

Notes for ICRC intervention on updates by States Parties that were granted an extension or still have obligations under Article 5

Thursday, 1 December 2011

Thank you Mr. President.

The ICRC would like to thank all States Parties that provided yesterday and today an update of their clearance progress.

Let me first join the ICRC's voice to the previous speakers that congratulated **Nigeria** and **Burundi** for having announced that they have now fully complied with their Article 5 obligations. We commend them for having put clearance of their mined areas as a priority and for pushing this project through to successful completion. We are also grateful to Nigeria for having used the voluntary declaration of completion agreed upon at the 7th Meeting of States Parties and having put plans in place for a residual mechanism, should the need arise.

We were equally delighted to hear from **Guinea-Bissau, Jordan, Denmark, and Uganda** that they are on track to meet their deadlines in 2012. I don't think Mr. President, we ever had so many States Parties that, during a meeting of States Parties declared that they either completed their obligations or were about to complete next year. These are great achievements that should be recognised.

As to the updates presented by States which already received an extension yesterday, we were pleased to hear of the progress made by **Yemen and Tadjikistan**. However, we are concerned that too many presentations by this group of States, which have obtained an extension, focused on past progress but did not include precise details about future demining plans and an assessment of whether or not they are on target to meet their yearly objective, as contained in their extension request, and ultimately their extended deadlines.

Like the ICBL yesterday, we too are worried about the important number of States which declared very slow progress or which admitted that they were not on target to meet their extended deadlines.

The ICRC listened with great attention to the update given by the **United Kingdom** on the clearance plans for the Falklands/Malvinas islands.

We believe that the position of the UK at this meeting of States Parties is creating a new situation for the Convention as a whole that needs to be looked at by all States Parties and should be discussed urgently. The decision granting a 10 year extension to the UK by the 9th meeting of States Parties noted: 'that the UK reaffirmed its commitment to clear or ensure the clearance of all anti-personnel landmines in all mined areas under its jurisdiction or control as soon as possible. The UK clarified its understanding that the obligations under Article 5 fell to the Government of the United Kingdom'. By affirming, as it did yesterday, that it recognises the importance of its obligations under article 5 of the Convention but that 'priority will be first and foremost on projects to save lives around the world', the UK is re-opening the decision made by the States Parties at the 9th MSP.

Furthermore, we note with deep regret that the UK has not yet provided a detailed demining plan for the suspected mined areas. The decision granting a 10 year extension request to the UK taken by the 9th Meeting of States Parties noted that: 'the UK agreed to provide as soon as possible, but not later than 30 June 2010 a detailed explanation of how demining is

proceeding and the implication for future demining in order to meet the UK's obligations in accordance with Article 5.4.b and c) of the Convention'. 18 months have passed since this deadline, without having provided any clear explanation and plans on how demining will be carried out and pursued to completion.

In 1999, they were 117 suspected minefields to clear on the Falklands / Malvinas islands. Since then, 4 areas were cleared and the scope of another 2 areas will be reduced using land release methods between January and March 2012. This will still leave 113 suspected areas to clear in only 7 years, as the UK's deadline is set for 2019. We wish to recall that every single State Party is bound by this Convention to clear its suspected mined areas AS SOON AS POSSIBLE and to put plans in place to do so at the earliest possible opportunity.

Let me now turn to a few remarks concerning the updates given this morning by States which have a clearance deadline in 2013 or later.

We were pleased to hear of the good progress made by **Cyprus and Serbia**. We congratulate them for their efforts and the statement that they are likely to complete their article 5 obligations on time.

We thank **Turkey** for its very detailed update on Turkish efforts to implement its article 5 obligations. We are pleased to hear that the contract with NAMSA has been finalised but regret that the tendering and the selection processes will take one year to be completed with effective demining to start only in October 2012, that is 18 months before the end of Turkey's deadline to complete its article 5 obligations.

3 out of 4 States with a deadline in 2013 are likely to request an extension. The trend is continuing year after year and this should be a concern of all States Parties.

Finally, the ICRC would like to thank **Germany and Hungary** for their statements today that they have discovered some previously unknown suspected mined areas on territory under their jurisdiction or control. We thank them for their transparency and their reporting of these new findings to the Meeting of States Parties. Just as Norway mentioned, we would have appreciated reporting by Hungary as soon as these suspected mined areas were discovered.

We believe that these situations raise some very important issues that need to be addressed by all States Parties. Action point number 22 of the Cartagena action plan does not regulate these new situations and the Convention itself does not envisage this scenario. In the view of the ICRC, it is of particular importance that States Parties agree in the coming year on a process to tackle such situations.

We believe that every State, which is either mine affected within the first 10 years of entry into force of the Convention for that State or which becomes mine affected after the expiry of its original 10 years deadline, should be subject to similar treatment.

States that discover suspected mined areas after the end of their original deadline should be subject to deadlines. They should therefore request and be granted by meetings of States Parties specific time frames for survey and / or clearance, unless the suspected contamination is so small that the States Parties can survey and clear the suspected areas before the next meeting of States Parties.

We read with great interest the proposal made by the ICBL in its food for thought paper and we look forward to working with them, you Mr. President, interested States Parties and the co-chairs on clearance in the next year in order for States Parties to agree on a process to tackle such situations.