

your Royal Highness Mr. President

22-11-07

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let me touch upon few issues related to ensuring compliance

The Ottawa Convention

Agenda Item 11.E.iii

Preventing and suppressing prohibited activities and facilitating compliance

Statement by the Co-Chairs of the Standing Committee on the General Status and Operation of the Convention (Argentina and Italy)

The Nairobi Action Plan states that "primary responsibility for ensuring compliance with the Convention rests with each State Party and Article 9 of the Convention accordingly requires each party to take all appropriate legal, administrative and other measures, including the imposition of penal sanctions, to prevent and suppress prohibited activities by persons or on territory under its jurisdiction and control." The Nairobi Action Plan goes on to say that "in addition, the States Parties are aware that the Convention contains a variety of collective means to facilitate and clarify questions related to compliance in accordance with Article 8."

As Preventing and suppressing prohibited activities and facilitating compliance are traditionally considered by the Standing Committee on the General Status and Operation of the Convention, during our term as Co-Chairs, we - Argentina and Italy - have placed an emphasis on promoting advancements in these areas. Please allow us to provide an overview of progress made and challenges that remain.

There are now 51 States Parties which have reported that they have adopted legislation in the context of Article 9 obligations. This number has not changed since the end of the 7MSP. However, with the addition of Argentina, there are now 27 States Parties that have reported that they consider existing laws to be sufficient. That leaves a total of 75 States Parties which have not yet reported either having adopted legislation in the context of Article 9 obligations or that they consider existing laws to be sufficient.

Annex 2011 (I draw the attention of deleg. on this Annex)

While almost 80 States Parties have reported on "legal" measures taken in accordance with Article 9, very few have reported on "administrative and other measures". Argentina and Italy placed an emphasis on this matter during the April 2007 meeting of the Standing Committee on the General Status and Operation of the Convention by encouraging States Parties to provide updates on this matter. Argentina led by example by providing updates on administrative and other measures that it has taken to implement the Convention.

Since the 7MSP, States Parties have remained committed to work together to facilitate compliance under the Convention. No State Party submitted a request for clarification in accordance with Article 8 nor has any proposed that a Special Meeting of the States Parties be convened in accordance with this Article. In addition, the UN Office for Disarmament Affairs, Geneva Branch, has continued to fulfil the role of preparing and updating a list of other relevant data of qualified experts designated for fact finding missions authorized in accordance with Article 8, paragraph 8. The list of States Parties which, since the 7MSP, have provided new or updated information for the list of experts is included in paragraph 78 of the Dead Sea Progress Report.

if adopted or it stands at this point,

Finally, the Dead Sea Progress Report also records that concern has been expressed, since the 7MSP, about a UN Monitoring Group's report on Somalia referring to the alleged transfer of landmines into Somalia by three States Parties to the Convention and by one State not party. The Dead Sea Progress Report also records that follow-up action was taken by the 7MSP President to seek further clarifications and the States Parties concerned rejected claims made in the UN Monitoring Group's report.

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~~Finally,~~ Mr. President, please allow us to highlight that in recalling the commitments we made in the Nairobi Action Plan, it is important during the period leading to the 9MSP that we place a renewed emphasis on the obligation to take all appropriate legal, administrative, and other measures, including the imposition of penal sanctions, to prevent and suppress any activity prohibited to a State Party by the Convention. This is particularly important given that little progress in this area has been made since the 7MSP.

In addition, Mr. President, we welcome the commitment you have made in your progress report to continue to follow up to seek clarity with respect to reports, such as those of UN Monitoring Groups, which allege violations of the Convention.

Thank you.