

Ottawa Convention
Standing Committee on the General Status and Operation of the Convention
7st February 2003

Article 8: Guide for Fact-Finding Missions

Brazil is doubtful whether there is a real sense of need for a Guide of Fact-Finding Missions as suggested by Vertic.

Contrary to what happens in other treaties involving arms control, in which Vertic may have found inspiration, a fact-finding mission under the Mine Ban Treaty would not be a routine, but a highly exceptional eventuality.

It is not certain that, as Vertic states, engaging in advance planning and preparation for the eventuality of a fact-finding mission would demonstrate a State Party's commitment to the implementation of all aspects of the Ottawa Convention. An adverse effect could be the introduction of an element of suspicion, not consistent with the spirit of cooperation that has always characterized the Ottawa Process.

Vertic suggests provisions on the mandate of a fact-finding mission, on the length of the days it would stay, on the rights and responsibilities of the receiving State, on the extent of access, etc. The mandate of an eventual fact-finding mission is to be negotiated and determined jointly by the States Parties.

Vertic makes precisions on some provisions of the Convention, giving its own interpretation and sometimes reinterpreting them in a manner not consistent with the letter of the Convention.

Brazil takes note of Vertic's Guide. For us, nevertheless, all efforts regarding compliance should lie in victim assistance and mine clearance, areas in which the mine action community has been giving an extremely valuable contribution and where there is a lot of work to done before the 2009 deadline.

Thank you.