

STATEMENT OF GENEVA CALL

Madam President,

As this is the first time I take the floor, let me congratulate you for your presidency and for the enormous work you have done for the progress of this conference.

In the course of the preparation of this meeting of States Parties it was decided to focus on the respect and the implementation of the Mine Ban Treaty and on the need to demine and assist the victims more. This message is reflected in the slogan you have adopted: clearing mines – assisting victims.

Several States are now close to the deadline for their demining process. As the ICRC said "the Convention is entering a critical phase". The discussions yesterday on art. 5 proved the importance that States Parties attach to this question, which will be crucial for the future of the Convention and finally for the lives of hundreds of innocents.

Geneva Call shares this point of view which is probably supported by everyone here working to the success of the Ottawa process. No effort must be spared to meet these deadlines.

As it was presented in a side-event on Tuesday, the impact of non-State actors on the Mine Ban Treaty and on its implementation is widely recognized and also mentioned by some concerned countries in their art. 7 reports. Let us not forget that the Convention requests the States to carry out a number of obligations in areas under their control OR their jurisdiction. It means they have obligations to destroy the stockpiles or to demine, but it also means that States Parties are responsible for mine action efforts even in parts of their territory which, while not under their control, are still under their jurisdiction.

If non-State actors are controlling areas or operating in some parts of the country, it is simply not possible for the government to conduct mine activities and so to respect the deadlines fixed by the Treaty. This is why it is important to increase not only the engagement of non-State actors in a landmine ban but also in other mine activities. These activities will finally help the States Parties concerned by armed groups, to respect their obligations under the Ottawa Treaty. Engaging non-State actors is a complementary process. It will contribute not only to the universalization but also to the implementation of the Mine Ban Treaty. And every time an armed non-State actor decides to ban landmines we all agree it is a victory over the inhumane and the arbitrary.

To carry out engagement of armed non-state actors, and also to monitor the situation, which is really important, you have different actors involved: Geneva Call is one of them, but there are also national campaigns of the ICBL, other NGOs, some UN agencies in the field, ICRC, etc. These actors need imperatively the support A) of the government concerned and B) of third governments. On this point, in adopting the Action 46 of the Nairobi Action Plan, States have recognized this need of support from other States. We hope that the concrete proposals made by the Swiss government on this

Action 46, will be supported and that efficient collaborations will start in a near future.

As for the other point, the support of the concerned government, I would like to recall the Art 3 common to the four Geneva Conventions, which says that, in internal conflict, an impartial humanitarian body may offer its services to the Parties to the conflict. The same Conventions say that the application of such a provision shall not affect the legal status of the Parties to the conflict. This is what is also clearly mentioned in the Deed of Commitment signed by the non-State actor.

Geneva Call has worked with experts in humanitarian law who argue that while an internal conflict is ongoing, governments have a responsibility to protect their own citizens and, when they are unable to do so, like for instance demining areas not under their control, that responsibility should be allowed to be taken up by the wider international community, as long as some principles are respected.

I take this opportunity, to recall the principles guiding the work of Geneva Call. They are: neutrality, impartiality, transparency, information and request of authorization to the government in case of travel in the concerned country. These principles have always been respected by Geneva Call.

Working in this manner Geneva Call achieved, last year:

- 3 new signatory groups
- 1 stockpile destruction in Western Sahara (3'172 AP mines and 144 AV mines)
- other stocks ready to be destroyed
- ongoing negotiations with nearly 25 groups
- continued efforts to monitor the signed Deeds of Commitment.

The engagement of non-State actors is one amongst the many efforts to build a mine free world and I would like to thank all the countries who trust us, who believe in our work and who support us.

We firmly believe we have to work all together, States, UN agencies, ICRC and NGOs, in the same complementary manner, which led to the adoption of the Mine Ban Treaty.

Finally I would like to say that the Ottawa process is above-all a humanitarian process, as is the engagement of armed non-State actors. This humanitarian spirit has to be maintained and political considerations must stay outside this process.