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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Consideration of requests submitted under Article 5

Analysis of the request submitted by Niger for an extended deadline for completing the destruction of anti-personnel mines in accordance with Article 5 of the Convention

Submitted by the President of the Twelfth Meeting of the States Parties on behalf of the States Parties mandated to analyse requests for extensions*

1. Niger ratified the Convention on 23 March 1999. The Convention entered into force for Niger on 1 September 1999. In its initial transparency report submitted on 12 September 2002, Niger reported areas under its jurisdiction or control suspected to contain anti-personnel mines. Niger was obliged to confirm or deny the presence of anti-personnel mines in these areas by 1 September 2009. On 5 June 2008, at the meeting of the Standing Committee on Mine Clearance, Niger declared that further to the peace agreements, those presumed to have laid anti-personnel mines reported, when consulted, that they had never used anti-personnel mines in the course of hostilities during the 2000 rebellion. However anti-tank mines had been used which had led to the belief that anti-personnel mines could have been used. Two organisations present in Niger confirmed at the time that there was no evidence of anti-personnel mine use in Niger. In this context and on the basis of all the accidents recorded, Niger was able to confirm in 2008, that the presence of anti-personnel mines was no longer suspected in the country.

2. In June 2011, after the expiry of Niger's original deadline to implement Article 5, Niger discovered one area under its jurisdiction or control that is known to contain anti-personnel mines and five areas that are suspected to contain anti-personnel mines. Niger reported the discovery of these areas in its transparency report submitted on 15 November 2012. Niger believing that it would be unable to destroy all anti-personnel mines in the mined areas before the next Meeting of the States Parties submitted to the President of the Twelfth Meeting of the States Parties (12MSP) on 1 July 2013 a request for an extended deadline in accordance with the commitments relating to the discovery of previously

* Document submitted after the established deadline to allow the States parties to analyse the request for extension.

unknown mined areas after deadlines have passed made by the States Parties at the 12MSP. Niger's request is until 31 December 2015.

3. The States Parties mandated to analyse requests submitted under Article 5 of the Convention (hereafter referred to as the "analysing group") noted that through the submission of a request for an extended deadline, Niger demonstrated its commitment to adhere to the obligations enshrined in Article 5 of the Convention and the decisions of the States Parties relating to the discovery of previously unknown mined areas.

4. The request indicates that following changes in the security situation after the conflict in the north of the country and the Libyan crisis, Niger requested the conduct of an assessment mission which uncovered the presence of a minefield in the northern part of the Agadez region, in the department of Bilma, on the military post of Madama. The request specifies that some of the localities that were due to be visited by the assessment mission remained inaccessible for security reasons. The request further indicates that the identified minefield totals an estimated 2,400 square metres but that mines may have moved due to sand storms occurring in the region. The minefield is perimeter-marked, fenced and monitored by a military surveillance post. The request also indicates that Niger identified five other areas where the presence of anti-personnel mines is suspected, also located in the Agadez region and in the department of Bilma, namely Zouzoudinga, Achouloulouma, Orida, Enneri and Blaka. The surface area for these five suspected areas remains unknown. The request also indicates that Niger, through its National Commission for the Collection and Control of Illicit Weapons (Commission Nationale pour la Collecte et le Contrôle des Armes Illicites) identified a number of hazardous roads and paths. The analysing group noted that it would be beneficial in Niger could provide information on the circumstances that led to anti-personnel mines being used in Niger.

5. The request indicates that no general or technical survey has taken place and that the suspected areas have been identified following incidents and accidents caused by mines involving people or animals, on the basis of reports provided by patrols, minutes of the police and information provided by the local population.

6. The analysing group noted that it would beneficial if Niger provided details the methods used to identify the area known and areas suspected to contain anti-personnel mines, particularly given that the request, on the hand, indicates an "assessment" was the means employed and, on the other hand, indicates that identification followed from incidents or accidents. The analysing group noted that such details could include the methodology of the assessment and clarity regarding whether incident or accident reports clearly pointed to anti-personnel mines as the cause (rather than other explosive remnants of war). Furthermore, in recalling that the United Nations' International Mine Action Standards define a "suspected hazardous area" as "an area where there is reasonable suspicion of mine or other explosive remnants of war contamination on the basis of indirect evidence of the presence of mines or other explosive remnants of war," the analysing group noted the value of Niger summarizing what indirect evidence led it to believe such areas exist in Niger and what criteria are contained within its national mine action standards for making such determinations.

7. The analysing group noted that the request contains no information on the humanitarian, social, economic, and environmental implications of the request.

8. The request indicates that in preparation of the work remaining to be carried out, Niger has taken the following measures: (a) development of national standards, (b) training and refresher training of deminers, (c) training and deployment of eight community liaison agents to raise awareness, (d) installation of the Information Management System for Mine Action (IMSMA) and training of IMSMA users planned for July 2013 and, (e) development of a two-year work plan.

9. As noted, Niger's request is until 31 December 2015 and it contains a two-year work plan for the period 2014-2015. The work plan outlines activities to clear the minefield located on the Madama military post and to identify the suspected areas through the conduct of a technical survey. The work plan also includes mine awareness raising activities and activities to strengthen the capacity of the National Commission for the Collection and Control of Illicit Weapons. While the technical survey and preparation for demining work would take place in 2014, the actual demining work would take place in 2015. The analysing group noted the length of time between the discovery of the mined areas and the start of work. The analysing group further noted that Niger may find itself in a situation wherein it could proceed with implementation faster than suggested by the amount of time requested by starting work already in 2013 and that doing so could benefit both the Convention and the local population in the mined areas.

10. The analysing group noted that the work plan would benefit from containing monthly benchmarks for survey and demining activities and more details on responsibilities for carrying out these activities. In noting that survey activities would be completed during 2014 and that they should result in a more accurate understanding of the remaining implementation challenge, the analysing group also noted that the Convention would benefit from Niger submitting a revised work plan containing updated information on the implementation challenge including a list of all areas known and suspected to contain anti-personnel, projections of which areas and what quantity of area would be addressed when and by whom and a revised detailed budget. The analysing group also noted the importance of Niger considering carrying out work with combined survey and demining teams to prevent a potential second visit the same remote locations twice.

11. The request indicates the following as risks that may affect the implementation of the plan: (a) geography and climate with areas located in a difficult desert environment due to the heat and shifting sand, (b) funding of the work plan, and (c) insecurity due to terrorist threats within Niger and at the border between Niger and other countries. The request further indicates that Niger set up a reinforced security team for deminers and is seeking cooperation from the local population. The analysing group noted that providing a more detailed assessment of the security situation and potential future risks would benefit Niger in addressing its remaining implementation challenge and make more accurate projections for its work plan.

12. The request indicates that the total budget for the work plan is US$ 800,000. The request also indicates that Niger will to contribute to 50 per cent of the cost of the work plan through financial and in-kind contributions, with its proposed financial contribution amounting to US$ 250,000 and its in-kind contribution comprising (a) the provision of demining teams and their expertise, (b) security for demining activities, (c) support vehicles and, (d) logistical support. The request further indicates that the UNDP, which already supports the removal of anti-tank mines, would be willing to continue supporting Niger with US$ 23,000 available to train deminers. The request also indicates that the European Union has also expressed its willingness to support technical survey in the designated areas. The request indicates that US$ 527,000 remain to be mobilised from bilateral and multilateral partners. The analysing group noted that it is positive that Niger will contribute to financing the cost of its work plan and that demonstrating national ownership in this manner could help facilitate resource mobilisation efforts. The analysing group further noted that implementation could proceed quicker if Niger developed a resource mobilisation strategy to acquire the missing funds.

13. The analysing group further noted that monthly benchmarks for progress contained in the request would greatly assist Niger and all States Parties in assessing progress made in implementation during the extension period. In this regard, the analysing group noted that it would be of benefit to both if Niger provided updates relative to these benchmarks at

meetings of the Standing Committees, Meetings of the States Parties and Review Conferences. The analysing group also noted the importance of Niger keeping the States Parties regularly apprised of Niger's national financial and in-kind contribution to implementation, efforts to mobilise external resources and the results of these efforts.

14. The analysing group noted that the Convention would benefit from Niger, informing the States Parties, by mid-2014, of (a) the methods used to identify the area known and areas suspected to contain anti-personnel mines, and (b) the humanitarian, social, economic, and environmental implications of the request. The analysing group noted that the Convention would benefit from Niger reporting annually to the States Parties on the following:

(a) Progress made relative to the activities listed in its 2014-2015 work plan;

(b) The outcomes of survey efforts and how additional clarity obtained may change Niger's understanding of the remaining implementation challenge;

(c) Changes in the security situation and how these changes positively or negatively affect implementation; and

(d) External financing received and resources made available by the Government of Niger to support implementation.