

**ICRC Statement
Transparency and the exchange of information**

**Standing Committee on the General Status and Operation of the Convention
21 May 2012**

The International Committee of the Red Cross would like to thank Belgium as Coordinator of the Article 7 Contact Group for its presentation and commend Belgium for the excellent work it has undertaken over a number of years to improve the transparency and exchange of information among State Parties. We fully share Belgium's concerns with regard to the need to increase both the quantity and quality of reporting.

The ICRC fully agrees with Belgium's observation that submitting an annual report is not optional. It is a legal obligation, and of the utmost importance in order to assess the success of, and level of compliance with, the Convention. The States Parties recognised this at the 2009 Review Conference in Cartagena when they agreed to "immediately fulfil their obligation to initially submit and annually update Article 7 transparency reports."¹

Many States Parties understand the importance of this obligation and submit their report on an annual basis. In this regard, we welcome the 61 reports submitted so far this year by State Parties. However, the ICRC is concerned that almost 100 States Parties have not yet submitted their 2012 Article 7 report, due on 30 April. This represents a reporting rate of only 38% in 2012. Moreover, out of these 100 States Parties, 43 have not submitted a report since the Second Review Conference,² despite the commitment made by all States Parties at that Conference to do so. Twenty-one of these have not submitted any Article 7 report for at least 7 years³ and one – Equatorial Guinea – has never submitted its initial transparency report. As highlighted by Belgium, all States in this position are in non-compliance with their reporting obligations under the Convention and we urge them to submit their reports in the shortest possible delay.

As previously mentioned, it is not just the quantity of Article 7 reports that needs to be addressed; the quality of reporting is often also insufficient. In this regard, we urge States Parties to ensure that their annual reports are sufficiently clear, exhaustive and transparent. While reviewing the reports, we have, for example, noticed the frequent reporting on mines retained for development and training within Form B, which is in fact the Form dedicated to the documentation of stockpiled AP mines. The same States have invariably declared the complete destruction of all stockpiled mines, which is, on its face, a contradiction.

We have also noted the lack of thorough and consistent information with regard to the location of confirmed and/or suspected mined areas. In particular, a high number of States Parties continue to provide only the number of mined areas or the estimated number of anti-personnel mines in those areas, rather than the number of square kilometres concerned or the location of the mined areas. We recall that under points 14 and 17 of the Cartagena Action Plan, States Parties committed themselves to identify, to the extent possible, the

¹ Action #54. See also points 12, 14, 17, 22 and 60, which refer to Article 7 reporting obligations.

² Antigua and Barbuda, Barbados, Belize, Benin, Bhutan, Bolivia, Botswana, Burkina Faso, Central African Republic, Comoros, Djibouti, Dominica, Equatorial Guinea, Fiji, Gabon, Grenada, Guinea, Iceland, Jamaica, Kenya, Kiribati, Liberia, Maldives, Mali, Mauritius, Nauru, Niue, Papua New Guinea, Rwanda, Saint Kitts and Nevis, Saint Lucia, Saint Vincent Grenadines, Samoa, Sao Tome and Principe, Seychelles, Sierra Leone, Solomon Islands, Suriname, Swaziland, Timor-Leste, Togo, Uruguay, and Vanuatu.

³ Antigua and Barbuda, Barbados, Botswana, Central African Republic, Comoros, Equatorial Guinea, Fiji, Gabon, Grenada, Guinea, Kiribati, Liberia, Nauru, Papua New Guinea, Saint Kitts and Nevis, Saint Lucia, Saint Vincent Grenadines, Sierra Leone, Solomon Islands, Timor-Leste, and Togo.

precise perimeters and locations of all mined areas under their jurisdiction or control and to report on the number, location and size of mined areas annually.

Finally, we have noticed that only a limited number of States Parties make use of the voluntary information sections of the template. The use of these sections would be highly beneficial, to complement the information contained in the compulsory reporting.

To conclude, we wish to recall that States Parties that have difficulties in filling in their reports can refer to the *Guide to Reporting under Article 7 of the Ottawa Convention* prepared by VERTIC for the Third Meeting of States Parties in 2001. This Guide continues to be an outstanding tool, although after a decade of developments it could benefit from being updated. States can also contact the ICRC, UN agencies, other organizations or States Parties to obtain assistance. Full transparency in accordance with the legal obligations under the Convention will serve both to meet the objectives of the Convention and to facilitate the work of those involved in its implementation.