

**ICRC statement on compliance  
Anti-Personnel Mine Ban Convention,  
Intersessional meetings, Geneva, 9 April 2014**

The ICRC wishes to thank the Co-Chairs for their work on the important issue of compliance, and also thanks **Yemen** for its statement today. The ICRC commends Yemen for the steps it has taken since the 13<sup>th</sup> Meeting of States Parties to implement the Meeting's decisions on the use of anti-personnel mines in Wadi Bani Jarmoz in 2011. Yemen's response, which has involved the highest levels of government, including the President and Deputy Chief of General Staff in the Ministry of Defence, indicates that Yemen is taking this issue very seriously indeed.

Yemen has specified that it intends to prosecute those responsible, clear affected areas and bring much needed support to the victims. In regards to prosecutions, the ICRC is very pleased to note that Yemen has specific implementing legislation in place that prohibits the use of anti-personnel mines and which should greatly facilitate Yemen's efforts.

We hope that the invocation of this law will go hand in hand with the necessary changes to military doctrine and training of the armed forces, so that all personnel are aware of, and respect, Yemen's commitments under this Convention. We urge Yemen to take such preventive measures and to report on them for the benefit of other States Parties who could learn from Yemen's experience. Pursuant to the decision of the 13MSP, we also urge Yemen to report on its efforts to determine the source of the mines used and the destruction of any additional stocks of anti-personnel mines discovered.

We regret that YEMAC's efforts to survey and clear the affected areas have been severely hampered by financial and security concerns. We hope that these concerns can be urgently addressed, including through increased national and international financial support to YEMAC's programmes. We also hope that Yemen will be able to implement its plans for victim assistance and Mine Risk Education in Bani Jarmoz, Nehm and Arhab districts very soon, given the difficulties faced by the affected populations in these areas.

The ICRC also wishes to acknowledge the efforts of **South Sudan** to investigate the alleged use of anti-personnel mines in Jonglei, Unity and Upper Nile States, as detailed in the report issued by the National Mine Action Authority. We are concerned by the report's findings that anti-personnel mines were used in Jonglei State, and possibly also in Upper Nile State, and urge South Sudan to proceed with Mine Risk Education, as well as survey and clearance operations as soon as possible. As indicated at the 13<sup>th</sup> Meeting of States Parties, the ICRC stands ready to assist South Sudan to implement the Convention into national law, military doctrine and training.

The ICRC similarly wishes to highlight the need for appropriate national implementing legislation in **Turkey**, since neither the case decided in 2013 by the Turkish Military Court (which Turkey has reported was based on the charge of "causing death by negligence"), nor Turkey's Article 7 report, suggest that Turkey is currently able to prosecute the specific acts prohibited by the Convention. We hope that Turkey's Article 7 report this year will provide greater clarity on national implementing measures it has adopted under Article 9 and that it will take the necessary measures if it finds that its current domestic law is incomplete.

In sum, the link between compliance concerns and national implementation measures is clear. To assist in the prevention of violations and the strengthening of accountability, all States Parties should incorporate the Convention's prohibitions at the national level, such that the use of anti-personnel mines is expressly prohibited by national law and military doctrine.