

ICBL Statement on Article 7  
Standing Committee on General Status and Operation of the Convention  
25 May 2009

Mr. Chairman,

We would like to take note of a few quantitative trends in annual reporting plus suggest some ways in which we believe the quality of future reports could be enhanced.

First, we are disappointed by the decreasing rate of annual updates submitted. We have gone from a high of 78% of States Parties submitting their annual report for calendar year 2003 (submitted in the year of the First Review Conference) to a low of 62% for calendar year 2007 (the same rate as 2005 and 2002). As the Article 7 Contact Group chair reported, so far we only have a 44% [check] rate of compliance for 2008 reports due on 30 April 2009. We are therefore troubled that the rate of compliance remains so low. The annual reporting update is not only a treaty requirement, but it is one of the main ways that States Parties communicate progress in treaty implementation. Perhaps some of the problems we are now facing with non-compliance or delayed compliance could have been avoided if those States Parties had clearly signaled, at an early stage, the problems they were facing.

In addition, we have observed that many of the same countries are failing to submit reports year after year. We count 51 states that have habitually not submitted annual updates, including 39 that have not submitted reports for the past 3 years or more. Many of these states were never or are no longer mine-affected, but the annual reporting update applies to all states regardless of their treaty status. Moreover, a large number of these "repeat offenders" has not provided information on national implementation measures. In order to facilitate reporting for states that have already fulfilled one or more of their treaty obligations, there is a cover sheet available that allows states to simply check a box if nothing has changed from the previous report.

We call on all States Parties to reverse this downward trend in annual reporting and achieve 100% reporting before the 2<sup>nd</sup> Review Conference.

We are very close to 100% compliance with the treaty's initial reporting obligation under Article 7, but we are still missing reports from Cape Verde (due 30 April 2002), Equatorial Guinea (due 28 August 1999), and The Gambia (due 28 August 2003). We know that many contacts – including by the ICBL, the ICRC, the GSOC co-chairs, the Contact Group co-chair, and the ISU - have been made with the remaining three states: but to no avail (although it did lead to Haiti's submission, which we were pleased to see come in this spring). Without their initial reports, we have no way to know what treaty obligations will apply and what steps – if any - they have taken to implement them. We sincerely hope that these last three states comply by the Review Conference.

Annual reports are not just about quantity of reports submitted, but the quality of what is included. We see a broad range of quality in annual reports – from very detailed descriptions of mined areas to minimal or no updates on the status of programs for clearance or stockpile destruction. We are encouraged to see a few states that received mine clearance extensions last year include some progress updates on their plans for the extension period.

There have been over the years some efforts to enhance the quality of the reports, including information that helps shed light on issues of concern for the ICBL. For example, States Parties are now asked to provide

information on the past and planned use of mines retained under Article 3 to show that they are being used for permitted purposes. So far, 21 states have made use of the revised Form D. Others are providing information about use or destruction of such mines through the old version of Form D. We call on all of the 71 states retaining mines under Article 3 to use the revised Form D.

A small number of states – including Bulgaria, Burundi, Tajikistan – are using amended Forms B and G to inform others about the discovery and destruction of stockpiles of landmines after their official destruction programs ended. We have heard about such discoveries in several more states – including xxxxx – and call on all such states to report on what has been discovered and what steps have been taken to destroy them.

We are pleased that several states are reporting on Claymore mines and OZM-72 mines and steps taken to ensure they can be used in command-detonation only: Afghanistan, Algeria, Bangladesh, Belarus, Brunei, Denmark, Latvia, Lithuania, Moldova, New Zealand, Norway, Sweden, Turkey, United Kingdom

Finally, we would like to suggest that additional recommendations be made through the Cartagena Action Plan to elicit better information on key treaty obligations.

First some recommendations to enhance information required to be submitted:

- More details about the status of programs to destroy stockpiles, including specific benchmarks towards complete destruction and progress in reaching them.
- Much better information about the status of programs to destroy mines in mined areas, including the of the mined area cleared or released through technical or non-technical means and plans to clear remaining areas “as soon as possible.”
- Specific updates on such status of programs in relation to the implementation of plans submitted with Article 5 extension requests.

In addition, we strongly recommend additional points of information be given on a voluntary basis to show how states are meeting treaty obligations.

- Status and progress on providing “assistance for the care and rehabilitation, and social and economic reintegration, of mine victims.”
- The amount of national resources, including financial, material or in kind, allocated to the implementation of Articles 3, 4 and 5 of this Convention; and
- The quantity, type and destination of international cooperation and assistance provided under Article 6 of this Convention.
- Steps taken to ensure Claymore mines and OZM-72 mines can only be used in command-detonated form.

[for univ. statement: We see a continued positive trend on voluntary reporting with reports submitted this year from Poland (its seventh report) and Morocco (its third). There have also been voluntary report submissions from Azerbaijan in 2008, Mongolia in 2007, and Sri Lanka in 2005. We welcome such reports as a step on the path to accession to the Mine Ban Treaty.]