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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Analysis of the request submitted by Senegal for an extension of the deadline for completing the destruction of antipersonnel mines in accordance with Article 5 of the Convention¹

Submitted by the Committee on Article 5 Implementation (Ecuador, Ireland, Poland and Zambia)

1. Senegal ratified the Convention on 24 September 1998. The Convention entered into force for Senegal on 1 March 1999. In its initial transparency report submitted on 28 August 1999, Senegal reported areas under its jurisdiction or control containing, or suspected to contain, anti-personnel mines. According to Art. 5 para 1 of the Convention Senegal was obliged to destroy or ensure the destruction of all anti-personnel mines in mined areas under its jurisdiction or control by 1 March 2009. Senegal, believing that it would be unable to do so by that date, submitted a request to the 2008 Ninth Meeting of the States Parties (9MSP) for a seven-year extension of its deadline, until 1 March 2016. The 9MSP agreed unanimously to grant the request.

2. In granting Senegal's request in 2008, while noting that it may be unfortunate that after almost ten years since entry into force, Senegal was only beginning to obtain clarity regarding the challenge it faced and had demined very little, there were some compelling circumstances that impeded any work from progressing until 2005. The Meeting further noted that it was encouraging that Senegal had used the extension request process to signal that it was now acting with greater urgency. The Meeting also noted that Senegal did not have clear knowledge of the size and location of areas that will warrant mine clearance and that it committed to undertake technical survey activities and to develop a cancellation procedure which may result in implementation proceeding much faster and in a more cost-effective manner.

¹ Late submission.





3. On 20 June 2015, Senegal submitted to the Chair of the Committee on Article 5 Implementation (hereafter referred to as "the Committee") a request for an extension of its 1 March 2016 deadline. Senegal's request is for five years, until 1 March 2021.

4. The Committee on Article 5 Implementation noted that Senegal had submitted its request later than the established 31 March 2015 deadline for States Parties submitting requests in 2015. The Committee, however, noted with satisfaction that Senegal had submitted its request and has engaged in a cooperative dialogue with the Committee, inter alia on 12 September 2015 by providing additional information and clarifications in response to questions posed by the Committee in a letter sent to Senegal on 25 August 2015.

5. The request indicates, as did Senegal's original request granted in 2008, that Senegal's understanding of its original challenge was drawn from an Emergency Landmine Impact Survey - Étude d'Urgence sur l'impact des mines en Casamance (LIS) carried out in 2005-2006. The LIS identified 149 suspected hazardous areas, including 85 areas totalling approximately 11,183,359 square metres, 47 areas that included a total of 73.45 linear kilometres of roads or paths and 17 areas whose estimated size was unknown. The 2008 request also indicated that area sizes were indicative and clarity regarding area locations and sizes could only be attained after technical survey of each area. In addition, the 2008 request indicated that 231 localities could not be visited by the LIS, 171 localities were inaccessible and 60 had been abandoned.

6. The Committee recalled that, in its previous request, Senegal had committed to undertake technical survey activities and develop a cancellation procedure, and in particular to (a) verify information available on the contamination of 149 areas recorded in 93 localities, (b) demine all suspected areas identified by the LIS and (c) demine all other suspected areas identified.

7. With respect to these commitments, Senegal's present request indicates that since 2006, areas totalling 1,205,521 square metres have been released through survey and clearance and that 421 mines or explosive remnants of war (ERW) were destroyed. The request further indicates that, of the 149 suspected hazardous areas originally identified by the LIS, 131 areas totalling 470,181.423 square metres were released, including 88 areas released by non-technical survey, 17 areas released by technical survey and 26 areas cleared. The request also indicates that Senegal was able to conduct non-technical surveys in 60 of the 171 localities which were previously inaccessible. 54 localities were closed, 9 suspected hazardous areas and 17 confirmed hazardous areas were identified in 6 other localities. The request further indicates that populations returned to 35 of the 60 previously abandoned localities. 33 localities were released including 27 localities released further to non-technical survey, 4 localities released by technical survey, 2 localities were demined and 2 confirmed hazardous areas were identified in 2 localities. In addition, further nontechnical surveys were conducted in 298 localities and 15 new confirmed hazardous areas were identified, 6 in the Ziguinchor region and 9 in the Sédhiou region.

8. The Committee asked Senegal to address minor discrepancies concerning areas released (sizes, total amount released since 2009 and dates of release). Senegal informed the Committee that there were differences in the data presented because the information was sometimes broken down by methods of release and other times by project. Senegal also clarified that the difference in dates concerning areas released indicating that some areas are addressed in a particular year but handed over to the population years later through an official ceremony. The Committee noted that efforts had been made by Senegal to apply all available methods to release suspected hazardous areas and that the work carried out had enabled Senegal to reduce the size of the suspected hazardous areas originally identified by the LIS. The Committee further noted that additional areas had been identified and that some localities were still inaccessible which would warrant further survey work to

determine whether or not they contain areas suspected or known to contain anti-personnel mines.

9. The request indicates that since the ceasefire agreement in 2004, Senegal has initiated a dialogue with all parties involved in the Casamance crisis and that activities in Casamance, including humanitarian demining, will be conducted in the framework of discussions and agreements between the parties as part of the peace process. The request indicates that this approach implies that demining teams are deployed in localities providing the highest guarantee of security and that as a result the pace and efficiency of operations may be affected. The request noted that the Centre National d'Action Antimines au Sénégal (CNAMS) is not directly involved in the peace process and that negotiations are conducted by the Groupe de Réflexion sur la Paix en Casamance (GRPC) at another state level.

10. The request indicates that National Mine Action Standards were established in 2009 based on the International Mine Action Standards (IMAS) and that they had been adapted to the Senegalese context. The request further indicates that two new national standards were established in 2014, one on mechanical demining and one on the use of mine detection dogs. In addition, the standards on non-technical and technical surveys were revised to incorporate the latest amendments to the IMAS. The request indicates that the methodology used is to record suspected localities during meetings of a departmental development committee and together with the local authorities. Localities recorded as suspected are then subject to non-technical surveys in order to confirm the presence of antipersonnel mines or to cancel the land because it did not contain evidence of mine contamination.

11. The request indicates that the CNAMS was established in August 2006 to implement the national mine action strategy and that, as a coordination body, it is responsible for the accreditation of demining organisations, tasking, supervision of operations, and quality assurance and quality control. The request further indicates that in 2012, two new operators – Norwegian People's Aid and MECHEM – started working in Senegal combining manual and mechanical demining methods, and animal detection systems which resulted in improved efficiency on the ground.

12. The request indicates that Senegal's national mine action strategy for the period 2007-2015 was revised in 2013 as a result of consultations with stakeholders, relevant ministries, the armed forces, the Mouvement des Forces Démocratiques de Casamance, demining organisations and international organisations. The revised strategy sets updated objectives for the period 2013-2015 in the following areas: advocacy, victim assistance, mine risk education, institutional support, survey and clearance, land release, quality assurance and quality control and capacity building.

13. The Committee noted that it was positive that Senegal had developed a national mine action strategy to cover the period 2007-2015 and subsequently revised it in consultations with all relevant partners and stakeholders. The Committee further noted that Senegal would benefit from updating its strategy taking into account the information and the timelines contained in the present request.

14. The request indicates that activities conducted since the 2008 extension request have resulted in land previously affected by anti-personnel mines being returned to populations and being now used for agricultural, pastoral or touristic purposes. The request further indicates that a gradual return of populations to their land and a resumption of economic activities has been noted.

15. The Committee asked Senegal to provide additional information on the humanitarian, social, economic and environmental implications of the request. Senegal informed the Committee that the implementation of the request will enable Senegal to

launch back into socio-economic activities in the regions of Kolda, Sédhiou and Ziguinchor. In particular, human security will need to be restored prior to the return of populations, in order to restart cross-border trade with the Gambia and Guinea Bissau and to enable access to basic infrastructure and a return to traditional activities.

16. The request indicates that the remaining challenge amounts to 64 areas, including 52 confirmed hazardous areas measuring 478,328 square metres and 12 suspected hazardous areas whose estimated size is unknown. The 64 areas include:

- 18 areas totalling 255,770 square metres, including 17 confirmed hazardous areas (CHA) and 1 suspected hazardous area (SHA) (LIS)
- 26 areas identified in localities which have become accessible, including 17 CHA and 9 SHA (86,352 m²)
- 2 CHA in localities where populations have returned (1,493 m²)
- 18 areas identified during further non-technical surveys, including 15 CHA and 3 SHA

In addition, the request indicates that 111 suspected localities are still inaccessible and remain to be surveyed and 25 of the 60 abandoned localities remain abandoned. In addition, the request indicates that non-technical surveys are planned to be conducted in 216 localities, including in the remaining 111 suspected localities which are still inaccessible in the Ziguinchor region. The request further indicates that the total size of the suspected areas in these localities was estimated to measure 2,000,000 square metres but has been reduced to 1,600,000 square metres further to surveys and is expected to be further reduced to 1,120,000 square metres by planned non-technical survey activities.

17. The Committee noted the fact that during the conduct of survey activities Senegal had identified further suspected areas but that the inaccessibility of a number of localities prevented further survey activities and that as a result the full extent of the challenge is still unknown. The Committee also noted that despite the fact that 60 localities became accessible and that population returned to 35 localities, the present request indicates that there are more inaccessible localities than in the previous request.

18. The request indicates the following impeding circumstances: (a) Senegal is still facing the aftermath of three decades of internal conflict, with a fragile ceasefire, an unstable security situation in the Casamance region and the reluctance of the Mouvement des Forces Démocratiques de la Casamance (MFDC) to agree to demining operations for strategic reasons, (b) concerns over the safety of demining personnel resulting in demining operations being stopped for 7 months after the kidnapping of 12 deminers on 3 May 2013 and implementation of a new approach in the conduct of demining operations which sees demining operations included in the broader peacebuilding efforts requiring an agreement from all parties involved, (c) two important partners withdrew or suspended their support to Senegal during 2014 thereby decreasing technical and financial capacities needed to implement the Convention's obligations, (d) access to certain areas remains difficult due to the security situation, (e) long period of negotiations are sometimes required to obtain agreement of the MFCD to access areas, and (f) decreasing financial resources.

19. As noted, Senegal's request is for five years until 1 March 2021. The request indicates that the amount of time sought is based on the assumption that the plan will be implemented by two demining operators equipped with manual, mechanical and mine detection dogs and that 200,000 square metres can be addressed annually. The implementation of the action plan relies also on the collaboration with the MFDC to access target areas and on financial support to demining activities being maintained at the same level.

20. The request indicates that Senegal plans to conduct non-technical surveys in 2016-2017 in 216 localities totalling an estimated 2,000,000 square metres. The request further indicates that following surveys conducted by Handicap International and Norwegian People's Aid in the commune of Oulampane, the estimated size was reduced to 1,600,000 square metres and it is expected to be further reduced to 1,120,000 square metres. The request further indicates that technical surveys and clearance will be conducted in 52 confirmed hazardous areas totalling 478,328 square metres in the department of Goudomp, Ziguinchor and Oussouye. The request that in total, 1,598,328 square metres will be subject to technical survey and demining.

21. The Committee asked Senegal to indicate whether the fact that access to certain areas depends on the security situation and that two international partners recently left or suspended their activities in Senegal could lead Senegal to considering the involvement of other actors, such as its armed forces, to conduct demining operations. Senegal indicated that the implementation of the activities described in the plan relies on two operators still present in Senegal – Handicap International and MECHEM. Senegal further indicated that the contribution of other demining operators is not ruled out. Senegal also indicated that it opted for civil humanitarian demining. The Committee also asked Senegal to provide more information on the role of the CNAMS in the implementation of the plan. Senegal indicated that the CNAMS has a planning and coordination role, which includes the management of accreditation, programming of activities and quality assurance and quality control.

22. The request indicates that the following milestones are to be achieved annually:

2016:

- Non-technical survey in 137 localities 13 in Ziguinchor, 4 in Oussouye and 120 in Bignona
- Technical survey and clearance in 47 confirmed hazardous areas 27 in Goudomp, 9 in Oussouye, 5 in Ziguinchor and 6 in Bignona – totalling a size of 374,508 square metres

2017:

- Non-technical survey in 79 localities in Bignona
- Technical survey and clearance in 7 confirmed hazardous areas 5 in Goudomp and 2 in Bignona totalling a size of 303,820 square metres

2018:

• Technical survey and clearance in areas in Bignona and Ziguinchor totalling a size of 310,000 square metres

2019:

• Technical survey and clearance in areas in Bignona totalling a size of 310,000 square metres

2020:

• Technical survey and clearance in areas in areas in Bignona totalling a size of 300,020 square metres

2021: January to March

• Closing of the programme

The request further indicates that the actual operations will be planned on a case by case basis depending on the results obtained by the Groupe de Réflexion Pour la Paix en Casamance in the ongoing peace negotiations.

23. Considering the potential impact of ongoing peace negotiations and of the security situation on the implementation of the plan, the Committee noted that the activities and priorities set in the plan may be affected positively or negatively by developments in the peace process and the security situation. In this context, the Committee further noted the importance of Senegal reporting as they occur, changes which may affect the implementation of the plan as well as the adoption of any methodologies to dealing with these areas. The Committee further noted that it would be beneficial if Senegal submitted details of areas planned to be addressed by technical survey and clearance for the period 2018-2020.

24. The request indicates that a total of 11,520,289 US\$ will be required during the period of the extension, including 80,568 US\$ for non-technical surveys, 6,393,113 US\$ for technical surveys and clearance, 312,223 US\$ for quality assurance and quality control, 65,185 US\$ for land release ceremonies, 411,200 US\$ for mine risk education, 698,600 US\$ for victim assistance, 221,400 US\$ for advocacy and 3,335,000 US\$ for institutional support. The request further indicates that the national budget will cover the annual contribution for institutional support. The request also indicates that Senegal had estimated requiring funds to the level of 30 million US\$ in its 2008 extension request and that around 9 million US\$ have been raised to this day. The request further indicates that increased clarity on the contamination has reduced the size of the suspected areas and as a result the resources required to continue the programme decreased from 21 million US\$ to around 11 million US\$.

25. The Committee asked Senegal to provide information on the calculations used to develop the estimated budget for the period of the extension and details of its resource mobilisation strategy, and to indicate in particular which activities will be covered by the national budget. Senegal indicated that it intended to involve its bilateral and multilateral partners to mobilise the necessary resources and that, in addition to the 667,000 US\$ annual contribution for institutional support, 4 million US\$ over the next 4 years had been allocated for demining operations.

26. The request includes other relevant information that may be of use to the States Parties in assessing and considering the request, including detailed tables listing the status, location, size of each area addressed and remaining to be addressed, and Senegal's revised National Mine Action Standards.

27. The Committee noted that Senegal had made efforts to have a clearer knowledge of size and location of areas that will warrant mine clearance, including by undertaking technical surveys and developing a cancellation procedure, as recorded by the decisions of the 9MSP. However, the Committee noted that while steps have been taken to address the existing challenge, and while it would appear that Senegal possesses more knowledge than it did in 2008 about the remaining extent of the challenge, the full extent of the remaining challenge remains to be clarified.

28. In recalling that the implementation of Senegal's national demining plan will be affected by new information, the level of resources obtained and changes in the security environment, the Committee noted that the Convention would benefit from Senegal submitting to the States Parties, by 1 March 2017, an updated detailed work plan for the remaining period covered by the extension. The analysing group noted that this work plan should contain an updated list of all areas known or suspected to contain anti-personnel mines, annual projections of which areas and what area would be dealt with during the remaining period covered by the request and by which organization, and a detailed budget.

29. The Committee noted that the Convention would benefit from Senegal informing the States Parties on an annual basis, as relevant, on the following:

- (a) Progress made relative to the commitments contained in section 4 of its extension request,
- (b) The outcomes of survey efforts and how additional clarity obtained may change Senegal's understanding of the remaining implementation challenge,
- (c) The number, location and size of remaining mined areas, plans to clear or otherwise release these areas and information on areas already released, disaggregated by release through clearance, technical survey and nontechnical survey,
- (d) Efforts to mobilize resources to contribute to covering the costs of implementing Senegal's national plan for survey and mine clearance,
- (e) External financing received and resources made available by the Government of Senegal to support implementation,
- (f) Updates on the developments of the peace process dialogue which may lead to new areas becoming accessible for survey and clearance activities,
- (g) Changes in the security situation and how these changes positively or negatively affect the implementation of Senegal's plan.

30. The Committee noted the importance, in addition to Senegal reporting to the States Parties as noted above, of keeping the States Parties regularly apprised of other pertinent developments regarding Senegal's implementation of Article 5 during the period covered by the request such as new methodologies for dealing with mined areas in "inaccessible" areas.