

PRELIMINARY OBSERVATIONS ON THE STATUS OF IMPLEMENTATION OF ARTICLE 4 (STOCKPILE DESTRUCTION) OF THE ANTI-PERSONNEL MINE BAN CONVENTION¹

PRESIDENT OF THE SIXTEENTH MEETING OF THE STATES PARTIES

2017 INTERSESSIONAL MEETINGS

I. General preliminary observations by the President

1. At the Maputo Review Conference, States Parties agreed that the President of the Meetings of the States Parties (hereafter referred to as “the President”) is mandated to take the lead on any issue related to the pursuit of the Convention’s aims other than those related to the mandates of the Committees, including stockpile destruction under Article 4 and transparency regarding the exceptions contained in Article 3. The President can present a preliminary report on activities at intersessional meetings, as well as present a final report on activities, as well as conclusions and recommendations at Meetings of the States Parties or Review Conferences. The President therefore presents this preliminary report on the status of implementation of Article 4 stockpile destruction obligations.
2. At the close of the Fifteenth Meeting of the States Parties (15MSP), and further to the announcement of the completion of its stockpile destruction obligations by Poland, four States Parties had reported that they were still in the process of implementing Article 4 of the Convention, including three States Parties – Belarus, Greece and Ukraine - that have missed their deadline for the completion of Article 4 and one State Party – Oman - with a deadline still to come.
3. In the context of the implementation of Actions #5 to #7 of the Maputo Action Plan, the 15MSP appealed to the States Parties which are in non-compliance with their article 4 obligations to intensify efforts for the completion of their stockpile destruction obligations.
4. Action #5 of the Maputo Action Plan states that “each State Party that has missed its deadline for the completion of its Article 4 obligations will provide to the States Parties, through the President, by 31 December 2014, a plan for the destruction of all stockpiled anti-personnel mines under its control or jurisdiction as soon as possible, and thereafter keep the States Parties apprised of efforts to implement its plan through annual transparency reports and other means.”
5. Action #6 of the Maputo Action Plan states that “each State Party in the process of destroying its stockpiled anti-personnel mines will regularly communicate to the States Parties, through annual transparency reports and other means, plans to fulfil its obligations and progress achieved, highlighting as early as possible any issues of concern.”
6. Action #7 of the Maputo Action Plan states that “each State Party which discovers previously unknown stockpiles after stockpile destruction deadlines have passed will inform the States Parties as soon as possible, report pertinent information as required by the Convention, and destroy these anti-personnel mines as a matter of urgent priority and no later than six months after the report of their discovery.”
7. As part of the transparency measures which exist under this Convention, each year, no later than 30 April, States Parties shall provide updated information on a number of matters including on the number of stockpiled anti-personnel mines held, the status of programmes for the

¹ These preliminary observations have been prepared using information submitted by the States Parties through their Article 7 reports. Submitted reports have been considered until 12 May 2017.

destruction of stockpiled anti-personnel mines and the number of stockpiled anti-personnel mines destroyed in the previous calendar year.

8. The provision of updated information through annual transparency reports is of utmost importance to take stock of progress and challenges in the implementation of the Article 4 stockpile destruction obligations. Therefore the President wrote to Greece, Oman and Ukraine to encourage them to provide updated information through their Article 7 transparency reports as well at the 8-9 June 2017 intersessional meetings on their effort to comply with the Convention's obligation to destroy all stockpiled anti-personnel mines.
9. Some States Parties report anti-personnel mines retained for purposes permitted under Article 3 as "stockpiled anti-personnel mines." The President recommended that, to ensure clarity and avoid double counting, anti-personnel mines retained for permitted purposes should not be reported as "stockpiled anti-personnel mines" and should be reported separately. In this context the Guide to reporting could assist States Parties in providing transparency in an unambiguous manner on matters concerning both Articles 3 and 4.
10. Of the four States Parties, which at the close of the 15MSP had reported they were still in the process of implementing Article 4 of the Convention, as of 30 April 2017, all of them submitted updated information in accordance with the relevant provisions of Article 7 on stockpiled anti-personnel mines.
11. In April 2017, Belarus announced the completion of its stockpile destruction programme.
12. As of 15 May 2017, updated information on the total of all stockpiled anti-personnel mines owned or possessed by it, or under its jurisdiction or control, and / or on anti-personnel mines transferred for the purposes of destruction, and / or the status of programmes for the destruction of stockpiled anti-personnel mines and / or on the types and quantities of all stockpiled anti-personnel mines destroyed was provided by: Greece, Oman and Ukraine.
13. One State Party – Bulgaria – reported that stockpiled anti-personnel mines were transferred to its territory for the purpose of destruction.
14. Based on the updated transparency information provided by States Parties in 2017 or on information previously provided, the following is understood to be the quantity of anti-personnel mines destroyed and remaining to be destroyed by Belarus, Greece, Oman, and Ukraine:

State Party	Total number of anti-personnel mines destroyed	Total number of anti-personnel mines remaining to be destroyed	Article 4 projected completion date
Belarus	3,668,384 ²	0	Completed
Greece ³	924,909	643,267	Timeline to be established
Ukraine	1,891,792 ⁴	4,911,589 ⁵	2021
Oman ⁶	4,578	10,682	Within the Article 4 deadline

² Article 7 report submitted by Belarus in 2017. The number of stockpiled anti-personnel mines destroyed is as of 1 January 2017. In other information submitted on 17 May 2017, Belarus indicates that the total number of anti-personnel mines destroyed is 3,667,623.

³ Statement delivered by Greece, Fifteenth Meeting of the States Parties, 30 November 2016, and Article 7 report submitted by Greece in 2017.

⁴ Statement delivered by Ukraine at Fifteenth Meeting of the States Parties, 30 November 2016 and Article 7 report submitted by Ukraine in 2017. The number of stockpiled anti-personnel mines destroyed is a deduction from the difference between the 2016 and 2017 total numbers of mines remaining to be destroyed.

⁵ Article 7 report submitted by Ukraine in 2017.

⁶ Article 7 report submitted by Oman in 2017.

II. Information provided by States Parties on the implementation of Article 4: preliminary observations by the President

II.1 Belarus

15. **Belarus**, on 24 November 2016, provided information noting that it continued to cooperate within the framework of the international technical assistance project "Elimination of munitions containing PFM-1 mines in Belarus" aimed at assisting Belarus in meeting its obligations under the Convention. Belarus indicated that on 22 December 2010, the European Commission signed a contract with "Explosivos Alaveses SA (Expal)" for the destruction of more than 3 million PFM-1-type mines (3,371,768). The European Commission allocated EUR 3,900,000 to the project. Belarus recalled that a number of circumstances led to the delay in the practical stage of the destruction of mines, in particular the potential threat posed by the destruction of PFM-1 type mines to the population and the environment.
16. Belarus reported that Expal constructed a PFM-1 mine destruction facility from April 2011 to March 2014. Belarus further reported that the facility for the destruction of anti-personnel mines was a container-type plant, the main elements of which were a thick-walled armored chamber for direct detonation of ammunition, as well as a gas purification system to prevent the release of harmful substances in the atmosphere produced as a result of the destruction of PFM-type mines. Belarus reported that Expal carried out the destruction of the Belarusian stockpiled anti-personnel mines using innovative technology, the so-called "cold detonation" during which the products of the explosion form solid waste and gases are processed to a safe state, which allows them to be disposed of in a solid waste landfill. Belarusian personnel were involved in servicing the destruction facility.
17. On 5 April 2017, Belarus reported that it had completed the destruction of all stockpiled anti-personnel mines in accordance with Article 4. Belarus reported in its 2016 Article 7 transparency report that as of January 2017 no anti-personnel mines remained to be destroyed and that a cumulative total of 3,668,384 stockpiled mines had been destroyed by 1 January 2017.
18. In information provided by Belarus on 17 May 2017, Belarus indicated that it destroyed a total of 3,667,623 anti-personnel mines, including 294,775 PMN, PMN-2, POM-2 type mines destroyed between May and December 2006 and 3,372,848 PFM-1 type mines destroyed between March 2014 and April 2017.
19. The President welcomed the announcement made by Belarus that it had completed the destruction of all stockpiled anti-personnel mines in accordance with Article 4. Belarus has provided information on the quantity and lot numbers of each type of anti-personnel mine destroyed and also on the methods used for the destruction of anti-personnel mines. The President noted that Belarus had provided two different figures for the total number of anti-personnel mines destroyed and noted that it would be welcome if Belarus could clarify the total number of anti-personnel mines destroyed.

II.2 Greece

20. At the 15MSP **Greece** indicated that since the May 2016 intersessional meetings, Hellenic Defence Systems (HDS) acquired the necessary certificates for the demilitarization of ammunitions in their Lavrio facilities. With the certification process completed, the necessary prerequisites were reached in accordance with the provisions of domestic legislation for the

submission of a request by HDS to the competent department of the Ministry of Defence for the signature of a revised contract.

21. In information provided on 12 May 2017, Greece further indicated that a committee of experts from the Hellenic Army General Staff will visit the plant of HDS in Lavrio in order to monitor the process of demilitarization of anti-personnel mines and to define as precisely as possible the timeline for the completion of the destruction.
22. Concerning the 190,572 anti-personnel mines stored at the Videx facilities in Bulgaria, Greece indicated that it was informed by the Bulgarian Ministry of Defence that there is no plant on Bulgarian territory which can undertake their demilitarization and therefore the solution for the destruction in Bulgaria is no longer a viable option. In light of this situation, the competent department of the Hellenic Ministry of Foreign affairs provided their Bulgarian counterparts with the necessary clarifications on the legal obstacles which must be overcome by HDS in order to settle the issue.
23. In information provided by Greece in 2017 in accordance with its Article 7 transparency obligations, Greece reported that there were 643,267 remaining stockpiled anti-personnel mines to be destroyed, 190,572 of which are stored in VIDEX warehouses in Bulgaria. Greece further reported that the difference of 2 mines between the previously declared number (643,565) and the current number is due to the fact that 42 instead of 44 anti-personnel mines were used by the Bulgarian Authorities in order to conduct an investigation experiment on the origins of the explosion at Videx facilities. Greece further reported that in the present phase 924,909 anti-personnel mines have been destroyed.
24. The President noted that while Greece had provided regular updated information on its efforts to implement its stockpile destruction programme, Action #5 of the Maputo Action Plan indicates that a plan for the destruction of all stockpiled anti-personnel mines was to be provided by 31 December 2014. In this context, the President encourages Greece to provide as soon as possible a timeline for the destruction of the remaining stockpiled anti-personnel mines.
25. The President noted that while Greece did not report any destruction of stockpiled anti-personnel mines in 2016, there seemed to be a difference of 7 anti-personnel mines between the total reported destroyed in 2015 (924,902) and the total reported in 2016 (924,909). The President noted that it would be appreciated if Greece provided clarity on this issue.
26. The President noted that while Greece had regularly provided updated information on the status of anti-personnel mines stored in Bulgaria, it may want to continue providing updates on the settlement of this issue and provide as soon as possible a timeline for the destruction of these stockpiled anti-personnel mines.

II.3. Ukraine

27. In information provided by **Ukraine** on 16 August 2016, Ukraine indicated that the timeline for the destruction of 3 million PFM-1 type anti-personnel mines depended of the production capacity of the State enterprise "Scientific-Production Association – Pavlograd Chemical Plant" which is the only actor in Ukraine authorised to conduct anti-personnel mine disposal. Ukraine informed that at the current rate of utilization, these 3 million mines are expected to be destroyed by 2019. Ukraine also indicated that the destruction of all stockpiled anti-personnel mines, depending on the production capacity of the authorised contractor, was expected to be completed in 2021.

28. At the 15MSP, Ukraine reported that since February 2014, a significant portion of Ukraine's financial resources are directed primarily towards the preparation of defence forces and that the destruction of stockpiled anti-personnel mines had been stopped. However, Ukraine indicated that despite the difficult economic situation, in December 2015, Ukraine resumed the destruction process of PFM-1 and PFM-1S type anti-personnel mines. To this end, two additional agreements were signed between the Ministry of Defence, NATO Support and Procurement Agency (NSPA) and the Pavlograd Chemical Plant, (1) from 26 November 2015 for the destruction of 642,960 PFM-1 type mines and (2) from 22 August 2016 for the destruction of 464,896 PFM-1S type mines. Within this framework, Ukraine reported that 642,960 stockpiled PFM-1 type mines and 24,684 PFM-1S type had already been destroyed at the Pavlograd Chemical Plant.
29. At the 15MSP in December 2016 Ukraine indicated that it had destroyed 1,886,672 stockpiled anti-personnel mines and provided the quantity of each type of anti-personnel mine destroyed (401,200 PMN; 8,060 PMD-6; 238,000 POM-3; 1,235,912 PFM; 3,500 OZM-4), thereby implying that 667,664 stockpiled anti-personnel mines were destroyed since the 14MSP (1,219,008 destroyed in total). Ukraine indicated that 4,916,709 stockpiled anti-personnel mines remained to be destroyed and provided the quantity of each type of anti-personnel mines (4,767,008 PFM; 149,096 POM-3; 605 OZM-4). Ukraine reiterated that the 605 OZM-4 mines are located in areas outside of Ukraine's effective control while all other stockpiled anti-personnel mines which remain to be destroyed are located at 6 arsenals under the control of the Ukrainian army.
30. In its 2016 Article 7 transparency report, Ukraine reported that 4,911,589 stockpiled anti-personnel mines remained to be destroyed as of 1 January 2017. Information was provided on the quantity of each type of anti-personnel mine held. Ukraine also reported that 605 of the stockpiled anti-personnel mines that remain to be destroyed are in areas outside of Ukraine's effective control. In addition, Ukraine reported that, during the period 1 January 2016 to 1 January 2017, 652,840 stockpiled anti-personnel mines had been destroyed.
31. The President noted that Ukraine had provided information on its efforts to implement its stockpile destruction programme, including a timeline for completion of the programme. While Ukraine has provided details on the latest agreement between the MoD, NSPA and the Pavlograd Chemical Plant, more details on plans for the destruction of the total number of remaining PFM-type stockpiled anti-personnel mines would be welcome.
32. The President noted that it would be welcome if Ukraine could clarify the discrepancy of 14,824 between the number of stockpiled mines destroyed communicated at the 15MSP (667,664) and the number communicated through Ukraine's annual transparency report (652,840) It would be further welcomed if Ukraine could clarify the total number of stockpiled anti-personnel mines destroyed by Ukraine as of 1 January 2017.

II.4. Bulgaria

33. In its 2014 Article 7 transparency report **Bulgaria** reported that 500,590 stockpiled anti-personnel mines had been transferred from Greece to Gorni Lom, Bulgaria for the purposes of destruction. Information was provided on the quantity of each type of anti-personnel mine. Bulgaria reported that the institution authorised by Bulgaria to receive the transfer was VIDEX JSC. At the Convention's 2015 intersessional meetings, Bulgaria reported that, on 1 October 2014, when an explosion occurred at the VIDEX destruction plant, 197,600 anti-personnel mines were stored at the plant. Of this number, 6,986 anti-personnel mines were destroyed during the explosion or recovered and destroyed afterwards, and 190,614 anti-personnel mines remained. Bulgaria further reported that Bulgaria and Greece were in consultations regarding the return of these mines to Greece.

34. At the 14MSP, Bulgaria informed that Greek experts visited the storage site of the remaining stockpiles in July 2015 and discussed with their Bulgarian counterparts the modalities for their return. Bulgaria reported that it had undertaken all legal measures needed to export the anti-personnel mines to Greece and that the mines are kept in sealed and secured warehouses of the factory. Bulgaria further reported that it expected the constructive cooperation with Greece to continue to solve the issue as soon as possible.
35. The President noted the importance of continued transparency on this issue and noted that it was positive that Bulgaria had previously provided information on stockpiled anti-personnel mines transferred to its territory for the purpose of destruction by another State Party. However, the President noted that updated information in 2017 would be welcome.

II.5 Oman

36. In its 2016 Article 7 transparency report **Oman** reported that 4,578 stockpiled anti-personnel mines were destroyed in 2015-2016. The destruction of these stockpiled anti-personnel leaves Oman with 10,682 stockpiled anti-personnel mines still to destroy. Oman indicated that in 2017, the destruction of 4,578 stockpiled anti-personnel mines was ongoing and that the last 6,104 stockpiled anti-personnel mines was planned for 2018.
37. The President noted that Oman had provided detailed information on its stockpiled anti-personnel mines, including types and quantity, and had communicated a plan for the completion of the destruction of these anti-personnel mines by its Article 4 deadline.

III. Information provided by States Parties on destruction of previously unknown stockpiled anti-personnel mines

38. Since the 15MSP, the following States Parties have provided updated information on the destruction of previously unknown stockpiled anti-personnel mines, in accordance with Maputo Action Plan, Action #7:
39. **Afghanistan** reported in its 2016 Article 7 transparency report that during the period 1 January 2016 to 31 December 2016, 337 previously unknown stockpiled anti-personnel mines had been destroyed by weapons and ammunition disposal (WAD) teams. Information was provided on the quantity of each type of anti-personnel mine destroyed.
40. **Mauritania** reported in its 2016 Article 7 transparency report that, during 2016, the demining teams of the Engineer Corps discovered in the wilaya of Tiris Zemour 3 anti-personnel mines and 1 anti-tank mine in three separate locations. These mines were destroyed on 28 December 2016 by open burning in accordance with IMAS
41. **Palau** reported in its 2016 Article 7 transparency report that, during the period 1 January 2013 to 31 December 2016, 6 previously unknown stockpiled anti-personnel mines had been found and destroyed. These previously unknown stocks were discovered in Peleliu State in abandoned stores in the cave systems used during WWII.