

ICBL Comments on the Democratic Republic of Congo's Article 5
Deadline Extension Request
November 2011



Article 5 deadline: **1 November 2012**
Extension period requested: **interim period of 26 months (1 January 2015)**

Clarification sought on the Extension Request

Key Issues

1. Plans for clearance of mined areas during the extension period.
2. Details of ongoing clearance of mined areas.
3. Clarification of the resource mobilisation needs and strategy.

Level of contamination

The Democratic Republic of Congo's (DRC) initial and revised extension requests note that one of the main reasons for the need for an Article 5 deadline extension was the poor quality of data received from operators and the management of such data until recently. The DRC has therefore begun two types of general surveys, called the General Mine Action Survey (GMAS) and the General Mine Action Assessment (GMAA), based on which they expect to develop a reliable picture of the remaining level of contamination and a mine action plan to address these areas. Through the use of survey and database clean-up, it appears that DRC has secured a good understanding of the extent of the problem, and **efforts should focus on either cancelling suspected mined areas or confirming and clearing them**. So far only 12 or 13 of the 82 mined areas have been confirmed to contain mines (the request cites the figure of 12, but the annex contains 13 confirmed mined areas, four in Kasai-Occidental, eight in Katanga, and one in Equateur), and 69 areas still remain under the category of "suspected hazardous areas" and must be surveyed further.¹

Plan for extension period

A total of 82 suspected or confirmed mined areas had been recorded as of December 2010 with almost 700 areas having previously been reclassified from suspected mined areas to battle areas.² Contamination covered an estimated 14.13km² of territory, although of this total some 11.5km² is found in four mined areas and most in a single area around Kisangani airport.³ But **there is no detailed or even general plan for the release of these 82 mined areas currently registered**, plus any additional areas added to the database through the GMAS, including whether clearance is planned for any of these areas during the extension period.

The request does note that technical survey will need to be carried out on the identified zones to determine their exact perimeter, but that it won't take place until the period of January 2013 to November 2014.⁴ The DRC should explain why such survey and clearance cannot take place in already identified areas at the same time that the GMAS is carried out in other areas, especially with such a large planned annual budget.

¹ DRC Article 5 Deadline Extension Request, 12 September 2011, pp. 31 and 45–48.

² DRC Article 5 Deadline Extension Request, 12 September 2011, pp. 30–31.

³ Interview with Charles Frisby, UNMACC, in Geneva, 16 March 2011.

⁴ DRC Article 5 Deadline Extension Request, 12 September 2011, p. 49.

National capacity

The revised extension request of September 2011 notes that the much-delayed law on the implementation of the Mine Ban Treaty, which also calls for the creation of a national mine action center, was promulgated in 2011. No further information is provided on the transition to national ownership, including how and when various stages of handover from UNMACC to the national mine action center will take place. Such information would be useful given uncertainty about the future of the UN peacekeeping mission beyond June 2012.

Resource mobilization

Much more information on the planned budget for the extension period should be provided. An explanation for the funds for the GMAS (through 2012) is given, but no other costs are detailed. The request cites \$1.5 million as the future annual contribution of the Government of the DRC to the mine action program. It would be helpful to see the detailed breakdown of this contribution, including a timeframe. Has any financial or in-kind contribution been made so far? In addition, the request notes the need to almost double annual international contributions to mine action from an already fairly high \$15 million/year. **What is the plan to obtain such an increase**, and what contingencies does the DRC have in case it cannot achieve these ambitious goals?

Conclusions and recommendations

Mine clearance appears to have been generally very slow, with a total of 1.28km² of demining since 2001 and only one mined area reported as having been cleared in 2010 and none in 2011 as of September⁵ (although it is believed that significant clearance is ongoing). Nevertheless, it is positive that DRC is seeking a shorter interim period in its amended request than in the original one. More information should be presented on ongoing clearance, and the DRC should present a plan for increasing productivity.

The request notes as well that the plan depends on receiving a significantly increased amount of foreign support, but much more information should be provided on how the DRC expects to raise such funds before States Parties can properly assess the request.

Efforts are underway to increase national ownership of the program, although they remain quite slow and sporadic. More information on the transition between UNMACC and the national mine action center, as well as national financial and political support for mine action should be provided.

⁵ DRC Article 5 Deadline Extension Request, 12 September 2011, p. 21.