

International Campaign to Ban Landmines
Statement during the General Exchange of Views
Sixth Meeting of States Parties to the Mine Ban Treaty
Zagreb, Croatia
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Delivered by Stephen Goose, Human Rights Watch, Head of Delegation

Madame President,

The International Campaign to Ban Landmines is very pleased to be here in Croatia for this meeting, as we are convinced of the importance of continuing to base our deliberations on the Mine Ban Treaty in the reality of mine-affected countries. Too many diplomatic discussions, such as those on the CCW just concluded in Geneva, suffer greatly from being isolated from the realities of the topics under consideration.

At the conclusion of the First Review Conference, the ICBL assured delegates that its commitment would remain strong and that it was in the fight against landmines for the long haul. Madame President, there are more than 200 ICBL delegates here this week from about 70 countries. They—and hundreds of other colleagues—have been working vigorously during the past year to ensure full implementation of the Mine Ban Treaty in all its aspects, to promote universalization of the treaty and the norm it is establishing, and to monitor the treaty and global efforts to eradicate antipersonnel mines through our Landmine Monitor initiative. And of course, many of our member organizations have remained key field operators clearing mines, providing mine risk education, and assisting mine survivors.

With regard to implementation, we are increasingly focusing our activities on the ten-year mine clearance deadlines and on the needs of landmine survivors and their communities. We see grave dangers that many States Parties will not meet their clearance deadlines, and will not be able to demonstrate that they have made their best effort to do so when they request an extension. Despite the high profile given to mine survivors in recent years, financial and other resources devoted by donors and affected states continues to lag far behind other aspects of mine action.

The ICBL also still gives high priority to the four-year stockpile destruction deadlines and to the issues of treaty interpretation and state practice surrounding Articles 1, 2, and 3. We continue to stress the importance of timely and comprehensive reporting under Article 7 and the need for national implementation legislation, including penal sanctions, under Article 9.

With respect to universalization, our focus has been on the Middle East and North Africa region, as well as the Commonwealth of Independent States and Asia, where our in-country campaigners and special advocacy missions have made significant progress in moving states closer to the Mine Ban Treaty. In addition, ICBL members and Geneva

Call have undertaken initiatives to engage non-state actors in the effort to ban antipersonnel mines.

Landmine Monitor has undergone some changes, with a new lead agency (Mines Action Canada) and a revised research structure aimed in particular at providing better information on mine-affected countries and on those who remain outside of the Mine Ban Treaty. Copies of *Landmine Monitor Report 2005* and its Executive Summary, including a CD-Rom, are available to delegates.

Madame President, we applaud the fact that this Sixth Meeting of States Parties is designed to be both a review of the past year, and a forward-looking planning exercise. In terms of review, we hope that States Parties will be very specific about the steps they have taken to implement the 70 action points in the Nairobi Action Plan. It is also important to hear from those states that, for whatever reason, are having difficulties with any aspect of implementation. In terms of planning, this meeting should, using the Zagreb Progress Report as a basis, produce clear priorities for States Parties and each of the Standing Committees in 2006. We will assist in further identifying those priorities for 2006 in our interventions on thematic areas later this week

Related to those priorities for the future, there are a number of results that the ICBL hopes to see emerge from this Sixth Meeting of States Parties:

First, we hope that States Parties will discuss and agree on the need to establish a mechanism and/or body to deal with issues surrounding Article 5, which requires destruction of all antipersonnel mines in mined areas within ten years. These issues include the appropriate manner for determining completion of Article 5 obligations (“mine-safe” is not sufficient) and for officially reporting completion of those obligations (stating “no mined areas” in an Article 7 report should not be sufficient), as well as clarifying whether a state has Article 5 obligations (some states do not declare the existence of mined areas despite evidence to the contrary). States Parties should also recognize the need to establish best practices with respect to any requests for extensions of the ten-year deadline (elaborating on and clarifying the requirements in the treaty text), as well as to establish guidelines for how States Parties will consider and make decisions on such requests.

Second, we hope to hear new financial and other resource commitments from States Parties (both donors and mine-affected countries) for mine action, including and especially increased resources for victim assistance.

Third, we hope that the States Parties identified as having significant numbers of mine survivors, the VA 24, will leave this meeting with a clear idea of, and the will to implement, specific plans of action with measurable targets and benchmarks. We urge other mine-affected States Parties to model their victim assistance work on the important initiative of the victim assistance questionnaire spearheaded by the co-chairs of the Standing Committee on Victim Assistance. There is a wealth of existing knowledge, and no need to reinvent the wheel. States should use the questionnaire to assess victim

assistance in their country and to establish achievable objectives to create real change for survivors, now.

Fourth, we hope that States Parties will agree to utilize the new reporting form on mines retained for training and development proposed by Argentina and Chile.

Fifth, we hope that States Parties will recognize the ongoing need to achieve greater clarity on key issues of treaty interpretation, particularly related to Articles 1, 2 and 3. These issues include what acts are permitted under the prohibition on assistance to banned activities, whether mines with sensitive fuzes and sensitive antihandling devices are captured by the treaty, and the permissible number of antipersonnel mines that may be retained.

For all our praise of the Mine Ban Treaty, we cannot truly claim it to be a comprehensive and clear prohibition when there are uncertainties and divergent state practice regarding what mines are banned, when it is unclear whether assistance may be provided to armed forces laying antipersonnel mines, and when states keep sizeable, potentially operational stockpiles of mines under the Article 3 exception, but provide no information on or evidence of using them for training or research purposes for years on end.

And, sixth, we hope to hear announcements from a number of countries about progress toward joining the Mine Ban Treaty. We are pleased to note a significant number of non-States Parties in attendance, including Poland, Azerbaijan, China, Egypt, Finland, Georgia, India, Kazakhstan, Kuwait, Kyrgyzstan, Micronesia, Palau, Saudi Arabia, Singapore, and the United Arab Emirates.

Madame President, our mine clearance operators believe it is essential that states understand that the finite solution to the problem of emplaced mines throughout the world, including meeting Article 5 deadlines, is not just about provision of adequate resources from the donor community and the affected countries. There must also be an emphasis on resource allocation and the efficiency and effectiveness of mine clearance.

Our mine risk education providers stress the need at this point for more integration of mine risk education into school and public health systems, as well as the need to promote local capacity-building, in order to ensure the sustainability of MRE. They also stress the need to ensure quality and promote quality assurance techniques to determine the effectiveness of MRE.

Madame President, I would like to give a summary of the key findings of *Landmine Monitor Report 2005*. It again shows that nearly every major indicator of progress in banning antipersonnel mines is positive.

Use of antipersonnel mines by both governments and rebels declined. Just three governments laid mines in 2005—Myanmar, Nepal, and Russia—each of whom should be strongly condemned for what is now rightly seen as a barbaric act. Landmine Monitor removed two countries from its list of antipersonnel mine producers—Egypt and Iraq—

following new statements by those countries. Once again, there was virtually no trade in antipersonnel mines throughout the world. Seventy-one States Parties have completed stockpile destruction, with Algeria (one week ago today) and Guinea-Bissau (last month) the most recent. Together States Parties have destroyed 38.3 million antipersonnel mines.

International donors provided \$399 million to mine action in 2004, the highest total ever and an 18 percent increase from 2003, although much of the increase as expressed in US dollars is due to the falling value of the dollar.

Well over 135 square kilometers of mine-affected land were cleared in 2004, and another 170 square kilometers were freed through battle area clearance. These operations destroyed about 140,000 antipersonnel mines, 50,000 antivehicle mines, and 3 million items of unexploded ordnance.

There were new mine and UXO casualties reported in 58 countries, eight less than the previous year. The number of new casualties around the world decreased to 6,521 in 2004, compared to 8,065 in 2003. However, due to significant underreporting in many countries, Landmine Monitor estimates that there are 15,000 to 20,000 new mine and UXO casualties each year.

Indeed, the picture is by no means all rosy. We are still a very long way from our objective of a mine-free world in which the needs of survivors are adequately met.

Landmine Monitor counts 84 mine-affected countries. An estimated 200,000 square kilometers of the world's area is still contaminated by mines and unexploded ordnance.

It appears that at least seven of the 13 States Parties with mine clearance deadlines in 2009 are not on course to make the deadline. It is clear that many with deadlines in 2010 and beyond will also have difficulties. Most mine-affected countries are a long way from finishing the job.

Mine action funding is benefiting too few countries, with almost half of 2004 funding going to just three countries (Afghanistan, Iraq, and Cambodia).

The global total of mine survivors continues to grow steadily—now estimated at some 300,000 to 400,000—yet victim assistance funding has remained essentially stagnant for years, and has dropped sharply as a percentage of overall mine action funding.

Landmine Monitor finds that assistance to mine survivors was inadequate in 51 of the 58 countries with new mine casualties.

Forty-seven countries have not ratified or acceded to the Mine Ban Treaty, including some of the world's most populous and militarily powerful nations, and some of the biggest producers and stockpilers of antipersonnel mines.

The pace of universalization has fallen markedly, with only three countries joining in 2004 and three so far in 2005. This compares to eight in 2002 and 11 in 2003.

In addition to the three governments using antipersonnel mines, some 40 Non-State Armed Groups used mines in 13 countries, mostly notably Burma, Colombia, and Nepal. While this is three fewer countries than last year, it is clear that use of antipersonnel mines by rebel groups is now far more widespread than use by government forces.

Landmine Monitor still counts 13 antipersonnel mine producers, including the United States which has not produced since 1997 but is poised to make a decision to resume production next month.

Non-States Parties hold an estimated 160 million antipersonnel mines, including an estimated 110 million by China, 26.5 million by Russia and 10.4 million by the US.

Madame President, we clearly have our work cut out for us. I speak of “us” collectively because of the importance of the cooperative spirit among governments, NGOs, the ICRC and UN agencies in the many achievements of the mine ban movement to date. We have confidence that working together we can attain our common goal, but there is no room for complacency or reduced commitment by any of us. The road ahead to a mine-free world may be even more difficult to traverse than that which we have successfully traveled so far.

Thank you.