

The General Status of Implementation of Article 4

Co-Chairs of the Standing Committee on Stockpile Destruction (Italy and Zambia)

Geneva
25 May 2009

At the close of the Ninth Meeting of the States Parties, 150 States that have ratified or acceded to the Convention no longer held stocks of anti-personnel mines, either because they never did or because they had completed their destruction programmes. At that time, the obligation to destroy stockpiled anti-personnel mines remained relevant for six States Parties: **Belarus, Ethiopia, Greece, Kuwait, Turkey and Ukraine.**

Since the 9MSP, the following has transpired:

- One State Party with a deadline that occurs on 1 June 2009 (**Ethiopia**) has completed its Article 4 stockpile destruction obligations.
- One State Party (**Belarus**) that has missed its deadline for the destruction of stockpiled anti-personnel mines has volunteered information to the Co-Chairs regarding efforts it is undertaking to bring itself into compliance with its Article 4 obligations. The European Commission as well has informed the Co-Chairs on the ongoing discussions with Belarus' Authorities.
- One State Party that, as of the end of the 9MSP had not submitted an initial transparency report as required (**Haiti**), has now submitted its initial transparency report confirming that it does not possess stockpiled anti-personnel mines.

On this basis, there remain five States Parties that have not yet completed implementation of Article 4. They are: **Belarus, Greece, Kuwait, Turkey, and Ukraine.**

Three of these States Parties (**Belarus, Greece, and Turkey**), together possessing almost eight million anti-personnel mines, have not complied with their deadlines and remain non-compliant.

The 9MSP's Geneva Progress Report recorded that **Turkey** was unable to give an accurate time-frame for the completion of its stockpile destruction process as its disposal facility operates under environmental scrutiny, with a recycling methodology that requires time and with a growth in daily destruction capacity still unknown. We noted that Turkey has already destroyed the fuses of all its stockpiled anti-personnel mines. In March, Turkey informed the Co-Chairs that 1.3 million anti-personnel mines had been destroyed and that, as of 31 January 2009, a total of 1,640,280 remaining parts of AP mines needed to be destroyed. The Co-Chairs look forward to hearing from Turkey regarding progress it has made and what its prospective end date is for ensuring that it is no longer non-compliant.

The Geneva Progress Report recorded that **Greece** indicated to the 8MSP President that it would complete the destruction of all stockpiled anti-personnel mines no later than 28 May 2009. The Co-Chairs are now aware that Greece will be unable to complete its destruction programme by 28 May. We have been informed that a Bulgarian company has signed a

contract with a Greek company which had been appointed by the Greek Army for the demilitarization / destruction of landmines possessed by Greece. The Co-Chairs look forward to hearing from Greece regarding progress it has made since 9MSP and what its prospective end date is for ensuring that it is no longer non-compliant.

The Geneva Progress Report recorded that both **Belarus** and the European Commission remained committed to continue cooperation with the goal of destroying all PFM type mines in Belarus and that both were in the process of negotiating terms of reference to define responsibilities and the timeframes for destruction. The Co-Chairs have regularly met Belarus and the EC and we commend both for their efforts for the resumption of cooperation in the destruction of PFM mines. We are encouraged by the fact that Belarus and the EC recently signed an arrangement in the form of an exchange of letters and the terms of reference for a new tender procedure to select the most appropriate applicant to carry out the destruction project. We hope that the tender will be launched shortly. We encourage both Belarus and the European Commission to provide an update at this meeting to all States Parties.

With respect to **Ukraine**, the Geneva Progress Report recorded a collapse of assistance arrangements to destroy all remaining stockpiled PFM-type mines and that if further delays with international assistance were experienced Ukraine might not be in a position to fulfil its Article 4 obligations by its 1 June 2010 deadline. The Co-Chairs have regularly met both Ukraine and the EC and we are aware of their ongoing efforts for the resumption of cooperation in the destruction of PFM mines. We encourage Ukraine and the European Commission to provide an update at this meeting.

With respect to **Kuwait**, while we note that its deadline, on 1 January 2012, is almost three years away, we wish to recall one of the recommendations made by our predecessors in a paper that was intended to prevent future instances of non-compliance. This paper stated the following:

States Parties in the process of implementing Article 4 should communicate to other States Parties, through annual transparency reports, at every meeting of the Standing Committee on Stockpile Destruction and at every meeting of the States Parties, plans to implement Article 4, successively reporting increasing progress that is being made towards the fulfilment of Article 4 obligations.

In this regard, we encourage Kuwait to both provide regular updates and to destroy its stocks as soon as possible. Indeed, it would be a tremendous boost for the Convention if Kuwait was able to destroy its stocks prior to the Second Review Conference.

The Geneva Progress Report also recorded that four States Parties had not provided an initial transparency report as required. We commend **Haiti** for having now submitted a report and thank the European Union for having provided necessary technical assistance to Haiti through its Joint Action in support of the Convention. We call upon the three remaining States Parties that are still overdue in providing an initial transparency report, **Cape Verde**, **Equatorial Guinea**, and **Gambia**, to confirm, as soon as possible by submitting an initial transparency report, that they do not hold stocks.

As we proceed toward the Convention's Second Review Conference, the story remains largely the same as in recent years – that while the number of the States Parties that face ongoing challenges concerning the destruction of stockpiled anti-personnel mines is small,

these challenges are great and progress is slow. Concern about compliance with Article 4 remains a dark cloud hanging over the Convention.

As Co-Chairs, we are committed to working closely with the Belarus, Ukraine and the European Commission to finding solutions to concluding cooperation arrangements that will permit mines to be destroyed in large numbers as soon as possible. To those who do not need outside assistance, we urge you to complete your destruction programmes as soon as possible and to volunteer information on your progress. And to all States Parties, we seek your cooperation in applying, as relevant, the recommendations put forward by our predecessors which we as States Parties embraced at the 9MSP.