

Article Six and Stockpile Destruction “Getting the Job Done”

**Food For Thought prepared by the Co-Chairs (Guatemala and Italy) and Co-Rapporteurs (Bangladesh and Canada)
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Article 6 obliges State Parties in a position to do so to provide assistance to other State Parties requiring assistance. Two clauses of the Article cover the potential requirement of any State Party requesting assistance in the destruction of its stockpile of anti-personnel mines:

- Article 6.2: *“Each State Party undertakes to facilitate and shall have the right to participate in the fullest possible exchange of equipment, material and scientific technological information concerning the implementation of this Convention”.*
- Article 6.5: *“Each State Party in a position to do so shall provide assistance for the destruction of stockpiled anti-personnel mines”.*

Why does a State Party need help?

Destruction of stockpiles is often perceived as a relatively simple task compared to other more complex obligations. However, States Parties cannot ignore either the problems that others are experiencing or their own Article 6 obligations. State Parties must remain vigilant; success to date with destruction of stocks does not mean that we can be complacent. This past year some State Parties might not have met deadlines without assistance.

Some States do not possess the expertise or resources to fulfil their obligations. Some are emerging from conflict (or are still in it) and have no real knowledge of what stocks are where. Others have inherited stocks of mines that pose significant technical, financial or environmental challenges. Meanwhile the four-year clock is ticking.

Beyond the obligations specified in the Convention, there are some common sense reasons why it is in all of our interest to provide assistance for stockpile destruction:

- Success of the Convention in large part relates to this weapon actually being removed from the world’s arsenals. Most States have stopped producing and selling anti-personnel mines. With more States joining the Convention, less mines being produced and stocks being destroyed, it is a matter of time before the weapon is truly eliminated. In fact it would likely be extremely difficult for a State not party to the Convention to find a legal source of these weapons should it choose to do so.
- Illegal sources must be eliminated. In some countries munitions are not closely accounted for, guarded or secured, creating the potential for mines to be stolen or misappropriated and passed on to others to use. If there was no stockpile, this illegal source would be eliminated.
- Cost is a factor. The cost of removing one mine from the ground is about 1000 times that of destroying one in stock. Given that the average cost of stockpile destruction is about \$1.00 or less per mine, that can be a significant saving.

Types of assistance

Assistance is required in three broad areas.

- Identifying the locations, quantities and condition of its stock has proven to be an issue in certain developing countries. Professional technical expertise, including support to locate and identify the stock, may be required.

- Some State Parties may not possess the necessary technical skills to develop a national plan in an efficient and timely manner. Training such as that provided by Switzerland has assisted. This could be augmented by providing expertise directly to the State through the provision of a technical expert for a period of time.
- Support to execute the plan through financial, material and technical support is most frequently the requirement.

Sources of Assistance

The number of State Parties providing assistance in other areas of mine action is relatively large, while the number assisting in stockpile destruction is not. If State Parties do not provide assistance where necessary, the risk of States Parties failing to meet their obligations and more importantly leaving mines available for use will increase. The resource pool applied to stockpile destruction needs to be expanded. There are several ways this could be done.

1. “Traditional donors” need to be encouraged to provide the necessary resources to this task. Stockpile destruction is one of the areas of mine action that currently receives little attention from these donors. Often, this is not a matter of availability of funds, but rather of qualifying stockpile destruction for access to available humanitarian and development funds. This reflects an incorrect tendency to regard stockpiles as a strictly disarmament concern. This should not pose an insurmountable obstacle. According to relevant OECD guidelines stockpile destruction assistance indeed qualifies as “official development assistance”. Mine action officials should make this point known with their respective development authorities.
2. We need to reverse the perception that there is a lack of need. The need really does exist. Some countries simply do not have the technical knowledge and the required material and financial resources to meet this obligation without resorting to the assistance called for under Article 6 of the Convention. Regardless of the reason the more traditional donors do need to participate in this mine action activity.
3. Non-traditional donors, or traditional recipient states, should be encouraged to contribute what they can. While these states may not have the financial resources, they often have material and technical expertise to assist others in this area. It is not inconceivable that a “coalition” could be formed with one state providing funds and another expertise to assist a third state in destroying its stocks.
4. Regional organizations can play a role. The Organization of American States has been active in the area using resources provided by other States. NATO has been very active in stockpile destruction, including by using commercial resources. Can this methodology be transported to other regions? Regional organisations could easily fill this role functioning as a “coordinator” responsible to put together the various pieces to this assistance puzzle.

Conclusion

Stockpile destruction, while successful to date, is a pillar of mine action that requires continued vigilance, focus and support. State Parties must be ready to assist others who need it. The Standing Committee must work towards developing and fostering assistance that encourages development of the resource pool, encourages traditional donors to enhance their support and encourages regional organisations to play a key role.