

Presentation by Norway on LAND RELEASE
JUNE 4. REVIEW VERSTOW

Thank you Co Chairs

On 14 May the Resource Utilisation Contact Group organised a workshop in cooperation with the Implementation Support Unit to discuss land release practices and Article 5 obligations. The purpose of the workshop was to elaborate further the recommendation from the Dead Sea Progress report, on the need to identify "releasing areas suspected to contain anti-personnel mines through means other than clearance", in order to "...speed up implementation of Article 5."

In the progress report, States Parties are encouraged to develop or enhance standards for the release of suspected mined areas. In the workshop we wanted to bring together the variety of practices already in use to release lands suspected to contain anti-personnel mines. Further we wanted to explore how these practices fit within the broader implementation framework and in particular Article 5 obligations. Representatives from National Mine Action authorities, United Nations, key Mine Action NGOs, the Geneva Centre for Humanitarian Deming, the Implementation Support Unit, ICRC, the President and States Parties participated.

Our point of departure was, as aptly described by Tim and John now, the recognition by States Parties of the complex challenges associated with identifying the exact locations of mined areas. For many States Parties reporting mined areas under their jurisdiction or control, imprecise identification and significant overestimation of the size of mined areas has led to inappropriate allocations of time and resources. Expensive mine clearance resources have been employed to release areas suspected to contain landmines, even when no landmines are found.

A partial explanation for this can be found in the tacit understanding that clearing mines physically has been the only accepted means to release a suspected hazardous area. This understanding has evolved in this community. Mine clearance operators have for many years employed a broader set of means to clear suspected land. It is only recently that the broader implementation community has seriously scrutinized the assumption that physical mine clearance is the only acceptable way to address suspected areas, as in states parties did during the Dead Sea Meeting.

Over the past two years or so, we have discussed this under the label "*land release*". While this has been a useful way of approaching the issue of identifying Convention-compliant "...*means other than clearance*..." we should remind ourselves that there is no single method called "*land release*" that is different from existing and accepted practices in use today. Mine action

operators have for years employed a diverse set of means, from non-technical surveys via technical surveys to actual physical clearance, when approaching land suspected of containing mines. The challenge for States Parties is to ensure that the methods used are in compliance with convention obligations and utilise the available resources in the most effective and efficient manner.

Presentations by practitioners at the workshop helped to identify what States Parties can do to facilitate this. The discussions demonstrated we are on track to move from discussing concepts to develop and probably agree on a comprehensive and consolidated approach to release suspected mined land in a more effective and efficient manner.

We will address this issues at our lunch meeting tomorrow, (where all are welcome), but I just want to mention some aspects on this process that came up during the workshop.

* As mentioned – Land release is not one single method, but represent the full range of means used to release an area that for a broad variety of reasons has been registered as land suspected of containing mines. Hence, Land release is a set of actions with different requirements for capacity and competence, ranging from broad based general surveys to technical surveys and full physical mine clearance. Equally important is accurate and coherent reporting and the careful and professional maintenance of databases of suspected areas, land released and the methods used. States Parties must be confident that land release with non-technical means is an accepted tool in the toolbox to reduce suspected land. Work underway, including the new draft International Mine Action Standard on land release, will facilitate this.

* Terminology is important, and even though not all mine-affected countries can – or indeed should – use the same kind of methodology, a common understanding of concepts and principles used will assist more countries in promoting land release.

- States Parties need to be able to show with confidence that they are in compliance with their Article 5 obligations when they release land through non-technical methods. So far, many national authorities have been conservative and hesitant to release land because they are uncertain about the implications. There must be sufficient confidence on all levels, amongst all stakeholders, from the local population all the way through to the international community, that the principles and standards used during the land release process are good enough, and that they are being implemented..
- The need for formal national policies addressing liability issues

Based on the discussions in the workshop, Norway has developed a draft concept paper on Land Release and article 5, addressing some of these issues. The paper has been distributed here, and will form basis for the discussions at the contact group meeting tomorrow. I emphasise that the paper is intended to facilitate our discussions, and that these discussions will help to improve the paper for the next revised version. We will report back from the discussions to the this plenary tomorrow afternoon, and our aim is to present the coming Meeting of States Parties with a final veion, including recommendations, in cooperation with the co-chairs of this committee,

Among these recommendations are:

- That States Parties should acknowledge that three main actions can be undertaken to release land that has been identified and reported as “mined area”: through non-technical means, technical survey, and clearance.
- States Parties providing assistance to mine action activities should ensure that the support provided facilitate for applying all recognised actions for releasing “mined ares”.
- National policies or standards on land release through non-technical means, need to be based upon existing best international practices

In addition we have taken the liberty to suggest a slightly adjustment of the naming of this standing committee. This is of course a bit beyond our mandate, but we wanted to put that out here as part of our informal consultations.

We look forward to both the discussion here now, and as mentioned, the deeper discussion on the draft concept paper at the lunch meeting tomorrow.

Thank you M Co Chair