
Cartagena de Indias, 30 November-4 December 2009

Item 10 of the provisional agenda

**Informal presentation of requests
submitted under Article 5 and of
the analysis of these requests**

**ANALYSIS OF THE REQUEST SUBMITTED BY CAMBODIA FOR AN
EXTENSION OF THE DEADLINE FOR COMPLETING THE
DESTRUCTION OF ANTI-PERSONNEL MINES IN ACCORDANCE
WITH ARTICLE 5 OF THE CONVENTION***

Submitted by the President of the Ninth Meeting of the States Parties on behalf of the
States Parties mandated to analyse requests for extensions¹

1. Cambodia ratified the Convention on 28 July 1999. The Convention entered into force for Cambodia on 1 January 2000. In its initial transparency report submitted on 26 June 2000, Cambodia reported areas under its jurisdiction or control containing, or suspected to contain, anti-personnel mines. Cambodia is obliged to destroy or ensure the destruction of all anti-personnel mines in mined areas under its jurisdiction or control by 1 January 2010. Cambodia, believing that it will be unable to do so by that date, submitted on 11 May 2009 to the President of the Ninth Meeting of the States Parties, a request for an extension of its deadline. On 25 May 2009, the President of the 9MSP wrote to Cambodia to ask for clarifications on a number of points. Cambodia provided a response and subsequently, on 24 August 2009, Cambodia submitted to the 9MSP President a revised request for an extension incorporating additional information providing a response to the President's questions. Cambodia's request is for 10 years (until 1 January 2020).

2. The request indicates that a Level One Survey (L1S) carried out between late 2000 and April 2002 identified 3,066 suspect hazardous areas totalling 4,544 square kilometres and affecting 6,416 villages. The request further indicates that, while the L1S was certified to meet United Nations (UN) standards, the L1S "did not provide a full reach" nor define the boundaries

*/ Submitted after due date and as soon as received by the Secretariat.

¹ In response to an invitation by the President of the Ninth Meeting of the States Parties to comment on a draft analysis, Cambodia provided a series of remarks and additional information, which interested States Parties can access at www.apminebanconvention.org/extensions.

of mined areas and their characteristics in such a way to provide sufficient information for the deployment of clearance resources. In addition, the request indicates that while the LIS recorded mined areas in the form of polygons, the information that served as the basis to do so was of highly variable quality and there was a widely recognised concern about the accuracy of these polygons, particularly given that some were unrealistically large.

3. The request indicates that since the completion of the LIS, three humanitarian demining organisations conducted various survey activities that reduced many of the LIS identified areas and identified new areas. The States Parties mandated to analyse requests submitted under Article 5 of the Convention (hereafter referred to as the “analysing group”) noted that terminology used by one organisation to classify land (e.g., “residual land”) is ambiguous with respect to whether areas in question remain dangerous due to the presence or suspected presence of anti-personnel mines. The request indicates that this classification will be superseded by a new national land classification system. The 9MSP President had asked for clarity regarding the types of areas contained within this new classification system. Cambodia responded to confirm that it will address all areas classified as “confirmed minefields” and as “residual threat areas” and that “end state land” does not present any obvious threat and would no longer require any form of survey or clearance.

4. The request indicates that in May 2006 Cambodia adopted an “Area Reduction Policy” to reclassify as “reclaimed land” suspected hazardous areas that had been in productive use for three years without accidents. The request further indicates that the efforts of two demining organisations to apply this policy resulted in the reclassification of 865 square kilometres of land previously suspected to have been dangerous. The analysing group noted that Cambodia considers land reclassified in accordance with its Area Reduction Policy as no longer presenting an obligation under Article 5 of the Convention.

5. The request indicates that between 2001 and 2009, 378,477,417 square metres of land had been cleared by the Cambodian Mine Action Centre, the HALO Trust, the Mines Advisory Group and the Royal Cambodian Armed Forces (RCAF) with 573,176 anti-personnel mines, 9,686 anti-tank mines and 1,211,718 unexploded ordnances destroyed. The request also contains data on clearance undertaken during the period 1992 to 2000. The analysing group noted that the statistics contained in the request point to impressive and constant demining activity since entry into force. The analysing group further noted that the RCAF is not currently an accredited operator. The 9MSP President had asked Cambodia on what steps are being taken to ensure that RCAF clearance is consistent with standards that would ensure cleared areas are safe. Cambodia responded in its revised request to indicate that the RCAF is working closely with the Cambodian Mine Action Authority (CMAA) to become accredited by the end of 2009 and to clarify RCAF clearance records to date.

6. The request indicates that providing precise and accurate information on the size, location and nature of the remaining challenge remains a challenge for Cambodia and thus only an estimate can be provided. With respect to the original estimate provided by Cambodia which took into account the experience and assumptions of only one of the four main demining organisations, the 9MSP President had asked if Cambodia would be in a position to take into account the breadth of operators’ experiences in Cambodia when calculating its estimate of what

area remains to be addressed. Cambodia responded in its revised request by indicating that it subsequently sought and incorporated the input of other operators and that it had developed an intricate methodology to develop a revised estimate. The request indicates that on the basis of this methodology, Cambodia estimates that 648.8 square kilometers remain requiring clearance. The request further indicates that Cambodia is committed to carrying out a “Baseline Survey” (BLS) over the next three years to more precisely define the remaining challenge.

7. The request indicates that the Baseline Survey features demining operators, under that direction of the CMAA, and using common standards, protocols and procedures, surveying all 122 relevant districts in Cambodia. Phase 1, to be completed by the end of 2010, will cover 21 districts that have accounted for 93.1 percent of all victims between 2003 and 2008. Phase 2, to be completed by the end of 2011, will cover an additional 40 districts. Finally, Phase 3, to be completed by the end of 2012, will cover all remaining relevant districts. The analysing group noted that, while it is unfortunate that after more than a decade of intensive humanitarian demining efforts Cambodia does not have a precise definition of its remaining challenge, it is positive that Cambodia is proceeding with its Baseline Survey to clarify the situation. The analysing group further noted the importance of Cambodia’s national authority directing this effort, of a common method being applied by all those involved and of the BLS resulting in clarity regarding what the remaining Article 5 challenge will be.

8. As noted, Cambodia’s request is for 10 years (until 1 January 2020) on the basis that, while the remaining area requiring clearance has not yet been accurately quantified, there is sufficient understanding of the remaining threat to suggest that “at least 10 years are required for Cambodia to address its remaining challenge.” The analysing group noted that on the basis of Cambodia’s resource mobilisation projections of an annual average of US\$ 33.0 million for demining and related activities, approximately 72 percent of the area estimated to require clearance would have been dealt with by the end of the requested extension period.

9. The request indicates the following as impeding circumstances: (a) the sheer scale of the problem; (b) lack of innovative technologies and methods to deal with the problem; (c) insufficient donor resources; (d) competing forces for national budget; and, (e) the erratic nature of mine action funding.

10. In addition to providing annual projections for the BLS, the request lists activities that form an indicative work plan for the requested extension period. In addition, the request contains a set of commitments made by Cambodia to be met by the end of each year from 2009 to 2012. Of note, approximately 38 million square metres will be cleared in 2009, approximately 39 million square metres in 2010, approximately 40 million square metres in 2011 and approximately 41 million square metres in 2012. In addition, by the end of 2009, the RCAF will have been accredited, national standards on land release will have been completed, improvements will have been made to planning and prioritisation mechanisms and a national mine action strategy will have been completed. In addition, Cambodia will provide updates to the States Parties at the end of 2010 and 2011 on the progress achieved as a result of completing the first two phases of the BLS and, in 2012, revise the workplan contained in the extension request on the basis of the completion of the BLS.

11. The analysing group noted the commitment of Cambodia to share updated information and revised plans based on the outcomes of the BLS. The analysing group further noted that milestones for the period 2009 to 2012 would serve as a sound basis for monitoring progress during the requested extension period. The analysing group also noted that, as a demining plan was not appended to the request, Cambodia and the States Parties as a whole would benefit from a single national clearance plan that took into account the proficiencies and strengths of the various demining operators. In addition, the analysing group noted that further clarity would result from Cambodia specifying how it has established its estimates of mined areas to be cleared between 2009 and 2012 and which areas will be cleared.

12. The request emphasises the importance of the BLS in clarifying the remaining challenge and in supporting prioritisation and allocation of mine clearance resources. The 9MSP President had asked if all areas in question will be taken into account in clarifying the remaining challenge and in establishing priorities for implementation. Cambodia responded, through its revised extension request, by indicating that “Cambodia has every intent to clear all known (anti-personnel mine) contaminated areas” and that this includes “remote areas which are broadly defined as conservation areas and those locations where there are no people residing” and “disputed areas on the border that are dealt with under the direction of the Joint Border Commission.”

13. The request indicates that clarity regarding where clearance is required will come from the use of both technical and non-technical survey. The request further indicates that demining organisations in Cambodia have used and will use “the full demining toolbox” including manual demining, mine detection dogs, mechanical assets as well as battle area clearance and explosive ordnance disposal assets. The request also indicates that Cambodia has been at the forefront of the mine action industry in research, developing and testing new clearance equipment and techniques and that this effort has led to a steady improvement in clearance output and efficiency. In addition, the request summarises methods and standards to control and assure quality and indicates that the Cambodian Mine Action Standards, informed by the UN’s International Mine Action Standards, were established as the regulatory framework for all mine action activities in Cambodia.

14. The request indicates that Cambodia projects that it will require approximately US\$ 330 million to clear approximately 470 square kilometres of mined area during the requested extension period with US\$ 3,390,561 for the BLS and US\$ 323,006,229 for clearance. The request further indicates that, while some areas will be reduced by technical survey, on the basis of the current estimate of approximately 648.8 square kilometres requiring clearance, an additional US\$ 125 million would be required to complete implementation during the requested extension period. The analysing group noted that the requirement of an average of US\$ 33 million per year during the requested extension period is generally consistent with the recent experience of funding from the international community (i.e., an annual average of US\$ 29.4 million since 2006) and from the Royal Cambodian Government (i.e., US\$ 3.5 million in 2009). The analysing group further noted that, while the Royal Cambodian Government’s past contributions have increased in recent years, the request does not indicate what costs Cambodia itself will absorb in the future, during the requested extension period.

15. The request indicates that the past 16 years of demining in Cambodia have resulted in extensive socio-economic benefits allowing poor and rural communities access to services and markets, land for resettlement and agriculture, irrigation and road infrastructure, access to services by women and men living with disabilities, including landmine survivors. The request further indicates that demining activities have also enabled the construction of schools, community centres, health centres, and access to sources of water. The request also indicates that a study undertaken in 2005 suggests that the economic benefits of the mine clearance programme are 38 percent higher than the costs. In addition, the request indicates that a significant but often overlooked socio-economic impact of the implementation of the Convention is that the mine action sector has employed more than 4,000 national staff over the past decade, with most individuals recruited from impoverished districts. As well, the request indicates that while Cambodia still experiences unacceptably high numbers of casualties of mines and other explosive remnants of war, the situation has drastically improved over recent years.

16. The request indicates that, despite positive socio-economic gains to date, the continued presence of mines is a key contributor to poverty among the rural population which in turn contributes to risk-taking behaviour on the part of individuals living in areas affected by mines and other explosive remnants of war. The request also highlights the differential impact that mines have on women and men, noting for example that while 85 percent of casualties are male, women and children suffer when a spouse or parent is a mine casualty. The analysing group noted that the ongoing effort to implement Article 5 during the requested extension period had the potential of making a significant additional contribution to improving human safety and socio-economic conditions in Cambodia.

17. The request includes other relevant information that may be of use to the States Parties in assisting and considering the request including a detailed description of the method used to estimate the remaining amount of area requiring clearance, annual demining progress reports and Cambodia's revised land classification system.

18. The analysing group noted that, while it may be unfortunate that after almost ten years since entry into force a State Party is unable to clarify what remains to be done, it is positive that such a State Party, as in the case of Cambodia, has sought the input of all relevant parties to develop a methodology to produce an estimate. The analysing group further noted the importance of Cambodia having committed to carry out a "Baseline Survey" of all affected districts, by the end of 2012, to produce greater clarity on the remaining implementation challenge and to provide a revised work plan to the States Parties. The analysing group also noted that both Cambodia and the States Parties as a whole would benefit from progressively clearer information being used to develop and thereafter revise a single national clearance plan that takes into account the proficiencies and strengths of the various demining operators.

19. The analysing group noted that, while total projected resource requirements (e.g., approximately US\$ 330 million over ten years) are realistic based upon the recent past, Cambodia has projected that an additional US\$ 125 million would be required to actually complete implementation of Article 5 during the extension period. The analysing group further noted that, given the importance of a sustained high level of external support, Cambodia could

benefit from developing as soon as possible a resource mobilisation strategy which included clarity regarding its national commitment during the extension period.

20. The analysing group noted that the accounting of annual milestones for the period 2009 to 2012 and additional milestones that presumably would be contained in a revised work plan prepared by the end of 2012 would greatly assist both Cambodia and all States Parties in assisting progress in implementation during the extension period. In this regard, the analysing group further noted that both could benefit if Cambodia provided updates relative to these milestones at meetings of the Standing Committees, at Meetings of the States Parties and at Review Conferences.
