

ICBL Statement on Transparency Reporting (Article 7)
9th Meeting of the States Parties, 28 November 2008
Delivered by Tamar Gabelnick, Treaty Implementation Director

As many said at the outset of the week, this Meeting of the States Parties has been one of the most critical ones of the treaty, as we have had to deal with unprecedented non-compliance on stockpile destruction and a large number of requests for mine clearance extensions. We now turn to a subject that some might find more mundane – that of initial and annual transparency reports. But we should not underestimate the important nature of these reports, and the link between this discussion and the rest of the week's debates. The reports are intended to keep States Parties informed about the status of implementation of the treaty – to provide assurances that implementation is on track, or to provide early warning when delays are occurring.

Perhaps if we had heard more about the “status of programs for the destruction of anti-personnel mines” we might have known earlier that Greece and Turkey would not meet their deadlines (Belarus has been more transparent about its difficulties) and preventative rather than remedial solutions could have been sought. The SD co-chairs' paper calls for early engagement of States Parties that do not have a plan for completion at an early date. But such preventive action depends on getting detailed information from States Parties at an early stage. Or perhaps States Parties need to be more attentive to the implicit message of delays signaled by a lack of information.

And perhaps if we had heard more about the status of programs on mine clearance instead of simply the number of mines cleared, States Parties could have acted at a much earlier stage to help overcome challenges in locating and clearing mined areas. As we said yesterday, states would do well to amplify Article 7's rather narrow reporting obligation on clearance with information on past and planned areas cleared rather than just number of mines destroyed. As we see from the decisions on the extension requests, Article 7 reports will play an important role in the monitoring of states' implementation of their plans submitted as part of their extension request. Finally, much greater reporting under Form J of states' plans and activities on victim assistance might have provided us with a much better picture of where they stand on implementing VA objectives than we currently have.

Transparency reports also help alert us to other potential implementation issues, such as how mines are being used under Article 3. Form D as revised at the 6th MSP has a specific table for past and planned use. If States Parties made full use of this form, we might not be in a position where we had to express concerns about abuse of Article 3. As well, systematic use of the revised Forms B and G would allow us to identify when new stocks are being discovered and whether they are being quickly destroyed.

Article 7 reports are also useful in spreading the norm of the Mine Ban Treaty, and several States not Party have submitted voluntary Article 7 reports as a demonstration of their commitment to the goals of the treaty. We were very pleased that Azerbaijan turned in its first voluntary report this month. Mongolia submitted its first voluntary report in September 2007. Poland, a signatory, has submitted voluntary reports each year since 2003, most recently in April 2008. Morocco submitted its second

report in April 2008; like its first submission in August 2006, the report does not provide details on any stockpiles of antipersonnel mines.

So where do we stand with the Article 7 submissions? The overall compliance rate of States Parties submitting initial transparency measures reports is an impressive 97%. Seven States Parties have submitted initial reports in this reporting period: Cook Islands, Ethiopia, Indonesia, Iraq, Kuwait, Montenegro, and São Tomé e Príncipe. It is disappointing, however, that four states – Cape Verde, Equatorial Guinea, The Gambia, and Haiti - are years late in submitting their annual reports.

We also find it unfortunate that only 60% of States Parties have turned in their annual updates for 2007, due on 30 April 2008. This number should be much higher, especially since there is an abbreviated form for states to use when no major changes have taken place from year to year. The idea is not to burden states with yet another reporting requirement, but to get the necessary information to all States Parties so that early action can take place when implementation challenges arise.

Thank you.