

International Campaign to Ban Landmines

Intervention on Monday, 13 June 2005

Standing Committee: General Status and Operation of the Convention

Agenda Item: Article 7

Speaker: Steve Goose (Human Rights Watch), Head of ICBL Delegation

We thank Belgium, the Article 7 Contact Group coordinator, for the excellent presentation, and for being so pro-active in encouraging and helping States Parties meet their Article 7 transparency reporting obligation. There is much good news, and some bad news, when it comes to Article 7 reporting. We refer delegates to the new Landmine Monitor Fact Sheet on Article 7.

First the good news: the overall compliance rate of 97 percent for submitting initial reports is indeed very impressive. It is noteworthy that 17 States Parties have submitted initial reports since August 2004 when *Landmine Monitor Report 2004* went to print. We congratulate the many states who submitted their initial reports on time, and express our appreciation to those who were late for now meeting this important treaty obligation; in particular, we take note of this accomplishment for Namibia, Guinea, St. Lucia, Liberia and Nauru—which had deadlines ranging from August 1999 to July 2001.

We were also pleased that signatory Poland submitted its third voluntary Article 7 report, and that several other non-States Parties have indicated their intention to submit voluntary reports in the future, including Azerbaijan, China, Mongolia, and Sri Lanka.

On the bad news side, there are still five states that have not submitted an initial report: Equatorial Guinea (with a 28 August 1999 deadline); Cape Verde (30 April 2002); Cameroon (27 August 2003); Sao Tome and Principe (28 February 2004); and, Guyana (30 July 2004). We note that we have put Cameroon on our list—even though it submitted a voluntary Article 7 report in 2001—because it has not submitted an official report since becoming a State Party, and the voluntary report was apparently incorrect with respect to the status of stockpiled antipersonnel mines.

It is also worrisome that 55 States Parties are late in submitting their required annual updated Article 7 reports (due 30 April 2005). This includes 15 mine-affected states and two with stockpiles yet to destroy. The compliance rate thus far for annual reporting is down from previous years. In the post-Nairobi period, States Parties must not treat this obligation any less seriously.

Finally, I would like to remind States Parties of the ICBL's call for voluntary reporting in a number of areas. First, we encourage all states to use voluntary Form J, especially for

reporting on victim assistance, but also mine action funding and other relevant matters. Second, States Parties should expand their reporting on mines retained under Article 3 to include the intended purposes and actual uses of those mines; states agreed to this as part of the Nairobi Action Plan (Action Point #54). Australia, Canada, Japan, South Africa and Sweden have done a good job of this in the past. Third, States Parties should voluntarily report on stockpiled Claymore mines and steps taken to ensure their use in command-detonated mode only (since it is illegal under the Mine Ban Treaty to use them in victim-activated mode, that is, with a tripwire). Lithuania, Moldova, New Zealand and Sweden have reported no measures taken to modify their Claymore mines. And fourth, States Parties should report on any foreign stockpiles of antipersonnel mines in order to be consistent with the spirit of a treaty aimed at no possession of antipersonnel mines by anyone. Tajikistan is the only State Party to do so thus far.

Thank you.
