Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction

Kerry Brinkert  
Director  
AP Mine Ban Convention Implementation Support Unit  

9 September 2009 – Pretoria

From Addis Ababa to Pretoria

Second Continental Meeting – looking back:

“Since the First Continental Conference of African Experts on Landmines, significant progress has been made in Africa towards the goal of eliminating anti-personnel mines.”

Second Continental Meeting – looking forward:

More needs to be done to universalize the Convention in Africa, to destroy stockpiles, to develop and implement national demining programmes, to enhance victim assistance including providing for their social and economic reintegration, to promote and develop inter-African cooperation and Africa’s capacity, and, to further mobilise support from the international community for the continent’s efforts.
Purpose: “To put an end to the suffering and casualties caused by anti-personnel mines.”

AP Mine Ban Convention

Universalizing prohibitions

Preventing future suffering

Clearing mined areas

Destroying stockpiles

Addressing existing mines.

Assisting the survivors

Cooperation & assistance

Ensuring compliance

Transparency

Implementation Support

...other matters essential for achieving the Convention’s aims

www.apminebanconvention.org
Four core aims, four other matters…

Universalization: progress

2004 – Addis Ababa

- 143 States Parties
- 48 States Parties in Africa
- 14 States not parties support UN resolution

2009 – Pretoria

- 156 States Parties
- 49 States Parties in Africa
- 20 States not parties support UN resolution
- 70% of former producers have accepted the Convention
- New use stigmatized & rare
- Several States not parties are open to accession
Universalization: challenges

39 States not parties:
- Armenia
- Azerbaijan
- Bahrain
- China
- Cuba
- Egypt
- Finland
- Georgia
- India
- Iran
- Israel
- Kazakhstan
- Korea, DPR
- Korea, Rep. of
- Kyrgyzstan
- Lebanon
- Lao PDR
- Malaysia
- Marshall Islands
- Micronesia, FS of
- Mongolia
- Morocco
- Myanmar
- Nepal
- Oman
- Polan
- Russian Fed.
- Saudi Arabia
- Singapore
- Somalia
- Sri Lanka
- Syrian Arab Rep.
- Tonga
- Tuvalu
- UAE
- USA
- Uzbekistan
- Vietnam

The ISU provides information on the Convention, its status and its operations at national and regional workshops intended to increase understanding of the Convention by States not parties. Such a workshop in the Nicosia in 2003 assisted Cyprus in taking the decision to ratify the Convention.

Universalization: challenges

Challenges to address at Cartagena Summit
- 39 States not parties
- New use rare but States derive utility from previous use
- Adherence with the norm but States remain ready to use
- States not parties stockpile millions of mines
- Armed non-State actors continue to use
Each State Party “undertakes to destroy or ensure the destruction of all stockpiled anti-personnel mines it owns or possesses, or that are under its jurisdiction or control, as soon as possible but not later than four years after the entry into force of this Convention for that State Party.”

States Parties may retain "a number of anti-personnel mines for the development of and training in mine detection, mine clearance, or mine destruction techniques." This number “shall not exceed the minimum number absolutely necessary” for these purposes.

Stockpile Destruction: progress

2004 – Addis Ababa
- 128 States Parties without stockpiles
- 40 AU Member States without stocks
- 16 States Parties in the process of destroying stocks
- 37 million mines destroyed
- 504,000 mines destroyed by AU Member States

2009 – Pretoria
- 152 States Parties without stockpiles
- 49 AU Member States without stocks
- 4 States Parties in the process of destroying stocks
- 42.2 million mines destroyed
- 817,000 mines destroyed by AU Member States
Stockpile Destruction: challenges

Challenges to address at Cartagena Summit

- Belarus, Greece and Turkey missed their deadlines
- Ukraine signalled that it will miss its deadline
- Equatorial Guinea and Gambia need to confirm no stocks
- Cape Verde needs to confirm stocks destroyed

Mine Clearance

- "Mined area" means an area which is dangerous due to the presence or suspected presence of mines.
- Each State Party shall report all mined areas containing AP mines.
- Each State Party reporting mined areas must, as soon as possible or no later than 10 years after entry into force for that State Party, render these areas no longer dangerous due to the presence or suspected presence of AP mines.
- If a State Party believes it will be unable to do this, it may request an extension.
Mine Clearance: progress

<table>
<thead>
<tr>
<th>2004 – Addis Ababa</th>
<th>2009 – Pretoria</th>
</tr>
</thead>
<tbody>
<tr>
<td>46 States Parties still to clear mined areas</td>
<td>41 States Parties still to clear mined areas</td>
</tr>
<tr>
<td>20 AU States Parties still to clear mined areas</td>
<td>17 AU States Parties still to clear mined areas</td>
</tr>
<tr>
<td>4 States Parties had completed implementation</td>
<td>11 States Parties completed implementation</td>
</tr>
<tr>
<td>1 AU State Party had completed implementation</td>
<td>4 AU State Parties completed implementation</td>
</tr>
<tr>
<td>Little information on further completion</td>
<td>Up to 5 more States Parties may complete in ‘09</td>
</tr>
<tr>
<td>No means to declare / report “completion”</td>
<td>Agreed model “declaration of completion”</td>
</tr>
<tr>
<td>Perception the task would take decades</td>
<td>Agreed use of various methods to release areas</td>
</tr>
<tr>
<td>Little info on the size &amp; location of challenges</td>
<td>Much better info on size &amp; location of challenges</td>
</tr>
<tr>
<td>No process of handling extension requests</td>
<td>Agreed process for analysing requests</td>
</tr>
</tbody>
</table>

Mine Clearance: challenges

Challenges to address at Cartagena Summit

- Identifying / reporting all areas containing AP mines
- Intensifying efforts to clear mined areas
- Applying full range of methods to release suspected areas
- Applying a gender perspective to humanitarian demining
- Applying AP mine lessons to challenges of other ERW
Promise to survivors

The States Parties “(wish) to do their utmost in providing assistance for the care and rehabilitation, including the social and economic reintegration of mine victims.”

Each State Party in a position to do so shall provide assistance for the care and rehabilitation, and social and economic reintegration, of mine victims.”

Victim Assistance: progress

<table>
<thead>
<tr>
<th>2004 – Addis Ababa</th>
<th>2009 – Pretoria</th>
</tr>
</thead>
<tbody>
<tr>
<td>VA not treated as precisely as other measures</td>
<td>VA largely treated analogous to other obligations</td>
</tr>
<tr>
<td>Ultimate responsibility not clearly specified</td>
<td>Sovereign States logically ultimately responsible</td>
</tr>
<tr>
<td>Main focus of attention unclear</td>
<td>26 States Parties with significant responsibilities</td>
</tr>
<tr>
<td>Victim assistance not measurable</td>
<td>Better data on survivors, SMART objectives</td>
</tr>
<tr>
<td>NGO critiques not based on baseline info</td>
<td>NGOs can now critique relative to a benchmark</td>
</tr>
<tr>
<td>Key conclusions on implementation adopted</td>
<td>Strategic effort to apply these conclusions</td>
</tr>
<tr>
<td>International legal framework not well developed</td>
<td>Convention’s practices the model for the CCM</td>
</tr>
</tbody>
</table>
Victim Assistance: challenges

Challenges to address at Cartagena Summit

- Individual States continue to take responsibility
- Translating responsibility into a difference on the ground
- VA in the context of broader disability and human rights
- Applying a gender perspective to victim assistance
- Inclusion of survivors and other persons with disabilities

From Nairobi to Cartagena and beyond…
Cartagena Summit

- November 29 / 30 to December 4, 2009
- Review progress made 10 years after entry into force
- Establish a concrete action plan for years to come
- Special emphasis on women, men, boys & girls who have fallen victim to mines
- Reinvigorate interest: the job is not yet done
- Participation at highest possible level

Thank you!