

**Preliminary observations on the status of implementation of article 4 (stockpile destruction)  
of the Anti-Personnel Mine Ban Convention<sup>1</sup>**

**President of the Nineteenth Meeting of the States Parties**

**I. Background**

1. The destruction of stockpiled anti-personnel mines is an obligation covered by Article 4 of the Convention which requires each State Party 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 entry into force of the Convention for that State Party”.
2. In the *Oslo Action Plan 2020-2024*, States Parties committed to a number of actions related to the destruction of stockpiled anti-personnel mines. In addition, the Fourth Review Conference appealed to States Parties which are in non-compliance with Article 4 obligations to intensify efforts for the completion of their stockpile destruction obligations.
  - **Action #13** Develop a **time-bound plan with clear milestones for the fulfilment of Article 4 within their deadline as soon as possible** following the entry into force of the Convention, and regularly **inform States Parties on progress made and remaining challenges** in implementation.
  - **Action #14 States Parties that have failed to meet their stockpile destruction deadline** and therefore are in non-compliance with Article 4, will present a **time-bound plan for completion** and urgently proceed with implementation as soon as possible in a transparent manner, regularly informing States Parties on progress made and remaining challenges.
  - **Action #15 Any State Party that discovers previously unknown stockpiles after stockpile destruction deadlines have passed will inform States Parties as soon as possible** and destroy these anti-personnel mines as a matter of urgent priority and no later than six months after their discovery.
2. **As part of the transparency measures** which exist under Article 7 of the Convention, each year, no later than 30 April, States Parties shall provide updated information on a number of matters including on:
  - the **total of all stockpiled anti-personnel mines owned or possessed** by them, or under their jurisdiction or control, to include a breakdown of the type, quantity and, if possible, lot numbers of each type of anti-personnel mine stockpiled;
  - the **status of programs for the destruction of anti-personnel mines** in accordance with Articles 4, including details of the methods which will be used in destruction, the location of all destruction sites and the applicable safety and environmental standards to be observed;
  - the **types and quantities of all anti-personnel mines destroyed** after the entry into force of this Convention for that State Party, to include a breakdown of the quantity of each type of anti-personnel mine destroyed, in accordance with Articles 4, respectively, along with, if possible, the lot numbers of each type of anti-personnel mine in the case of destruction in accordance with Article 4.

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<sup>1</sup> These observations- have been prepared using information submitted by the relevant States Parties through their Article 7 reports submitted in 2021 as well as through statements delivered at Meetings of the States Parties, Review Conferences and intersessional meetings.

## II. Status of implementation of Article 4

3. At the close of the Eighteenth Meeting of the States Parties, three States Parties reported that they were still in the process of implementing Article 4 of the Convention, including two States Parties – **Greece** and **Ukraine** – which are in non-compliance with their Article 4 obligations and one State Party – **Sri Lanka** - with a deadline of 1 June 2022.
4. As of 15 May 2021, Greece and Ukraine had submitted updated information on stockpiled anti-personnel mines in accordance with the relevant provisions of Article 7. Based on this information as well as previous reports, the following is understood to be the quantity of stockpiled anti-personnel mines destroyed and remaining to be destroyed:

State Party	Total number of anti-personnel mines destroyed	Total number of anti-personnel mines destroyed in 2020	Total number of anti-personnel mines remaining to be destroyed	Article 4 projected completion date
Greece	1,224,754	0	343,413	As soon as feasible <sup>2</sup>
Sri Lanka	102,066	29,357 <sup>3</sup>	12,000	End of 2020
Ukraine	3,438,948	456	3,364,433 <sup>4</sup>	Not communicated
<b>Total</b>	<b>4,765,768</b>	<b>29,813</b>	<b>3,719,846</b>	

## III. Information provided by States Parties on the implementation of Article 4 and preliminary observations by the President

### Information submitted by Greece

5. At the Fourth Review Conference, **Greece** indicated that complications emanating from environmental compliance issues caused the temporary pause of the demilitarization process of the remaining 343,413 stockpiled anti-personnel mines. The competent department of the Ministry of Defence and the Hellenic Defence Systems (HDS) are in close consultation to find the best possible solution to resolve this issue and set the destruction of the remaining stocks back on track.
6. In information provided in 2021 in accordance with its Article 7 transparency obligations, Greece reported that there were still 343,413 anti-personnel mines remaining to be destroyed and that these mines have been already gathered and transferred in 12 final sites, from which they are being collected and transferred to HDS in Lavrio, Attica, in order to be destructed. In information provided in 2020 in accordance with its Article 7 obligations, Greece reported that since the beginning of the stockpile destruction programme, 1,224,754 stockpiled anti-personnel mines, out of a total of 1,568,167, have been destroyed. In 2020, no stockpiled anti-personnel mines were destroyed.
7. At the Eighteenth Meeting of the States Parties (18MSP) Greece indicated that it has not yet entirely fulfilled its obligation due to unforeseen circumstances that are beyond its control, such as the deadly explosion in 2014 at VIDEX facilities and the legal dispute with the HDS which lead to a pause in the destruction process for almost 2 years. Greece further indicated that HDS and their subcontractor took steps to resolve these issues, however, HDS informed that it was not possible to ensure environmental compliance during the demilitarization process and had to consequently terminate the cooperation with their subcontractor.

<sup>2</sup> Statement delivered by Greece at the Fourth Review Conference, 27 November 2019.

<sup>3</sup> Total destroyed in the period April 2019-July 2020.

<sup>4</sup> Article 7 report submitted by Ukraine in 2021.

8. Greece also indicated that they would refrain from presently providing a time-bound plan since the competent departments of the Ministry of National Defence and the HDS are currently assessing options, including the conduct of an international tender procedure for the destruction of the remaining stockpiled anti-personnel mines. Greece also stated that they will continue handling the issue with utmost transparency.

#### **Preliminary observations by the President on the information submitted by Greece**

9. The President notes the importance of Greece presenting a time-bound plan for completion and proceeding with implementation as soon as possible in accordance with Action#14 of the Oslo Action Plan. As well, the President encourages Greece to continue to inform regularly on remaining challenges.
10. The President notes the importance of Greece keeping the States Parties informed on progress made to complete the destruction of its remaining 343,413 stockpiled anti-personnel mines as soon as possible. The President encourages Greece to make significant progress in implementation of its Article 4 obligations by the Nineteenth Meeting of the States Parties.
11. The President recognises the commitment of Greece to fully implement Article 4 and understands that impeding circumstances have led Greece to miss its Article 4 deadline in 2008. The President recognises that these circumstances have been beyond Greece's control and that it is clear that there has never been an intention by Greece to not fulfil its Article 4 obligations. The President further recognises that Greece has provided regular updated information on the situation and has been consistently transparent in this regard. However, the delays experienced have unfortunately led to Greece not being able to "destroy or ensure the destruction of all stockpiled anti-personnel mines it owns or possesses as soon as possible but not later than four years after the entry into force of the Convention" and resulted in the country being in non-compliance with the provisions contained in Article 4 of the Convention. The President notes that Greece is unfortunately still in a situation of non-compliance, thirteen years after the expiration of its deadline. The President encourages Greece to do its utmost to put an end to this situation as soon as possible, work to start the destruction process and communicate a time-bound plan for completion.

#### **Information submitted by Ukraine**

12. At the Seventeenth Meeting of the States Parties (17MSP), Ukraine indicated that within the framework of the Partnership for Peace programme, the MoD of Ukraine, the NATO Support and Procurement Agency (NSPA) and Ukraine's State Enterprise "Scientific Production Association "Pavlograd Chemical Plant" had concluded a contract which envisaged the disposal of 3,192,696 PFM-1S type mines by 2021.
13. At the Eighteenth Meeting of the States Parties (18MSP), Ukraine indicated that the contract with the contractor Ukrainian State Enterprise "Scientific Production Association "Pavlograd Chemical Plant" had been terminated and therefore no stockpile destruction could take place in 2020. According to the implementation agreement between the Cabinet of Ministers of Ukraine and the NSPA, the Pavlograd Chemical Plant had been operated as a party to the contract. In order to identify a new contractor, Ukraine indicated that the NSPA was providing arrangements to conduct the relevant tender procedure. Ukraine further indicated that it is doing its best to intensify the interaction with relevant stakeholders on the matter. Ukraine further indicated that as soon as the tender procedure will be completed, Ukraine will inform on the activities carried out under Article 4.
14. In information provided in its transparency report in 2021, Ukraine reported that 3,364,433 stockpiled anti-personnel mines remained to be destroyed as of 1 January 2021, including 3,363,828

PFM-type and 605 OZM-4 type mines. Ukraine also reported that the 605 OZM-4 mines are in areas outside of Ukraine's effective control. In 2020, to the exception of 456 stockpiled anti-personnel mines destroyed because of risks associated with their storage, no other stockpile destruction could place.

	2021	Post 2021	Total
Stockpiled anti-personnel mines remaining to be destroyed by Ukraine	Information not provided	Information not provided	3,364,433

#### **Preliminary observations by the President on the information submitted by Ukraine**

15. The President notes that while a completion date of 2021 was provided by Ukraine in 2018, no time-bound plan leading to the projected completion date was ever provided. The President notes that with the latest information shared by Ukraine and given the termination of the contract for the disposal of Ukraine's stockpiled anti-personnel mines, the completion date of 2021 appears compromised. The President notes the importance of Ukraine presenting a time-bound plan for completion and proceeding with implementation as soon as possible in accordance with Action#14 of the Oslo Action Plan. The President encourages Ukraine to continue to inform regularly on remaining challenges.
16. The President notes that updated information on the recent tender procedure would be welcome, including a detailed timetable containing milestones leading to a completion date and information on issues of concern which may potentially affect the projected timetable.
17. The President notes the importance of Ukraine keeping the States Parties informed on progress made to complete the destruction of its remaining 3,364,433 stockpiled anti-personnel mines as soon as possible. The President encourages Ukraine to make significant progress in implementation of its Article 4 obligations by the Nineteenth Meeting of the States Parties.
18. The President notes that Ukraine has provided information on the status of its stockpile destruction programme, including information on the total number and types of stockpiled anti-personnel mines remaining to be destroyed and those destroyed during the most recent reporting period.

#### **Information submitted by Sri Lanka**

19. In information provided in 2020 in accordance with its Article 7 transparency obligations, **Sri Lanka** reported that a total of 102,066 stockpiled anti-personnel mines were destroyed until July 2020 and that 12,000 stockpiled anti-personnel mines remained to be destroyed. In the period April 2019 to July 2020, 29,357 stockpiled anti-personnel mines were destroyed. No updated information has yet been provided in 2021.
20. Sri Lanka provided a plan for the destruction of its stockpile which aimed to be completed in 2020:

Quantity of anti-personnel mines to be destroyed	Time period
12,000	August to December 2020
<b>Total: 12,000</b>	

## **Preliminary observations by the President on the information submitted by Sri Lanka**

21. The President notes that Sri Lanka has provided a time-bound plan with clear milestones for the fulfilment of Article 4 by its 1 June 2022 deadline and that so far there has been no delays in implementing the plan. The President notes that updated information on progress made would be welcome, in particular, information on the number of stockpiled anti-personnel mines still held, the number of stockpiled anti-personnel mines destroyed in 2020 and the current status of the stockpile destruction programme.

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

22. Since the Eighteenth Meeting of the States Party, the following State Party has provided information on the discovery of previously unknown stockpiled anti-personnel mines, in accordance with *Oslo Action Plan*, Action #15: Montenegro.
23. In information provided in 2021 in accordance with its Article 7 transparency obligations, **Montenegro** reported that during the course of 2020, 195 previously unknown stockpiled anti-personnel mines were found in a stockpile of the Police Directorate of Montenegro. These anti-personnel mines were taken by the representatives of the Ministry of Interior, Protection and Rescue Directorate and handed over to the chemical industry Poliex in Berane for destruction through an international project supported by the Government of the USA and the International Trust Fund-Enhancing Human Security. The President noted that it was positive that Montenegro informed the States Parties about this discovery and that it had taken immediate action for the destruction of these anti-personnel mines.
24. In 2020, **the Gambia** had reported that, during the course of 2019, it became aware of a previously unknown stockpile of 3,000 anti-personnel mines. The President noted that since then no updated information has been provided by the Gambia on the progress made to destroy these anti-personnel mines in accordance with Action #15 of the Oslo Action Plan. The President noted that updated information on this matter would be welcome.