

## ICBL Comments on Algeria's Article 5 Deadline Extension Request

November 2011

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Article 5 deadline: **1 April 2012**  
Extension period requested: **5 years (1 April 2017)**

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### Clarification sought on the Extension Request

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#### Key Issues

1. *Additional clarity on the total remaining areas to be cleared/re-cleared.*
  2. *Confirmation of a commitment to mark all mined areas as soon as possible.*
  3. *Further detail on the plans to clear the "legacy" minefields.*
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Algeria's request for five additional years appears to be well-reasoned, and a revised extension request (received by the Implementation Support Unit on 17 August 2011) has provided some additional details and clarity on the remaining challenge.

#### **Remaining Contamination**

The revised extension request has presented data on remaining contamination more clearly, although the request would still have benefited from a simple summary table broken down by region and number of square kilometers of contamination. In addition, the initial request stated that some land was not cleared to international norms and will need to be covered again. But when total quantities of land cleared are presented, it is not specified if they include these areas requiring re-clearance and/or areas that have been cleared again. Algeria should therefore clearly present the total amount of remaining contamination in the country, **clarifying which land needs to be cleared and which land needs to be re-cleared/quality controlled.**

#### **Technical issues**

Algeria states that it is using only manual clearance and does not mention any planned survey activities. Yet States Parties are encouraged, including through the Cartagena Action Plan, to use non-technical and technical survey techniques to help reduce the amount of land that needs clearance and to gain a better assessment of contaminated areas. Algeria does note that it conducted a technical survey and a Landmine Impact Survey (LIS), but does not provide specific information on the results, nor on whether non-technical or technical survey continue to be carried out. Could more information be provided on survey?

Algeria also notes that in the northwest, three mined areas offer particular technical challenges to clearance that do not yet allow firm dates to be set for the completion of clearance.<sup>1</sup> Algeria will need to report on progress on this issue to the States Parties.

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<sup>1</sup> Article 5 deadline Extension Request (Revised), 17 August 2011, p. 22.

### **Legacy minefields**

Algeria has maintained two mined areas in the Challe minefields, one in the east and one in the west of the country, as so-called “museum” mined areas. The size of both areas in Tébessa and Bechar provinces is small, totaling 3,000m<sup>2</sup> and 2,000m<sup>2</sup>, respectively, and Algeria has declared that the areas are “duly protected and marked” as a legacy of the War of National Liberation.<sup>2</sup> Such retention of mined areas is, however, not permitted by the Mine Ban Treaty and therefore these areas must be cleared before it can be deemed to have fulfilled its Article 5 obligations. In its revised extension request of August 2011, Algeria stated that awareness would be undertaken of the need to comply with its treaty obligations and technical solutions identified that would enable the areas to be cleared of mines before being reconstituted as a living museum.<sup>3</sup> Further clarity on this commitment to full clearance would be helpful.

### **Marking**

Algeria has noted that in certain instances, the security situation has made it impossible to mark mined areas in a timely fashion. Algeria has clarified in its revised extension request that it will mark these areas as soon as security conditions allow. Although an improvement on Algeria’s earlier statements that it would not mark certain areas, further details of when such marking is likely should be provided, and Algeria should regularly report to States Parties on progress made in marking mined areas.

### **Funding**

While Algeria is to be congratulated for financing all mine clearance with its own funds, it would be useful to have an estimate of how much money has been spent and how much more will be needed, as all other States Parties have provided this information in the context of their extension requests.

### **Work Plan**

Algeria should provide, as requested of States Parties seeking an extension, clear annual forecasts of land to be released during the extension period, including by clearance or other means. In addition, since Algeria’s productivity projections are based on the most difficult conditions it faces (in the east), Algeria should also specify whether it can be expected that clearance will proceed more quickly in less complicated areas. It should also explain whether they plan to move resources to the remaining areas if they finish faster than expected in such areas.

## **Conclusions and recommendations**

Algeria acknowledges that it started clearance operations to fulfill Article 5 too late. It also notes both the humanitarian and security implications of delays in completing clearance. Nonetheless, the fact that Algeria is meeting all of the costs of its clearance deserves recognition.

Algeria appears to have requested the minimum extension period necessary based on existing work.<sup>4</sup> **A table presenting the total known/suspected mined areas and the precise quantity of land cleared per region would greatly help to clarify the extension request.**

Algeria must commit unequivocally to clear all of the known remaining mined areas within the extension period, including the so-called “museum” areas. Finally, Algeria should provide additional information on the conditions and timeframe for marking all known mined areas.

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<sup>2</sup> Article 7 Report, April 2010, Section 3.5.

<sup>3</sup> Article 5 deadline Extension Request (Revised), 17 August 2011, p. 9.

<sup>4</sup> Article 5 deadline Extension Request (Revised), 17 August 2011, p. 21.