters concerning the implementation of Article 5.



**Table 1: Status of implementation of Article 5 of the Convention<sup>1</sup>**

State Party	Total released in 2017 (square metres)				Remaining challenge as of 2017 (square metres)		
	Cancelled	Reduced	Cleared	Total <sup>2</sup>	Suspected Hazardous Area	Confirmed Hazardous Area	Total <sup>3</sup>
Afghanistan	1, 729,047	948,213	27, 848,953	30, 526,213	97, 603,835	127, 064,652	224, 668,487
Angola <sup>4</sup>					103, 970,384	141, 057,978	245, 028,362
Argentina <sup>5</sup>							
Bosnia & Herzegovina <sup>6</sup>		8,270,000	820,000	29, 910,000 <sup>7</sup>	1, 061, 000,000	95, 000,000	1, 156, 000,000
Cambodia	24, 432,517	15, 484,867	46, 631,975	86, 549,358			894, 868,065
Chad							104, 542,233 <sup>8</sup>
Chile				855,180	3, 289,185	1, 814,057	5, 103,242
Colombia			287,661	287,661	51, 244,350		51, 244,350
Croatia <sup>9</sup>		6, 600,192 <sup>10</sup>	30, 366,967 <sup>11</sup>	36, 967,159	141, 950,000	269, 510,000	411, 500,000
Cyprus <sup>12</sup>							
Democratic Republic of the Congo				1,717,327			535,359.20
Ecuador	10,919.47	7,332.21	15,476.39	33,728.07			108,474
Eritrea <sup>13</sup>							
Ethiopia <sup>14</sup>							
Iraq				32, 543,479 <sup>15</sup>			1, 243, 389,369 <sup>16</sup>
Mauritania							
Niger <sup>17</sup>							
Oman <sup>18</sup>							
Peru	10,737.55	7,170.66	9,246.18	27,154.39			396,170.86
Senegal				106,658	20,920	262,025.103	282,945.103
Serbia				275,800	2, 354,540	0	2, 354,540
Somalia <sup>19</sup>							
South Sudan	2, 043,206	3	9, 850,679	11, 893,886	77, 052,215	2, 579,507	79, 631,722
Sudan	74,875	259,551	707,334	1, 041,760	16, 331,635	2, 402,260	18, 733,895
Tajikistan <sup>20</sup>							
Thailand	26, 450,492	4, 115,068	413,705	30, 979,269			391, 656,698
Turkey	7, 583,110	75,445	824,116	8, 482,671			164, 082,568
Ukraine <sup>21</sup>							
United Kingdom							997,930
Yemen <sup>22</sup>							
Zimbabwe	1, 768,118	2, 794,713	1, 655,681	6, 218,692	0	61, 793,990	61, 793,990

**Table 2: Status of implementation of Maputo Action Plan (MAP) Actions #8-#11<sup>23</sup>**

State Party	Article 7 transparency report submitted in 2018 <sup>24</sup>	Level of clarity <sup>25</sup> on the remaining implementation challenge (Action #8)	Reported on the establishment and application of the most relevant land release standards, policies and methodologies (Action #9)	Reported on the provision of mine risk reduction and education programmes (Action #10)	Use of the Guide to Reporting in the preparation of Article 7 report submitted in 2018
Afghanistan	√	High degree of clarity	√	√	√
Angola					
Argentina	√				
Bosnia & Herzegovina	√	Some Clarity	√	√	
Cambodia	√	Clarity	√	√	√
Chad	√	Some clarity		√	
Chile	√	High degree of clarity		√	
Colombia	√	Some clarity	√	√	√
Croatia	√	Clarity	√	√	
Cyprus					
Democratic Republic of Congo	√	Clarity			√
Ecuador	√	High degree of clarity	√	√	√
Eritrea					
Ethiopia					
Iraq	√	Clarity	√	√	
Mauritania	√	High degree of clarity	√	√	√
Niger					
Oman					
Peru	√	High degree of clarity	√		√
Senegal	√	Some clarity	√		√
Serbia	√	High degree of clarity	√	√	√
Somalia					
South Sudan	√	High degree of clarity	√	√	√
Sudan	√	High degree of clarity	√	√	√
Tajikistan					
Thailand	√	Clarity	√	√	√
Turkey	√	Clarity	√	√	√
Ukraine					
United Kingdom	√	High degree of clarity	√	√	
Yemen					
Zimbabwe	√	High degree of clarity	√	√	√

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<sup>1</sup> Source: Information provided by States Parties in their Article 7 reports submitted until 15 May 2018, unless otherwise noted. Article 7.2: The information provided in accordance with this Article shall be updated by the States Parties annually, covering the last calendar year, and reported to the Secretary General of the United Nations not later than 30 April of each year". Accordingly, in order to accommodate States Parties, Article 7 Transparency reports were accepted for the benefit of this report up until 15 May, 2018. States that submit later than 15 May, 2018 will be included in summary Status of implementation of Article 5 of the Convention, at the Seventeenth Meeting of States Parties, (17MSP).

<sup>2</sup> The total of this column is not the cumulative total of the columns concerning suspected and confirmed hazardous areas given that some States Parties have not presented information on areas released in a disaggregated manner.

<sup>3</sup> The total of this column is not the cumulative total of the columns concerning suspected and confirmed hazardous areas given that some States Parties have not presented information on the remaining challenge in a disaggregated manner.

<sup>4</sup> These figures are based on Angola's Article 5 extension request submitted on 11 May 2017.

<sup>5</sup> In 2010, Argentina reported that the sole circumstance that impeded the ability of Argentina to destroy all anti-personnel mines in mined areas that it has reported to be under its jurisdiction or control was that Argentina had indicated that it did not have effective control over the areas in question.

<sup>6</sup> Bosnia and Herzegovina reported progress and remaining challenge in square kilometres. These figures have been converted to square metres for the purpose of this table.

<sup>7</sup> This total includes Bosnia and Herzegovina reporting the release of 20.75 square kilometres as, 'area without defined risk'.

<sup>8</sup> Chad's provisional plan of action 2014-2019 indicates that, as of May 2014, 123 areas known or suspected to contain anti-personnel mines totalling 104,542,233 square metres remained to be addressed and that part of northern Tibesti remained to be surveyed.

<sup>9</sup> Croatia reported progress and remaining challenge in kilometres squared. These figures have been converted to metres squared for the purpose of this table.

<sup>10</sup> This figure includes land cancelled and land reduced.

<sup>11</sup> This figure includes 29,885,067 square metres cleared for civilian use and 481,900 square metres cleared in military facilities.

<sup>12</sup> Cyprus reported that the sole circumstance that impeded the ability of Cyprus, to destroy all anti-personnel mines in mined areas that it has reported to be under its jurisdiction or control was that Cyprus had indicated that it did not have effective control over the remaining areas in question.

<sup>13</sup> Eritrea did not submit an Article 7 report by 15 May 2018.

<sup>14</sup> Ethiopia did not submit an Article 7 report by 15 May 2018.

<sup>15</sup> Please note this figure is the combined total addressed in 2017 as reported by DMA and IKMAA

<sup>16</sup> Please note this figure is the combined total are remaining to be addressed as reported by DMA and IKMAA

<sup>17</sup> Niger did not submit an Article 7 report by 15 May 2018.

<sup>18</sup> Oman did not submit an Article 7 report by 15 May 2018.

<sup>19</sup> Somalia did not submit an Article 7 report by 15 May 2018.

<sup>20</sup> Tajikistan did not submit an Article 7 report by 15 May 2018.

<sup>21</sup> Ukraine did not submit an Article 7 report by 15 May 2018.

<sup>22</sup> Yemen did not submit an Article 7 report by 15 May 2018.

<sup>23</sup> Source: information provided by States Parties in their Article 7 reports submitted until 5 October 2017, unless otherwise noted.

<sup>24</sup> Article 7.2: "The information provided in accordance with this Article shall be updated by the States Parties annually, covering the last calendar year, and reported to the Secretary General of the United Nations not later than 30 April of each year". Accordingly, in order to accommodate States Parties, Article 7 transparency reports were accepted for the benefit of this report up until 15 May, 2018. States Parties that submit reports later than 15 May, 2018 will be included in the "Status of implementation of Article 5 of the Convention" table, presented at the Seventeenth Meeting of States Parties, (17MSP).

<sup>25</sup> In accordance with the methodology described in Part I of "Preliminary Observations of the Committee on Article 5 Implementation".