

**Standing Committee on Stockpile Destruction (SCSD)
Informal Closed Consultations on PFM mines**

Friday 11 April 2008, Geneva

The work of the Co-Chairs is guided by the *Nairobi Action Plan 2005-2009*, adopted by the States Parties at the Convention's First Review Conference in 2004, and the Progress Reports produced by the States Parties since that time. In these key documents, the States Parties have repeatedly underlined the need to support the investigation and further development of technical solutions to overcome the particular challenges faced by some States Parties in destroying PFM mines.

With the aim of better understanding the complexity of these challenges and with a view to expediting the identification of solutions, the Co-Chairs held on 11 April 2008 informal closed consultations with representatives of the States Parties concerned, with the participation of interested donors, experts in the field of stockpile destruction, in particular of PFM mines, and representatives of intergovernmental and non-governmental organizations with the relevant expertise.

Conclusions:

I. The initiative by the Co-Chairs (Lithuania and Serbia) and the Co-Rapporteur (Italy) on stockpile destruction aimed at ensuring the destruction of all PFM mines by Belarus, whose deadline was 1 March 2008 and by the Ukraine, whose deadline is 1 July 2010, was welcomed by participants. Similar consultations using the format (informal, closed) and the working method (under Chatham House rules) of the consultations on PFM mines destruction problem could and should be continued as an effective working tool available to the Ottawa Convention, in particular in the prevention of or addressing compliance related issues, in the future.

II. Specific destruction challenges

1. For the purpose of solving the PFM mines destruction problem within the Ottawa Convention sufficient studies have been undertaken to prove that open burning or open detonation (OBOD) might cause environmental damage. Demolition safety and security of population concerns shall be also taken into account. Moreover, given the scale of destruction, i.e. big quantities of PFM mines and spread of PFM mines storage points over large territories, OBOD could be no more efficient and less expensive than industrial demilitarization. Hence, some form of industrial demilitarization is the recommended approach.
2. Turkmenistan has reported in its Article 7 reports the destruction of around 70.000 KSF cassettes containing PFM mines in the period of 1999-2001. Turkmenistan could consider providing information on the used destruction method, location and impact on environment.

III. Technologies available for PFM mine destruction

1. Among around ten available destruction technologies sufficient information exists pointing to the probable solutions to destruction being confined (or contained) incineration or confined (or contained) detonation. Furthermore, given the variety of delivery systems and accordingly different types of PFM mines (KSF-1, KSF-1S, BKF-PFM-1S and 9M27K3), a total solution (e.g., the destruction of all explosive components, consideration given to the abatement of secondary waste, etc.) makes sense. Confined (or contained) detonation could require extra charges and time for initiating the PFM munitions or their part, implementation of a pollution

Document 2A

control system, disposal of solid secondary waste and etc. In the case of 9M27K3 destruction, both abovementioned technologies would also require initial dismantling.

2. On top of national environmental and demolition safety regulations in a beneficiary country, as one of financing conditions donors require that additional - in most cases, higher standards are applied in destruction technologies.
3. The technology and capacity that can be applied to the destruction of PFM mines exist. However, the infrastructure necessary to destroy all types of PFM mines does not exist in Belarus or the Ukraine and will not exist until funds and/or technical assistance is provided.
4. Capacity to destroy PFM mines exists in both Belarus and Ukraine – though to a different degree, which may provide opportunities for maximizing the use of local resources in destruction. Investing into and/or building the national capacities which in the future might be employed for the destruction of other conventional weapons and their munitions should be considered by potential donors. National ownership could play an important role in both countries.
5. Number of companies possessing technologies for PFM mines' destruction to a certain extent is limited. National companies that have been actively involved in realization of national programs for destruction of other types of munitions, in particular in Belarus and Ukraine, have never taken part in realization of international projects, however in most cases possess rich experience, good management and necessary qualifications. Thus despite of absence or lack of their international experience such national companies should be given an opportunity to compete and where appropriate participate in implementation of the PFM mines destruction projects in Belarus and the Ukraine.

IV. Stockpile destruction under Article 4 in Belarus

1. Belarus continues to be committed to fulfil its obligation under Article 4, even though missed the deadline of 1 March 2008.
2. Full transparency by the Government of Belarus is being positively noted by the Ottawa Convention community and sets a good example.
3. Belarus and the European Commission continue their cooperation on the PFM mines destruction and are about to start negotiations on the terms of reference of a tender for the PFM destruction project. The terms of reference is a key stage of the project, and both parties shall draw conclusions from their past experience, be as flexible as possible and seek to set up the most realistic and efficient preconditions to the success of the project.
4. The European Commission, the Government of Belarus, the Ottawa Convention community at large and other interested parties should encourage a maximum number of qualified companies to bid on the tender.
5. Belarus is of the opinion that management of the project from the newly opened Delegation of the European Commission in Minsk should be considered.

V. Efforts by Ukraine to fulfil its Article 4 stockpile destruction obligation

1. Ukraine confirmed its determination to comply with her Article 4 obligation.

Document 2A

2. Ukraine, building on the lessons learned, has decided to make a significant national contribution towards the destruction of a portion (about ½) of her PFM mines stockpile. Pavlograd Chemical Plant has been assigned for this purpose. Ukraine has also made its decision as to the destruction technology. Taking into account many ongoing weapons destruction programmes which require existing local capacities, Ukraine's preference with the view to assistance in PFM mines destruction is technical assistance, in particular in the form of equipment (a rotary kiln).
3. The European Commission is willing to continue its support to the Ukraine's PFM mines destruction programme. In doing so the European Commission would devote special attention to capacity building and such support could be provided in the context of the overall priorities for assistance in favour of Ukraine as part of the overall funding available for Ukraine and in full respect of the relevant implementation rules and procedures of the European Commission External Assistance. Once Ukraine indicates its desire that such funds be used for stockpile destruction, the European Commission requires that it is a party to an assessment to be undertaken of existing destruction facilities in Ukraine in order to clarify the most appropriate facility for enhancements or capacity building necessary to complete PFM mines destruction.
4. Taking into account lessons learned, it is important to look at diversified sources of funding, in particular those under practical procedural arrangements. Ukraine invites other donors to consider supporting its efforts. The European Union is prepared to convene internal consultations and look at other funding instruments. NAMSA expressed certain interest in cooperating with the EU in this regard.
5. Ukraine is called on to intensify its dialogue with donors with the view to fulfilling its Article 4 obligations on time.

VI. General conclusions and recommendations for further steps to be taken

1. Provisions of para 25 (iii) of the Dead Sea Progress Report 2006-2007 has been and is of great relevance, and „all States Parties should place an increased emphasis on the obligation, as it concerns stockpile destruction, of each State Party giving and receiving assistance under the provisions of Article 6 to cooperate with a view to ensuring the full and prompt implementation of agreed assistance programs“.
2. The Ottawa Convention community might consider recommending that in the future in the case of projects related to upcoming obligation deadlines diversified funding mechanism would have to be put in place so that to ensure continuity of a project if for one or another reason problems occur in its course.
3. In order to prevent or address compliance related issues, the Standing Committee on Stockpile Destruction should continue holding the informal consultations on the issue of PFM mines destruction as well as on other arising issues. Preventive measures, such as consultations, shall be taken well in advance so as to have constructive impact.
4. At this stage, the Governments of Belarus and Ukraine have to stay committed and actively pursue assistance for pending PFM mines destruction. In both cases - of Belarus and of Ukraine - more awareness and political support, especially by the EU member states, might stimulate speedier progress in resolving funding issues to ensure that the crucial obligations of Article 4 are met.
5. All parties that have participated in the consultations are called on to reflect and actively participate in the SCSD meeting in June.