

**Meeting of the States Parties to the Convention
on the Prohibition of the Use, Stockpiling,
Production and Transfer of Anti-Personnel
Mines and on Their Destruction**

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Item 11 of the provisional agenda

Consideration of requests submitted under Article 5

**Analysis of the request submitted by Niger for an
extension of the deadline for completing the
destruction of anti-personnel mines in accordance
with Article 5 of the Convention**

**Submitted by the Committee on the Implementation of
Article 5 (Austria, Canada, Norway and Zambia)***

1. Niger ratified the Convention on 23 March 1999. The Convention entered into force for Niger on 1 September 1999. In its initial transparency report submitted on 12 September 2002, Niger reported areas under its jurisdiction or control suspected to contain anti-personnel mines and was therefore obliged to address these areas by 1 September 2009. On 5 June 2008, at the meeting of the Standing Committee on Mine Clearance, Niger declared that on the basis of additional information collected, it was able to confirm that the presence of anti-personnel mines was no longer suspected.
2. In June 2011, after the expiry of Niger's original Article 5 deadline, Niger discovered one area under its jurisdiction or control that was known to contain anti-personnel mines and five areas that were suspected to contain anti-personnel mines, which Niger reported in its transparency report submitted on 15 November 2012. Since this time, Niger submitted requests for extension to the Thirteenth Meeting of the States Parties in 2013, the Fourteenth Meeting of the States Parties in 2015, the Fifteenth Meeting of the States Parties in 2016. On each occasion, the Meetings of the States Parties agreed unanimously to grant Niger its request for extension. The request for extension granted to Niger by the Fifteenth Meeting of the States Parties (15MSP) was for five years until 31 December 2020.
3. In granting Niger's request in 2016, the 15MSP noted that Niger had taken a number of measures to implement its obligations including through clearance and non-technical survey (NTS) and technical survey (TS) efforts leading to the removal of suspicion of the presence of mines in five areas previously reported as suspected of containing mines. The 15MSP further noted that the request did not contain a detailed annual work plan for clearance leading to completion with benchmarks for progress, which would assist Niger and all States Parties in assessing progress in implementation during the extension period. The 15MSP also noted that monthly and annual projections could support Niger's efforts in mobilising financial and technical resources and that, as a result, Niger may find itself in a

* The present report was submitted after the deadline owing to circumstances beyond the submitter's control.



situation where it could proceed with implementation faster than the amount of time requested. In this regard, the Meeting noted that the Convention would benefit from Niger providing by 30 April 2017 a revised work plan containing a list of all areas known or suspected to contain anti-personnel mines and monthly and annual projections of which areas would be dealt with during the period of extension.

4. The 15MSP further noted that the Convention would benefit from Niger reporting annually on (i) progress made relative to the activities listed in its 2016-2020 work plan, (ii) changes in the security situation and how these changes positively or negatively affect implementation, (iii) efforts made to mobilise the necessary financial and technical support necessary to implement the work plan, and, (iv) external financing and technical assistance received as well as resources made available by the Government of Niger to support implementation.

5. On 28 May 2020, Niger submitted to the Committee on Article 5 Implementation (the Committee) a request for extension of its 31 December 2020 deadline. Niger's request is for 4 years, until 31 December 2024. On 29 July 2020, the Committee wrote to Niger to request additional information. No additional information was provided by Niger in response to the Committee's questions.

6. The request indicates, as did the previous requests, that following changes in the security situation after the conflict in the north of the country and the Libyan crisis, Niger requested the conduct of an assessment mission in 2011 which uncovered the presence of a minefield in the northern part of the Agadez region, in the department of Bilma, on the military post of Madama. The request further indicates that originally the identified minefield totalled an estimated 2,400 square metres. The request also indicates that the 2011 assessment mission identified five other areas where the presence of anti-personnel mines was suspected, also in Bilma, Agadez region, and that their total size was unknown. Since this time, Niger indicated that surveys conducted in May 2014 removed the suspicion of the presence of anti-personnel mines in the five areas previously reported as suspected to contain anti-personnel mines.

7. The request indicates that during the conduct of non-technical and technical surveys in 2014, the estimated size of the original area was revised up to 39'304 square metres and an additional area containing anti-personnel and anti-tank mines of an estimated size of 196'253 square metres was discovered. The request further indicates, as did previous requests, that the areas in question are perimeter-marked and monitored by a military surveillance post.

8. The request indicates that in preparation of the work remaining to be carried out, Niger has taken the following measures: (a) training and refresher training for deminers, (b) establishment and availability of a 60-deminer pool, (c) contribution of the State to the National Commission for the Collection and Control of Illicit Weapons (CNCCAI), (d) availability of demining vehicles for demining operations, (e) availability of means for demining equipment.

9. The request indicates that from November 2014, more than 60 deminers financed by the State budget were deployed. As a result, the 39'304 square metres area was totally cleared. This area was handed over to the Ministry of Defence which allowed for the extension of the Madama military post into a battalion. Also, during this time, 18'483 square metres of the 196,243 square metre area were also cleared. During the conduct of operations between June 2019 and March 2020, 323 mines were found and destroyed. The Committee noted the importance of Niger reporting in a manner consistent with International Mine Action Standards (IMAS) by providing information on progress in accordance with the land release methodology employed (i.e. cancelled through non-technical survey, reduced through technical survey, or cleared through clearance). The Committee noted the importance of Niger providing information on methodologies and national standards used in operations carried out to date as well as on the conformity of the national standards with the latest IMAS.

10. The request indicates that 177,760 square metres remain to be cleared. The Committee noted that the extent of the remaining challenge could be more clearly presented if the information provided by Niger was disaggregated by "suspected hazardous areas" and

“confirmed hazardous areas” as well as by type of contamination, in a manner consistent with IMAS.

11. The request indicates that since February 2007 the Republic of Niger has experienced insecurity due to the actions of Boko Haram or Islamic State in West Africa and that this has caused a number of accidents and raised fears of the present of landmines, explosive ordnance of war and improvised explosive devices. The Committee noted the importance of Niger applying all provisions and obligations under the Convention to all types of anti-personnel mines, including anti-personnel mines of an improvised nature, including during survey and clearance in fulfilment of Article 5, and of Niger providing information disaggregated by type of mines when reporting in fulfilment of Article 7 obligations.

12. The Committee noted that the request, as did the previous requests, contains no information on the humanitarian, social, economic and environmental implications of the request. The Committee also noted the lack of information in the request on number of casualties of anti-personnel mines since the last extension period. The Committee noted the importance of Niger reporting on the impact of remaining contamination. The Committee further noted the importance of Niger providing a detailed, costed and multi-year plan for mine risk education and reduction in affected communities.

13. The request contains a work plan for the period 2020-2024. The work plan outlines activities to clear the mined areas located in the Madama military post and the possibility that additional suspected areas may be discovered. The work plan also includes activities to strengthen the capacity of the CNCCAI. The work plan projects that in 2020, of its own budget, the CNCCAI would procure prodding and marking tools as well as demining equipment. The training of 50 deminers would take place in 2020 and the actual demining work would be taking place during 2020-2024. The Committee noted that the request contains no information on the impact of the proposed acquisition of additional equipment on the work carried out by the demining teams.

14. While noting the importance of assessing progress in the implementation of Article 5, the Committee noted the lack of annual benchmarks in the work plan presented by Niger in its request. The Committee noted the importance of Niger providing annual projections for survey and clearance output in accordance with the land release methodology employed (cancellation, reduction or clearance). The Committee further noted that the work plan could be complemented by including a list of all areas known and suspected to contain anti-personnel mines and projections of which areas and what quantity of area would be addressed when and by whom. The Committee noted that the work plan would benefit from the inclusion of information on current resources/capacity available, as well as additional resources/capacity required to achieve completion by the deadline. The work plan would also benefit from the inclusion of information on methodologies and standards that will be applied. The Committee noted that the work plan would also benefit from including information on provisions for a sustainable national capacity to address previously unknown mined areas, including newly mined areas following completion. The Committee further noted the importance of Niger providing information on how its efforts take into account the inclusion of the different needs and perspectives of women, girls, boys and the diverse needs and experiences of people in affected communities.

15. The request indicates the following as risks that may affect the implementation of the plan: (a) geography and climate with areas located in a difficult desert environment (intense heat and shifting sand), (b) funding, and (c) insecurity (terrorist threats within Niger and at borders between Niger and other countries). The request further indicates that Niger set up a reinforced security team for deminers and that it is seeking cooperation from the local population. The Committee noted that it would be of value if Niger provided information on its efforts to mitigate risks and ensure that operations can occur in a sustainable manner. In this regard, the Committee noted that it would be of benefit to Niger and all States Parties if Niger continued providing information on changes in the security situation and on how these changes positively or negatively affect implementation, at intersessional meetings, Meetings of the States Parties and Review Conferences.

16. The request indicates that the total budget for the work plan is US\$ 1,143,750. The request also indicates that Niger will contribute 50 percent of the cost of the work plan

through financial and in-kind contributions, with its proposed financial contribution amounting to US\$ 400,000 and an in-kind contribution. Since the beginning of the demining operations in November 2014, the national contribution has comprised of: (a) the provision of demining teams and their expertise, (b) security for demining teams, (c) support vehicles and (d) logistical support. The request also indicates that support from bilateral and multilateral partners will be valuable. The request indicates that US\$ 743,750 remain to be mobilised. The request further indicates that Niger needs personal protection equipment and detection equipment. The request also indicates that without the support of partners, Niger cannot guarantee the clearance of Madama.

17. The Committee noted that it is positive that Niger will contribute to the financing of its work plan and that demonstrating national ownership in this manner could help facilitate resource mobilisation efforts. However, the Committee noted that the request contains no information on past or future efforts to mobilise the necessary financial resources to implement the work plan. The Committee noted that the request would benefit from information on Niger's efforts to reach out to partners and the international community for support in addressing the remaining contamination. The Committee further noted that the request would benefit from a clear resource mobilisation plan highlighting specific needs and gaps in the work plan.

18. Noting that the work plan submitted by Niger does not contain annual milestones, the Committee requested that Niger submits an updated detailed work plan containing annual milestone by 30 April 2021 and covering the remaining period covered by the extension. The Committee noted that this work plan should contain an updated list of all areas known or suspected to contain anti-personnel mines, using terminology consistent with the IMAS, annual projections of which areas and what area would be dealt with during the remaining period covered by the request and by which organisation, matched to a revised detailed budget based on new funding levels.

19. The Committee further noted that the Convention would benefit from Niger reporting annually to the States Parties on the following:

- (a) progress made relative to the commitments contained in Niger's work plan during the extension period, providing information in a manner consistent with IMAS on the remaining challenges, disaggregating by 'suspected hazardous areas' and 'confirmed hazardous areas' and their relative size, as well as by the type of contamination and reporting on progress in accordance with the land release methodology employed (i.e. cancelled through non-technical survey, reduced through technical survey, or cleared through clearance).
- (b) adjusted milestones including information on the number of areas and amount of mined area to be addressed annually and how priorities have been established;
- (c) progress on security-related access restrictions and potential positive or negative impacts regarding re-survey and clearance of mined areas;
- (d) information on how implementation efforts take into consideration the different needs and perspectives of women, girls, boys and men and the diverse needs and experiences of people in affected communities;
- (e) updates regarding the development and implementation of a detailed, costed and multi-year plan for context-specific mine risk education and reduction in affected communities including information on the methodologies used, the challenges faced and the results achieved, with information disaggregated by gender and age;
- (f) progress on efforts to establish a sustainable national capacity to address previously unknown mined areas, including newly mined areas discovered following completion;
- (g) resource mobilisation efforts, external financing received and resources made available by the government of Niger to support implementation efforts, including through efforts to facilitate operations of international demining organisations and/or indigenous capacities, and the results of these efforts.

20. The Committee noted the importance, in addition to Niger reporting to the States Parties as noted above, of keeping the States Parties regularly apprised of other pertinent developments regarding its implementation of Article 5 during the period covered by the request and other commitments made in the request at intersessional meetings, Meetings of the States Parties and Review Conferences, as well as through Article 7 reports using the Guide for Reporting.
