

**STATEMENT BY THE TURKISH DELEGATION  
DURING THE MEETING OF THE  
STANDING COMMITTEE ON THE GENERAL STATUS AND  
OPERATION OF THE CONVENTION**

**23 April 2007**

Distinguished Co-Chairs,

Allow me to begin by warmly congratulating you on your assumption of the Co-Chairmanship. Our warm wishes also go to the Co-Rapporteurs. You have my delegation's full confidence and support.

Co-Chairs,

The Mine Ban Convention, which constitutes a true landmark, is the product of strong dedication and hard work by likeminded countries, who, with the support of NGOs of the "International Campaign to Ban Landmines" hammered out in 1997 a Treaty text aiming to rid the world of the scourge of landmines. The multifaceted challenges faced in the Ottawa Process until then are still fresh in our minds. Nevertheless, today, we are all heartened by the achievements realised so far. Certainly, more needs to be done in many areas covered by the Convention. However, the determination demonstrated by many States Parties to fulfil their obligations and commitments is encouraging. Turkey, for her part, will spare no effort to fulfil her obligations and commitments as a State Party.

For the Convention to reach its target of a mine free world, universalisation is of great importance. As the former Secretary General of the United Nations pointed out in his message to the Seventh Meeting of States Parties, the universalisation of the Convention will serve to reduce human suffering and will add new impetus to its implementation.

We are today pleased to see that a positive, progressively evolving trend of universalisation is continuing. In this context, we warmly welcome Montenegro and Indonesia. Let us also take this opportunity to appeal to States which are not yet Party to or have not ratified the Convention to join us as soon as possible. While work on universalisation should continue on all fronts, Turkey expects more efforts to be exerted in geographic regions that lag behind in terms of accession to the Convention. This is because most of Turkey's neighbours remain outside both the Ottawa Convention and the Convention on "Certain Conventional Weapons". We are encouraging our neighbours to accede to these Conventions. We expect our partners to do the same.

Co-Chairs,

It was our intention to end our statement here. However, since a debate on engaging "armed non-state actors (ANSA)" has been opened by the previous speakers, we wish to highlight our position so that distinguished delegates get to hear all sides of this debate.

Turkey's views on the role of ANSAs *vis-à-vis* the Ottawa Convention have been clearly laid out on several occasions so far.

Abidance of ANSAs using anti-personnel landmines by the provisions of the Convention is useful for the full implementation of the Convention. However, there is no agreed definition of ANSAs. As such, the term ANSA may be inclusive of terrorist organisations. Moreover, terrorists try to use this blanket cover of ANSAs for asserting a political and legal status and for international recognition.

As a legally binding document, The Ottawa Convention confers rights and obligations to “State Parties”. The Convention neither contains any provision regarding ANSAs, nor authorises the direct participation of NGOs in the Convention’s implementation. Although certain Articles of the Convention do refer to NGOs, these references in no way authorise the NGOs to directly participate in the implementation of the Convention.

While the Nairobi Plan of Action, which is a political document, assigns certain tasks to States Parties concerning ANSAs, these tasks are contingent upon “appropriateness” and the particular “position” of the State Party concerned. Action No. 46 is unequivocal in this context:

*“States in a position to do so will...continue to support, as appropriate, mine action to assist populations in areas under the control of armed non-state actors, particularly in areas under the control of actors which have agreed to abide by the Conventions norms.”*

Therefore, if engagement with ANSAs is contemplated, the concerned State Party should be informed and its consent is fundamental for such an engagement to take place. This view is duly reflected by consensus in the Zagreb and Geneva Progress Reports. Any other interpretation could be misconstrued by certain NGOs, and used as a pretext to act in accordance with the Convention. It would accordingly bring about the false perception that NGOs have assumed this *ex officio* duty and that States Parties have given implicit consent.

Co-Chairs,

The distinguished Ambassador of Switzerland made a reference to a seminar jointly organised by the Swiss Government and “the Geneva Call” during the 7<sup>th</sup> Meeting of States Parties.

During this seminar, and in response to an intervention from my Delegation, the representative of the Swiss Government, on the issue of engaging so-called ANSAs, acknowledged that “one size does not fit all”, in other words, that a broad-brush could not be applied to all situations. Secondly, he acknowledged that there was a danger of NGOs being instrumentalised by terrorist organisations.

A more detailed version of our views on engaging ANSAs can be found in the Annex to the Final Document of the 7<sup>th</sup> Meeting of States Parties.

I thank you.