

DECISIONS ON REQUESTS SUBMITTED UNDER ARTICLE 5

NINTH MEETING OF THE STATES PARTIES

28 NOVEMBER 2008

Decisions on the request submitted by Bosnia and Herzegovina for an extension of the deadline for completing the destruction of anti-personnel mines in accordance with Article 5 of the Convention

Ninth Meeting of the States Parties

28 November 2008

- *The Meeting assessed the request submitted by Bosnia and Herzegovina for an extension of Bosnia and Herzegovina's deadline for completing the destruction of anti-personnel mines in mined areas in accordance with Article 5.1, agreeing unanimously to grant the request for an extension until 1 March 2019.*
- *In granting the request, the Meeting noted that, even with a consistent and sizeable effort having been undertaken by Bosnia and Herzegovina going back even before entry into force of the Convention, Bosnia and Herzegovina faces a significant remaining challenge in order to fulfil its obligations under Article 5. The Meeting further noted that, while the plan presented in Bosnia and Herzegovina's request is workable and ambitious, its success is contingent upon increased performance in technical survey, an ongoing, although decreasing, high level of donor funding and the initiation of and thereafter constantly increased funds provided by local governments. In addition, the Meeting noted the importance of clarity regarding which areas of what size and at what locations remain to be addressed in each administrative area.*

Decisions on the request submitted by Chad for an extension of the deadline for completing the destruction of anti-personnel mines in accordance with Article 5 of the Convention

Ninth Meeting of the States Parties

28 November 2008

- *The Meeting assessed the request submitted by Chad for an extension of Chad's deadline for completing the destruction of anti-personnel mines in mined areas in accordance with Article 5.1, agreeing unanimously to grant the request for an extension until 1 January 2011.*

- *In granting the request, the Meeting noted that, while it may be unfortunate that after almost ten years since entry into force a State Party is unable to account for what has been accomplished and what remains to be done, it is positive that such a State Party, as is the case of Chad, intends to take steps to garner an understanding of the true remaining extent of the challenge and to develop plans accordingly that precisely project the amount of time that will be required to complete Article 5 implementation. In this context, the Meeting noted the importance of Chad requesting only the period of time necessary to assess relevant facts and develop a meaningful forward looking plan based on these facts. The Meeting further noted that by requesting a 14 month extension, Chad was projecting that it would need approximately two years from the date of submission of its request to obtain clarity regarding the remaining challenge, produce a detailed plan and submit a second extension request.*

Decisions on the request submitted by Croatia for an extension of the deadline for completing the destruction of anti-personnel mines in accordance with Article 5 of the Convention

Ninth Meeting of the States Parties

28 November 2008

- *The Meeting assessed the request submitted by Croatia for an extension of Croatia's deadline for completing the destruction of anti-personnel mines in mined areas in accordance with Article 5.1, agreeing unanimously to grant the request for an extension until 1 March 2019.*
- *In granting the request, the Meeting noted that, even with a consistent and sizeable effort having been undertaken by Croatia going back even before entry into force of the Convention, Croatia faces a significant remaining challenge in order to fulfil its obligations under Article 5. The Meeting further noted that, while the plan presented in Croatia's request is workable and ambitious, its success is contingent upon Croatia doubling its average annual contribution to demining and upon developing a methodology to address forested areas suspected to contain mines. The Meeting further noted that, the plans contained in the request were comprehensive and complete, although the Meeting also noted that additional clarity could result from defining some key terms and using them consistently.*

Decisions on the request submitted by Denmark for an extension of the deadline for completing the destruction of anti-personnel mines in accordance with Article 5 of the Convention

Ninth Meeting of the States Parties

28 November 2008

- *The Meeting assessed the request submitted by Denmark for an extension of Denmark's deadline for completing the destruction of anti-personnel mines in mined areas in accordance with Article 5.1, agreeing unanimously to grant the request for an extension until 1 January 2011.*

- *In granting the request, the Meeting, while noting that the delay in proceeding with implementation as soon as possible after entry into force hampered Denmark in fulfilling its obligations under Article 5 of the Convention by its deadline, welcomed demining efforts conducted since 2005. The Meeting further noted that, while it may be unfortunate that after almost ten years since entry into force a State Party is unable to specify how remaining work will be carried out, it is positive that Denmark will, within the extension period of 22 months, garner an understanding of the true remaining extent of the challenge and develop plans accordingly that precisely project the amount of time that will be required to complete Article 5 implementation. In this context, the Meeting noted the importance of Denmark requesting only the period of time necessary to assess relevant facts and develop a meaningful forward looking plan based on these facts. The Meeting also noted that by requesting a 22 month extension, Denmark was projecting that it would need approximately two years from the date of submission of its request to obtain clarity regarding the remaining challenge, produce a detailed plan and submit a second extension request.*

Decisions on the request submitted by Ecuador for an extension of the deadline for completing the destruction of anti-personnel mines in accordance with Article 5 of the Convention

Ninth Meeting of the States Parties

28 November 2008

- *The Meeting assessed the request submitted by Ecuador for an extension of Ecuador's deadline for completing the destruction of anti-personnel mines in mined areas in accordance with Article 5.1, agreeing unanimously to grant the request for an extension until 1 October 2017.*
- *In granting the request, the Meeting noted that, constant progress in demining had been made by Ecuador since 2002 and that the request indicated a commitment to continue at a constant rate through the extension period. The Meeting further noted that, while the plan presented is workable, the fact that the request indicates a 100%+ increase in financing and increases in demining capacity suggests that Ecuador may find itself in a situation wherein it could proceed with implementation faster than that suggested by the amount of time requested and that doing so could benefit both the Convention and Ecuador itself given the indication by Ecuador of the socio-economic benefits that will flow from demining.*

Decisions on the request submitted by Jordan for an extension of the deadline for completing the destruction of anti-personnel mines in accordance with Article 5 of the Convention

Ninth Meeting of the States Parties

28 November 2008

- *The Meeting assessed the request submitted by Jordan for an extension of Jordan's deadline for completing the destruction of anti-personnel mines in mined areas in accordance with Article 5.1, agreeing unanimously to grant the request for an extension until 1 May 2012.*
- *In granting the request, the Meeting noted that, the plan presented in Jordan's request is workable and fully funded, although complete implementation was contingent upon resolving border demarcation issues. The Meeting further noted that while Jordan has made a significant effort to overcome many of the circumstance impeding implementation, additional clarity could result from providing more detail on spot-demining, areas pending verification, areas subject to desk studies and areas awaiting quality control.*

Decisions on the request submitted by Mozambique for an extension of the deadline for completing the destruction of anti-personnel mines in accordance with Article 5 of the Convention

Ninth Meeting of the States Parties

28 November 2008

- *The Meeting assessed the request submitted by Mozambique for an extension of Mozambique's deadline for completing the destruction of anti-personnel mines in mined areas in accordance with Article 5.1, agreeing unanimously to grant the request for an extension until 1 March 2014.*
- *In granting the request, the Meeting noted that the plans contained in the request were comprehensive and complete, although it also noted that additional clarity could result from eventually updating the national demining plan to cover the full extension period and include information on plans to deal with mined areas along Mozambique's border with Zimbabwe. The Meeting further noted that, while the plan presented in Mozambique's request is workable and ambitious, its success is contingent upon reversing a downward trend in donor support for Mozambique in order to increase demining capacity to the level needed to complete implementation by the end of the requested extension period.*

Decisions on the request submitted by Nicaragua for an extension of the deadline for completing the destruction of anti-personnel mines in accordance with Article 5 of the Convention

Ninth Meeting of the States Parties

28 November 2008

- *The Meeting assessed the request submitted by Nicaragua for an extension of Nicaragua's deadline for completing the destruction of anti-personnel mines in mined areas in accordance with Article 5.1, agreeing unanimously to grant the request for an extension until 1 May 2010.*
- *In granting the request, the Meeting noted that the proposed one year extension seemed reasonable, although success in implementation is very much tied to securing donor support at a level that has historically been provided to Nicaragua. The Meeting further noted that, as stated by Nicaragua in its request, Nicaragua would be able to complete implementation by the end of 2009.*

Decisions on the request submitted by Peru for an extension of the deadline for completing the destruction of anti-personnel mines in accordance with Article 5 of the Convention

Ninth Meeting of the States Parties

28 November 2008

- *The Meeting assessed the request submitted by Peru for an extension of Peru's deadline for completing the destruction of anti-personnel mines in mined areas in accordance with Article 5.1, agreeing unanimously to grant the request for an extension until 1 March 2017.*
- *In granting the request, the Meeting noted that, after sporadic progress since entry into force, the request indicates a commitment on the part of Peru to proceed at a more constant rate through the extension period. The Meeting further noted that Peru, using all resources and techniques available, could be in a position to proceed with the implementation much faster than suggested and that this would benefit both the Convention and Peru itself given the indication by Peru of the socio-economic benefits that will flow from demining.*

Decisions on the request submitted by Senegal for an extension of the deadline for completing the destruction of anti-personnel mines in accordance with Article 5 of the Convention

Ninth Meeting of the States Parties

28 November 2008

- *The Meeting assessed the request submitted by Senegal for an extension of Senegal's deadline for completing the destruction of anti-personnel mines in mined areas in accordance with Article 5.1, agreeing unanimously to grant the request for an extension until 1 March 2016.*

- *In granting the request, the Meeting noted that, while it may be unfortunate that after almost ten years since entry into force a State Party is only beginning to obtain clarity regarding the challenge it faces and has demined very little, in the case of Senegal there were some compelling circumstance that impeded any work from progressing until 2005 and it is encouraging that Senegal has used the process of preparing its extension request to signal that it is now acting with greater urgency, notwithstanding that Senegal was slow to establish national structures following the 2004 cease-fire agreement and to make use of the findings of the Landmine Impact Survey which was completed in 2006. The Meeting further noted that Senegal does not yet have a clear knowledge of size and location of areas that will actually warrant mine clearance, its estimates for time and money required appear to be based solely on clearance assumptions, and the commitment made by Senegal to undertake technical survey activities and to develop a cancellation procedure may result in implementation that proceeds much faster than that suggested by the amount of time requested and in a more cost-effective manner.*

Decisions on the request submitted by Thailand for an extension of the deadline for completing the destruction of anti-personnel mines in accordance with Article 5 of the Convention

Ninth Meeting of the States Parties

28 November 2008

- *The Meeting assessed the request submitted by Thailand for an extension of Thailand's deadline for completing the destruction of anti-personnel mines in mined areas in accordance with Article 5.1, agreeing unanimously to grant the request for an extension until 1 November 2018.*
- *In granting the request, the Meeting noted that the proposed 9.5 years is ambitious and contingent upon maintaining a sizeable increase in State funds dedicated to implementation and obtaining external support at a level that is at least 10 times greater than Thailand's recent experience in acquiring such support. The Meeting further noted that significant progress was expected, through Thailand's "Locating Minefields Procedure", to overcome impeding circumstances such as the manner in which the Landmine Impact Survey in Thailand had hindered implementation efforts.*

Decisions on the request submitted by the United Kingdom for an extension of the deadline for completing the destruction of anti-personnel mines in accordance with Article 5 of the Convention

Ninth Meeting of the States Parties

28 November 2008

- *The Meeting assessed the request submitted by United Kingdom for an extension of the United Kingdom's deadline for completing the destruction of anti-personnel mines in mined areas in accordance with Article 5.1. While a number of substantive concerns were raised, the meeting decided to grant the request for an extension until 1 March 2019, taking into account the following considerations:*
- *In granting the request, the Meeting noted that the United Kingdom reaffirmed its commitment to clear or ensure the clearance of all anti-personnel mines in all mined areas under its jurisdiction or control as soon as possible. The United Kingdom clarified its understanding that the obligations under Article 5 fell to the Government of the United Kingdom.*
- *The Meeting further noted that, instead of undertaking the projected trial phase, the United Kingdom reported that it will proceed immediately with the clearance of three mined areas, though the time-scale for completing this clearance has yet to be determined with certainty.*
- *The Meeting noted that although some humanitarian demining was undertaken immediately following the conflict, no demining had taken place to date since entry into force of the Convention. The Meeting noted that it is unfortunate that after almost ten years since entry into force a State Party is unable to specify how remaining work will be carried out and a timescale of the overall project.*
- *The Meeting took note of the United Kingdom's confirmation that scenario 5 of the Field Survey which forms part of the Feasibility Study attached to the extension request serves as the United Kingdom Government's indicative Clearance Plan, containing clear priorities, timeframes for action and projected milestones for clearance over the period of the extension and as such formed a basis for future work. The United Kingdom agreed to provide as soon as possible, but not later than 30 June 2010 a detailed explanation of how demining is proceeding and the implications for future demining in order to meet the UK's obligations in accordance with Articles 5.4. b) and c) of the Convention, including the preparation and status of work conducted under national demining programs and financial and technical means available.*
- *The meeting noted that the Convention as a whole would benefit if the United Kingdom, in the context of reporting on the progress on destruction of anti-personnel mines in accordance with Article 5, provided clarity on a schedule for fulfilling its obligation under Article 5.1 as soon as possible. The Meeting noted the United Kingdom's undertaking to provide, in addition to Article 7 requirements, regular reports on the following elements: establishment of a National Mine Action Authority and other implementation bodies; establishment of the necessary regulatory framework; progress*

on contracts let and budgets made available; progress in clearance; Environmental, ecological and technical assessments undertaken.

- *The meeting took note that the United Kingdom will keep under annual review the possibility of reducing the time necessary to fulfill its obligations. A number of States Parties expressed the wish that the United Kingdom proceed with the implementation of Article 5 much faster than suggested by the amount of time requested.*

- *While granting this request, the Meeting noted the obligation of a State Party to include in its extension request a detailed explanation of the reasons for the proposed extension in accordance with Articles 5.4.b) and c), such as status of work under a national demining program and financial and technical means available to the state party for the destruction of all anti-personnel mines. The Meeting also noted the importance of a State Party normally requesting only the time period necessary to understand the true remaining extent of its challenge and develop plans accordingly that precisely project the amount of time that will be required to complete Article 5 implementation.*

Decisions on the request submitted by Venezuela for an extension of the deadline for completing the destruction of anti-personnel mines in accordance with Article 5 of the Convention

Ninth Meeting of the States Parties

28 November 2008

- *The Meeting assessed the request submitted by Venezuela for an extension of Venezuela's deadline for completing the destruction of anti-personnel mines in mined areas in accordance with Article 5.1, agreeing unanimously to grant the request for an extension until 1 October 2014.*
- *In granting the request, the Meeting noted that, while no demining had taken place in Venezuela since entry into force Venezuela had nevertheless made a clear commitment through its extension request to start mine clearance operations and ultimately comply with its obligations by 1 October 2014. The Meeting also noted that, while impeding circumstances listed by Venezuela in its request would continue to exist during the extension period, with speedy establishment of a demining program and acquisition of mechanical demining assets, Venezuela may find itself in a situation wherein it could complete implementation before October 2014 and that this could benefit the Convention.*

Decisions on the request submitted by Yemen for an extension of the deadline for completing the destruction of anti-personnel mines in accordance with Article 5 of the Convention

Ninth Meeting of the States Parties

28 November 2008

- *The Meeting assessed the request submitted by Yemen for an extension of Yemen's deadline for completing the destruction of anti-personnel mines in mined areas in accordance with Article 5.1, agreeing unanimously to grant the request for an extension until 1 March 2015.*
- *In granting the request, the Meeting noted that, the proposed extension seemed workable, although success in implementation is very much tied to securing donor support at a level that has historically been provided to Yemen and that, as stated by Yemen in its request, Yemen would be able to complete implementation by the end of 2014. The Meeting also noted the value of further clarity regarding the extent of Yemen's remaining challenge and on steps taken by Yemen to overcome the technical challenges that have posed as impeding circumstances in the past.*

Decisions on the request submitted by Zimbabwe for an extension of the deadline for completing the destruction of anti-personnel mines in accordance with Article 5 of the Convention

Ninth Meeting of the States Parties

28 November 2008

- *The Meeting assessed the request submitted by Zimbabwe for an extension of Zimbabwe's deadline for completing the destruction of anti-personnel mines in mined areas in accordance with Article 5.1, agreeing unanimously to grant the request for an extension until 1 January 2011.*

- *In granting the request, the Meeting noted that, while it may be unfortunate that after almost ten years since entry into force a State Party is unable to specify how much work remains and how it will be carried out, it is positive that such a State Party, as is the case of Zimbabwe, intends to take steps to garner an understanding of the true remaining extent of the challenge and to develop plans accordingly that precisely project the amount of time that will be required to complete Article 5 implementation. In this context, the Meeting noted the importance of Zimbabwe requesting only the period of time necessary to assess relevant facts and develop a meaningful forward looking plan based on these facts. The Meeting further noted that, by requesting a 22 month extension, Zimbabwe was projecting that it would need approximately two years from the date of submission of its request to obtain clarity regarding the remaining challenge, produce a detailed plan and submit a second extension request.*

Decisions related to the consideration of the requests for extensions of deadlines for completing the destruction of anti-personnel mines in accordance with Article 5 of the Convention

Ninth Meeting of the States Parties

28 November 2008

- *Also in the context of considering the submission of requests under Article 5 of the Convention, the Meeting noted that many of the States Parties that had submitted requests for extensions had highlighted the importance of obtaining resources in order to implement the plans contained in their requests. The Meeting encouraged requesting States Parties, as relevant, to develop as soon as possible resource mobilisation strategies that take into account the need to reach out to a wide range of national and international funding sources. The Meeting furthermore encouraged all States Parties in a position to do so to honour their commitments to fulfilling their obligations under Article 6.4 of the Convention to provide assistance for mine clearance and related activities.*
- *Also in the context of considering the submission of requests under Article 5 of the Convention, the Meeting noted that the accounting of the remaining mined areas contained in many extension requests would serve as a foundation for a resource mobilisation strategy and greatly assist both requesting States Parties and all others in assessing progress in implementation during the extension period. The Meeting encouraged those requesting States Parties that have not yet done so to provide an accounting of annual milestones of progress to be achieved during extension periods. The Meeting furthermore encouraged all States Parties whose requests had been considered by the Ninth Meeting to provide updates relative to their accounting of remaining mined areas and / or annual benchmarks for progress at meetings of the Standing Committees, at the Second Review Conference and at Meetings of the States Parties.*
- *Also in the context of considering the submission of requests under Article 5 of the Convention, the Meeting warmly welcomed the report presented by the President of the Eighth Meeting of the States Parties on the process for the preparation, submission and consideration of requests for extensions to Article 5 deadlines, as contained in document APLC/MSP.9/2008/WP.35, and agreed to encourage States Parties, as appropriate, to implement the recommendations contained therein.*