

## ICBL EXPECTATIONS FOR THE SECOND REVIEW CONFERENCE

The Dushanbe Workshop on Achieving a Mine-Free Central Asia

8 July 2009

The Review Conference is a special moment in the life of the Mine Ban Treaty, a moment that we must seize and take advantage of. We see the Review Conference as a critical opportunity to assess if the treaty is delivering on its promise to mine-affected communities and to elaborate concretely how to address the many issues still preventing fulfilment of this promise. It is a time to revitalize and reinvigorate our work on the treaty, and to recommit for the long run. We need to make sure that the road to Cartagena does not end there, but rather lays a solid foundation for the continuing path to a mine-free world. In simple language, in Cartagena we need to recommit to getting the job done!

With this in mind, we call on states to attend the Review Conference at the highest possible level and to adopt a strong political declaration making it clear that landmines will remain high on States Parties' agendas for the foreseeable future. We support having a comprehensive progress review that not only lays out concrete accomplishments of the past five years, but also clearly identifies continuing challenges in treaty implementation, especially the cases of non-compliance with core treaty obligations. We also believe the Review Conference should have a strong forward-looking component. It should draw lessons from the past to shape a "SMART" action plan that sets out concrete objectives for States Parties to achieve by the next Review Conference.

In addition, we believe that the Review Conference should explore where the treaty would benefit from building synergies with new related instruments – instruments that were built in part on the Mine Ban Convention experience – such as the Convention on Cluster Munitions, Protocol V of the Convention on Certain Conventional Weapons, and to some extent the Convention on the Rights for Persons with Disabilities.

We hope all countries will take advantage of this special year to ramp up their efforts to promote and implement the treaty. To begin with, we should all make a special effort to convince states not yet party to the treaty, including the three states not party in this region, to join by the Review Conference and for those that will need additional time to do that - to adopt interim measures, such as respecting the core provisions of the treaty, including not only a ban on the weapon, but also destruction of existing stockpiles, clearance of contaminated areas, and provision of victim assistance. In addition, we urge states not yet party to vote in favor of the annual UN General Assembly Resolution on the Convention; submit a voluntary annual transparency report, and attend the Review Conference as observers. The Review Conference should make it clear that the norm against the use of landmines is now universal. We hope that Actions 7 and 46 of the Nairobi Action Plan which call for extending the mine ban norm to non-state actors and encouraging mine action in areas under their control - are reemphasized in the next action plan, and that through our collective efforts we soon see an end to use by states and non-state armed groups alike plus clearance in all areas, which is so relevant for this region.

The second Review Conference will rightly focus on the humanitarian nature of the Mine Ban Treaty, but in the current context it will also need to highlight its disarmament character. The treaty's generally excellent record on compliance with the disarmament provisions was tainted last year when three States Parties failed to meet their stockpile destruction deadline. The ICBL expects two of the three non-compliant states – Greece and Turkey – to finish destroying their millions of mines before this date, if not sooner.

We will also be looking closely at States Parties' practices on mines retained for training and development under Article 3. Ten years after the treaty's entry into force, States Parties should either clearly state how they are being used in accordance with the treaty, or they should destroy them.

After the disappointingly large number of extension requests submitted last year, we feel it is necessary at the Review Conference to recall the treaty's obligation to clear all mined areas "as soon as possible." We hope to see in the future a much reduced proportion of mine-affected states seeking extensions and that such extensions be only for the minimum number of years strictly necessary. This will depend on continuing high levels of international and national contributions, as well as the increased use of efficient practices such as technical and non-technical surveys to release land when appropriate. As we said earlier in the workshop, we hope Tajikistan will take this into consideration and submit a more ambitious request for consideration by States Parties at the Cartagena Summit. At Review Conference, States Parties should also take stock of lessons learned about risk education to recommend the best way to prevent future mine injuries. We would also like to see the Review Conference take note of the usefulness, as well as the potential drawbacks, of mainstreaming mine action and victim assistance funding into development.

The Review Conference's review of progress will be most crucial – but most challenging – when it comes to Victim Assistance. States Parties should be seeking to answer these questions in a realistic and concrete manner: have the VA objectives developed with the support of the co-chairs and the ISU or other national VA plans been implemented? If not, what were the major impediments to success? If so, have they had a measurable impact on the lives of landmine survivors, their families and affected communities?

Looking ahead, we believe that the Review Conference should seek to address the problems observed in developing and implementing SMART victim assistance goals. We suggest an action plan with more action-oriented points, geared towards establishing or reinforcing states' capacity to provide long-term victim assistance. Also looking ahead, we encourage what is known as the VA26 states (including Afghanistan and Tajikistan) to develop their own plan of action for the coming years by the Review Conference so that they will be ready to begin implementation immediately afterwards. In addition we encourage Afghanistan to adopt a national disability law. In all these elements – from planning to implementing to evaluating victim assistance programs – we repeat our call to include landmine survivors and their representative organizations.

We will now turn to the other areas that the Nairobi Action Plan called “essential for achieving the Convention’s aim,” beginning with international cooperation and assistance, which is a treaty obligation for all States Parties “in a position to do so.” Even non-typical donors may be in position to provide some form of assistance. National contributions are of course essential, but many states will not be able to meet their stockpile destruction, mine clearance and victim assistance duties without international assistance – as we know this is a real concern for this region, and for Tajikistan in particular. The ICBL therefore strongly encourages all states to go to Cartagena with *new commitments* of cooperation and assistance, be they financial, technical, or in-kind support.

On transparency and national implementation measures, we would like to see a much higher rate for the submissions of 2008 annual reports than we have seen in recent years and a 100% target for initial reports, which should be in reach with only three reports outstanding. We would also like to see several more states adopt national implementation measures by the Review Conference, especially those that have been working on such measures for several years, which from this region includes Afghanistan and Turkmenistan.

In conclusion, we should recall that the treaty begins with a call “to put an end to the suffering and casualties caused by anti-personnel mines.” At the 2<sup>nd</sup> Review Conference this goal needs to be at the center of all our discussions on evaluating progress and setting out future work. The ICBL strongly believes that we can achieve such a goal if we all pledge to renew our commitment and energy in Cartagena. We remain optimistic that a “mine-free world” (including mine-free Central Asia) - meaning one in which the Mine Ban Treaty is universally adhered to and implemented – is an achievable goal. In the words of our Review Conference slogan, we believe it is “Mission Possible.”

Thank you.