

**Preliminary observations on the status of implementation of article 4 (stockpile destruction)
of the Anti-Personnel Mine Ban Convention¹**

President of the Eighteenth Meeting of the States Parties

I. Background

1. The destruction of stockpiled anti-personnel mines is an obligation covered by Article 4 of the Convention which requires each State Party to “destroy or ensure the destruction of all stockpiled anti-personnel mines it owns or possesses, or that are under its jurisdiction or control, as soon as possible but not later than four years after entry into force of the Convention for that State Party”.
2. In the *Oslo Action Plan 2020-2024*, States Parties committed to a number of actions related to the destruction of stockpiled anti-personnel mines. In addition, the Fourth Review Conference appealed to States Parties which are in non-compliance with Article 4 obligations to intensify efforts for the completion of their stockpile destruction obligations.
 - **Action #13** Develop a **time-bound plan with clear milestones for the fulfilment of Article 4 within their deadline as soon as possible** following the entry into force of the Convention, and regularly **inform States Parties on progress made and remaining challenges** in implementation.
 - **Action #14 States Parties that have failed to meet their stockpile destruction deadline** and therefore are in non-compliance with Article 4, will present a **time-bound plan for completion** and urgently proceed with implementation as soon as possible in a transparent manner, regularly informing States Parties on progress made and remaining challenges.
 - **Action #15 Any State Party that discovers previously unknown stockpiles after stockpile destruction deadlines have passed will inform States Parties as soon as possible** and destroy these anti-personnel mines as a matter of urgent priority and no later than six months after their discovery.
2. **As part of the transparency measures** which exist under Article 7 of the Convention, each year, no later than 30 April, States Parties shall provide updated information on a number of matters including on:
 - the **total of all stockpiled anti-personnel mines owned or possessed** by them, or under their jurisdiction or control, to include a breakdown of the type, quantity and, if possible, lot numbers of each type of anti-personnel mine stockpiled;
 - the **status of programs for the destruction of anti-personnel mines** in accordance with Articles 4, including details of the methods which will be used in destruction, the location of all destruction sites and the applicable safety and environmental standards to be observed;
 - the **types and quantities of all anti-personnel mines destroyed** after the entry into force of this Convention for that State Party, to include a breakdown of the quantity of each type of anti-personnel mine destroyed, in accordance with Articles 4, respectively, along with, if possible, the lot numbers of each type of anti-personnel mine in the case of destruction in accordance with Article 4.

¹ These observations- have been prepared using information submitted by the relevant States Parties through their Article 7 reports submitted in 2020 as well as through statements delivered at Meetings of the States Parties, Review Conferences and intersessional meetings.

II. Status of implementation of Article 4

3. At the close of the Fourth Review Conference, three States Parties reported that they were still in the process of implementing Article 4 of the Convention, including two States Parties – **Greece** and **Ukraine** – which are in non-compliance with their Article 4 obligations and one State Party – **Sri Lanka** – with a deadline of 1 June 2022.
4. As of 15 June 2020, Greece and Ukraine had submitted updated information on stockpiled anti-personnel mines in accordance with the relevant provisions of Article 7. Based on this information as well as previous reports, the following is understood to be the quantity of stockpiled anti-personnel mines destroyed and remaining to be destroyed:

| State Party | Total number of anti-personnel mines destroyed | Total number of anti-personnel mines remaining to be destroyed | Article 4 projected completion date |
|--------------|--|--|-------------------------------------|
| Greece | 1,224,754 | 343,413 | As soon as feasible ² |
| Sri Lanka | 57,033 | 41,357 | End of 2020 |
| Ukraine | 3,438,492 | 3,364,889 ³ | 2021 |
| Total | 4,720,279 | 3,749,559 | |

III. Information provided by States Parties on the implementation of Article 4 and preliminary observations by the President

Information submitted by Greece

5. At the Fourth Review Conference, **Greece** indicated that recent complications emanating from environmental compliance issues have caused the temporary pause of the demilitarization process of the remaining amount of 343,413 stockpiled anti-personnel mines. The competent department of the Ministry of Defence and the Hellenic Defence Systems (HDS) are in close consultation to find the best possible solution to resolve this issue and set the destruction of the remaining stocks back on track. In this context, Greece indicated that all possible solutions are being examined in order to fulfil their obligation as soon as possibly feasible.
6. In information provided in 2020 in accordance with its Article 7 transparency obligations, Greece reported that there were 343,413 anti-personnel mines remaining to be destroyed and that these mines have been already gathered and transferred in 12 final sites, from which they are being collected and transferred to HDS in Lavrio, Attica, in order to be destructed. Greece further reported that since the beginning of the stockpile destruction programme, 1,224,754 stockpiled anti-personnel mines, out of a total of 1,568,167, have been destroyed.
7. At the Fourth Review Conference, Greece indicated that it has not yet entirely fulfilled its obligation due to unforeseen circumstances that are beyond its control, such as the deadly explosion in 2014 at VIDEX facilities and the legal dispute with the HDS which lead to a pause in the destruction process for almost 2 years. Greece also stated that it fully recognise its obligation stemming from the Convention and that it will continue to inform the States Parties in a transparent and sincere manner of the matter of stockpile destruction during the annual meetings of the Convention and provide any clarification required according to the stipulated provisions and procedures of the Convention.

² Statement delivered by Greece at the Fourth Review Conference, 27 November 2019.

³ Article 7 report submitted by Ukraine in 2020.

Preliminary observations by the President on the information submitted by Greece

8. The President noted the importance of Greece presenting a time-bound plan for completion and proceeding with implementation as soon as possible in accordance with Action#14 of the Oslo Action Plan. As well, the President encourages Greece to continue to inform regularly on its remaining challenges.
9. The President noted the importance of Greece keeping the States Parties informed on progress made by Greece to complete the destruction of its remaining 343,413 stockpiled anti-personnel mines as soon as possible. The President encourages Greece to make progress in implementation of its Article 4 obligations by the Eighteenth Meeting of the States Parties.
10. The President recognises the commitment of Greece to fully implement Article 4 and understands that impeding circumstances have led Greece to miss its Article 4 deadline in 2008. The President recognises that these circumstances have been beyond Greece's control and that it is clear that there has never been an intention by Greece to not fulfil its Article 4 obligations. The President further recognises that Greece has provided regular updated information on the situation and has been consistently transparent in this regard. However, the delays experienced have unfortunately led to Greece not being able to "destroy or ensure the destruction of all stockpiled anti-personnel mines it owns or possesses as soon as possible but not later than four years after the entry into force of the Convention" and resulted in the country being in non-compliance with the provisions contained in Article 4 of the Convention. The President noted that Greece is unfortunately still in a situation of no-compliance. The President encourages Greece to do its utmost to put an end to this situation, work to start of the destruction process and communicate a time-bound plan for completion.

Information submitted by Ukraine

11. At the Seventeenth Meeting of the States Parties (17MSP), Ukraine indicated that within the framework of the Partnership for Peace programme, the MoD of Ukraine, the NATO Support and Procurement Agency and Ukraine's State Enterprise "Scientific Production Association "Pavlograd Chemical Plant" have concluded a contract which envisages the disposal of 3,192,696 PFM-1S type mines by 2021.
12. In information provided by Ukraine in its transparency report in 2020, Ukraine reported that 3,364,889 stockpiled anti-personnel mines remained to be destroyed as of 1 January 2020, including 3,364,284 PFM-type and 605 OZM-4 type mines. Ukraine also reported that the 605 OZM-4 mines are in areas outside of Ukraine's effective control.

| | 2019 | 2020 | 2021 | Total |
|--|--------------------------|--------------------------|--------------------------|-----------|
| Stockpiled anti-personnel mines remaining to be destroyed by Ukraine | Information not provided | Information not provided | Information not provided | 3,364,889 |

13. In addition, Ukraine reported that, during the period 1 January 2019 to 1 January 2020, 216,252 stockpiled anti-personnel mines had been destroyed, including 67,236 PMF-1C type mines and 149,016 POM-2.

Preliminary observations by the President on the information submitted by Ukraine

14. The President noted that while a completion date has been provided by Ukraine, no time-bound plan leading to the projected completion date has yet been provided. The President noted that given the current rate of destruction of mines it would be welcome if Ukraine indicated whether it still expects to achieve completion by 2021. The President noted that updated information on this matter would

be welcome, including a detailed timetable containing milestones leading to the 2021 completion date and information on issues of concern which may potentially affect the projected timetable.

15. The President noted that Ukraine provided information on the status of its stockpile destruction programme, including information on the total number and types of stockpiled anti-personnel mines remaining to be destroyed and those destroyed during the most recent reporting period.

Information submitted by Sri Lanka

16. In information provided in 2019 in accordance with its Article 7 transparency obligations, **Sri Lanka** reported that a total of 57,033 anti-personnel mines were destroyed until March 2019 and that 41,357 stockpiled anti-personnel mines remained to be destroyed. No updated information has yet been provided in 2020.

17. Sri Lanka provided a plan for the destruction of its stockpile which aims to be completed in 2020:

| Quantity of anti-personnel mines to be destroyed | Time period |
|---|--------------------------|
| 23,680 | April 2019 to March 2020 |
| 5,098 | April to June 2020 |
| 579 | July 2020 |
| 12,000 | August to December 2020 |
| Total: 41,357 | |

Preliminary observations by the President on the information submitted by Sri Lanka

18. The President noted that Sri Lanka had provided a time-bound plan with clear milestones for the fulfilment of Article 4 by its 1 June 2022 deadline. The President noted that updated information on progress made and remaining challenges would be welcome, in particular information on the number of stockpiled anti-personnel mines held, the number of stockpiled anti-personnel mines destroyed in 2019 and the current status of its stockpile destruction programme.

IV. Information provided by States Parties on destruction of previously unknown stockpiled anti-personnel mines

19. Since the Fourth Review Conference, the following State Party has provided information on the discovery of previously unknown stockpiled anti-personnel mines, in accordance with *Oslo Action Plan*, Action #15:
20. In information provided in 2020 in accordance with its Article 7 transparency obligations, **the Gambia** reported that, during the course of 2019, it became aware of a previously unknown stockpile of 3,000 anti-personnel mines. Information was also provided on the type of anti-personnel mines discovered. The President noted that it was positive that the Gambia informed the States Parties about this discovery and encouraged the Gambia to act in accordance with Action #15 and “destroy these anti-personnel mines as a matter of urgent priority and no later than six months after their discovery.” The President noted that regularly updated information on this matter would be welcome.