



ICRC

Ninth 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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The Convention on the Prohibition of Anti-personnel Mines is slowly, but surely, creating a world free of the scourge of anti-personnel mines. Its benefits are felt not only within the societies of States Parties but also among populations of States that have not yet adhered to the Convention but where the use of these horrific weapons is becoming more and more infrequent. The new reality that this Convention is creating is a world in which fewer victims of anti-personnel mines face a life-long struggle trying to raise their families, where fewer children without hands struggle to learn a trade and where fewer people suffer hunger because their fields are too dangerous to plant crops. Since 1997, we have come a long way, together, towards creating a new reality for people in war-torn countries.

With 156 States Parties, almost 42 million stockpiled mines destroyed, many thousands of hectares of fertile land cleared and given back to communities and tens of thousands of landmine survivors helped to regain mobility and confidence, this treaty has been a resounding success. It has set a standard against which other international agreements will be measured.

But these achievements must not, for a moment, lull us into a false sense of complacency. This year we face greater challenges to the object and purpose of the Convention than at anytime since it was adopted. Three States Parties collectively possessing more than six million anti-personnel mines have not complied with their obligation to destroy them within the Convention's non-extendable deadline. Furthermore, 15 States Parties with mine clearance deadlines in 2009 have been unable to meet their 10 year deadline and have asked this Meeting for extensions. The decisions made in response to these challenges this week will either enhance or decrease the credibility of the Convention. This Meeting of State Parties will set the pattern for decades to come, not only for this but also for other Conventions with similar obligations.

The **first challenge** facing this Meeting is how to manage the many **requests for extension of deadlines for the clearance of contaminated land** in a manner that ensures that the fewest possible people fall victim to anti-personnel mines and that the disarmament objectives of the Convention are fulfilled. Your work this week must send the message that extension of article 5 deadlines should not become a routine matter and that far greater efforts need to be made to respect article 5 deadlines. Importantly, even if some of these requests state that the extension will have a very low humanitarian impact, we must not forget that failure to clear mines can constitute *de facto* use of these weapons. In most cases, each day during which the Convention's deadline is extended is a day in which civilians are put at risk.

The ICRC believes that extension periods should only be granted for the minimum period necessary to carry out a well prepared and financially viable clearance plan. Given that States which are requesting extensions after ten years must have encountered serious problems in meeting their obligations, the plans submitted with each request need to demonstrate that these problems have been, or will be, overcome. If this has not been demonstrated, it may be appropriate to grant an extension only for the time needed to establish a concrete plan for fulfilment of the clearance obligation. Every State reviewing these requests needs to assess whether the time requested really reflects the commitment contained in article 5 to clear the remaining minefields in the minimum time necessary.

We commend the work of the analysing group for extension requests which met repeatedly this year and, in particular, its chairmanship by His Royal Highness Prince Mired Raad Zeid Al-Hussein. This body, while representing a wide variety of views, has produced a thorough assessment of most extension requests filed. In many cases, the work carried out by the analysing group led to a very constructive dialogue with the requesting States and to clarifications or amendments of requests by requesting States.

Nonetheless, we urge all delegations to become engaged in their own analysis of these requests, to benefit from the reports provided by the analysing group as well as the valuable perspectives provided by the International Campaign to Ban Landmines. The fulfilment of the

promises of this Convention requires all States Parties to take an informed decision this week, to participate fully in the informal debates on requests and to apply similar treatment to all extension requests. Above all, the process should put the protection of civilians from landmines above political and regional considerations.

The **second major challenge** concerns the failure of three States Parties to fulfill their **obligation to destroy their stockpiles of anti-personnel mines**. The ICRC is deeply concerned with the declarations by the relevant States Parties that they have not been able to comply with their non-extendable deadline of 1 March this year. All States Parties should be preoccupied about the implications of this situation for the short and long term health of the Convention. We welcome the indication in the draft Geneva Progress Report that Greece intends to complete its stockpile destruction by next May and urge the other two States Parties to make similar announcements as soon as possible. We also urge the European Union to consider at the highest political levels how it can facilitate the stockpile destruction efforts it has pledged to support. Based on the difficulties mentioned above, we would also call on States with deadlines in 2009 and 2010 to clarify where they stand in relation to their deadlines, to ensure that plans are in place to meet them and to seek assistance as needed at the earliest opportunity.

Coming to the **third great challenge, victim assistance**, I must say that the ICRC is encouraged by the increasingly focussed and nationally based work that has been done under the Co-Chairs for Victim Assistance in recent years with the support of the Implementation Support Unit. We are also grateful for the generous support of many States Parties for the ICRC's worldwide work in this field. Through its Physical Rehabilitation Programme and its Special Fund for the Disabled, the ICRC remains the main international organization providing assistance in the field of physical rehabilitation. The ICRC and the SFD provide support to 19 of the most affected States Parties. This year marks the 25th anniversary of the ICRC's Special Fund for the Disabled. The SFD was created in 1983 to support physical rehabilitation services in low-income countries, with priority given to former projects of the ICRC. Its immediate objectives are to maintain and increase access to rehabilitation services and to improve their quality and durability, through material, financial, technical and training support to the assisted centres. Thanks to your support, the Special Fund was able to support 61 rehabilitation centres in 29 countries in 2008.

While significant progress has been achieved among the 26 most affected States Parties, the ICRC knows that, in the field, we are still far from seeing the type of benefits which the preamble of this landmark Convention promises, namely, "to put an end" to the suffering caused by anti-personnel landmines. It is essential that all of the 26 States Parties with large numbers of mine victims have in place comprehensive national plans to achieve tangible improvements in the services available to mine victims and other persons with disabilities. It is equally important that, where necessary, they receive the assistance they need to achieve this.

The important challenges we face this week in no way diminish the extraordinary achievements of this Convention. The significance of what we have achieved since 1997 goes far beyond anti-personnel mines. The adoption of the Mine Ban Treaty saw the birth of a new understanding in the public conscience: weapons which can't stop killing after conflicts are abhorrent and unacceptable. In other words, the terrible price civilians pay in today's conflicts is bad enough, but using weapons which go on killing and maiming civilians for years or decades after conflicts end is truly 'beyond the pale'. This understanding is now recognised in international humanitarian law not only in the Mine Ban Convention but also in the 2003 Protocol on Explosive Remnants of War and in the recent Convention on Cluster Munitions, which we urge all States to sign in Oslo on 3 December.

The Mine Ban Convention has led the way and has been a source of inspiration to us all. It has shown that promises made in a treaty do make a difference and can be kept. Your work during this meeting is crucial to ensuring that the Convention's future is as inspiring as its past.