

**SECOND REVIEW CONFERENCE 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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Review of the operation and status of the Convention

Other matters important for achieving the aims of the Convention

**REPORT ON THE PROCESS FOR THE PREPARATION, SUBMISSION AND
CONSIDERATION OF REQUESTS FOR EXTENSIONS TO ARTICLE 5 DEADLINES,
2008-2009**

Submitted by the President of the Ninth Meeting of the States Parties¹

1. At the 2006 Seventh Meeting of the States Parties (7MSP), the States Parties established “a process for the preparation, submission and consideration of requests for extension to Article 5 deadlines.” This process includes the President and the Co-Chairs and Co-Rapporteurs of the Standing Committees jointly preparing an analysis of each. In doing so this group of 17 States Parties (hereafter referred to as the “analysing group”) is tasked, along with requesting States Parties, with cooperating fully to clarify issues and identify needs. In addition, in preparing each analysis, the analysing group in close consultation with the requesting State, should, where appropriate, draw on expert mine clearance, legal and diplomatic advice, using the Implementation Support Unit (ISU) to provide support. Ultimately, the President, acting on behalf of the Co-Chairs and Co-Rapporteurs, is charged with submitting the analyses to the States Parties well before the Meeting of the States Parties or Review Conference preceding the requesting State’s deadline.

2. At the 7MSP, the States Parties agreed “to encourage States Parties seeking Article 5 extensions to submit their request to the President no fewer than nine months before the Meeting of the States Parties or Review Conference at which the decision on the request would need to be taken.” On 4 March 2009, the analysing group met to take stock of its workload for 2009, noting that three States Parties with 2010 deadlines – Argentina, Cambodia and Tajikistan – were recorded in the Geneva Progress Report of the Ninth Meeting of the States Parties as indicating they would submit requests in 2009. The analysing group further noted that there remained one State Party – Uganda – with a deadline in 2009 that neither submitted a request in 2008 nor, as of 4 March 2009 had completed implementation of Article 5. In addition, the analysing group noted that one State Party – Nicaragua – was granted an extended deadline that occurs prior to a presumed Tenth Meeting of the States Parties in 2010.

¹ Mr. Jürg Streuli, Ambassador of Switzerland to the Conference on Disarmament.



3. Also at its 4 March 2009 meeting, the analysing group agreed to carry out its work in accordance with the working methods adopted by the analysing group in 2008, as recorded by the President of the Eighth Meeting of the States Parties in document APLC/MSP.9/2008/WP.35.

4. On 31 March 2009, the 9MSP President received a request submitted by Tajikistan. On 27 April 2009 the President received a request submitted by Argentina. On 11 May the President received a request submitted by Cambodia. In keeping with the decisions of the 7MSP, on 15 May 2009 the 9MSP President wrote to all States Parties to inform them of receipt of these requests. In addition, the 9MSP President instructed the ISU to make these requests available to all interested parties on the Convention's web site.

5. During the week of 25 to 29 May 2009, the analysing group held meetings to begin analysing the requests submitted by Argentina, Cambodia and Tajikistan. In addition, the analysing group held informal discussions with representatives of these requesting States. As well, expert input was obtained from demining operators who have been involved in humanitarian demining in Cambodia and Tajikistan. Following the May 2009 meetings of the analysing group, the President wrote to two requesting States Parties to seek further clarity regarding their requests. Input was subsequently provided by the States Parties and greatly appreciated by the analysing group.

6. On 3 July 2009, the analysing group met to continue its discussions on the requests that had been submitted. In addition, further to the 7MSP decisions and the practice employed in 2008, the analysing group received the expert advice of the ICBL and the ICRC given the broad scope of these organisations' expertise, concluding that this input provided was extremely useful.

7. In a letter dated 2 July 2009 which was received by the 9MSP soon afterwards, Uganda wrote to inform the President that Uganda would like to reverse its earlier position on meeting its Article 5 deadline "because of new challenges recently encountered in the field" and to indicate that it would submit a request for an extension of its 1 August 2009 deadline.

8. On 19 August 2009, the 9MSP President received a request from Uganda. In addition, on 25 August 2009, the 9MSP President received a revised request from Cambodia. The 9MSP President subsequently informed the States Parties of the receipt of these requests and made them available.

9. On 1 September 2009 and 25 September 2009, the analysing group met to conclude its work. As in 2008, in 2009 requesting States Parties were afforded an opportunity to comment on draft analyses prepared by the analysing group. In some instances, this resulted in minor changes to analyses and in additional information being made available to the States Parties to assist in their consideration of requests. Ultimately, analyses and final versions of executive summaries of requests were submitted simultaneously to the Executive Secretary of the Second Review Conference.

Observations and recommendations

10. As was the case in 2008, in 2009 it was observed that some requesting States Parties, almost ten years after entry into force, still lacked clarity regarding “the location of all mined areas that contain, or are suspected to contain, antipersonnel mines under (their) jurisdiction or control”, a matter which States Parties are obliged to report on in accordance with their obligations under Article 7 of the Convention. It is recommended, therefore, that all States Parties in the process of implementing Article 5, particularly those that may believe it will be necessary at a future date to submit an extension request, intensify and accelerate efforts to locate and report on all mined areas that contain, or are suspected to contain, anti-personnel mines under (their) jurisdiction or control.

11. The manner in which some survey efforts have distorted understanding regarding the nature, size and location of mined areas was again highlighted through requests submitted in 2009. In this context, it is recommended that States Parties and their partners that invest funds in landmine impact surveys and other surveys ensure that such efforts are carried out in an efficient and expeditious manner and produce operationally useful data for mine action planning.
