

ICBL Statement on Addressing Concerns About Compliance with Article 4 of the Convention  
Stockpile Destruction Standing Committee Meeting  
2 June 2008

Thank you Madame Co-Chair,

While we have spent a good deal of time looking back with regret over cases of non-compliance, we should also make the best of this situation by learning valuable lessons for the future. We would first like to emphasize the words of the convention on Article 4 : “Each SP undertakes 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 the entry into force of this Convention for that State Party.” This means work to implement this obligation should begin in year one, if not day one. Transparency should also begin at the outset, with a clear indication of the initial stockpile and the status of the programme for their destruction, with details on the State Party’s plans, resources, progress, and timeline for completion. These reports and presentations in Standing Committee meetings and MSPs promote confidence that the SP is working toward on-time completion and can send an early warning to others where this is not the case.

As we have often said regarding the Article 5 clearance obligation, while treaty compliance is first and foremost the responsibility of the concerned State Party, we also regard full implementation of the convention as a collective responsibility of all States Parties. So when early warning signs are heard – and silence from SPs is just as loud a warning as minimal information - we would ask *all* States Parties, and not just the SD co-chairs - to use bilateral or multilateral fora to raise the matter with the concerned states. Again such proactive engagement should happen at early stages of implementation rather than waiting until it’s too late to avoid non-compliance.

We encourage strong action by States Parties not only as a preventive measure, but also in reaction to the current cases of non-compliance. Compliance with Article 4 is at the heart of the Mine Ban Treaty’s goal of eliminating these indiscriminate weapons for all time. We cannot afford to let these deadlines slip. If they do, there should be a chorus of voices expressing concern to those parties, with continual pressure on them to finish with no further delay. We were disappointed to hear only a handful of states express concern today.

On the other hand, we were pleased to hear that the 8MSP President has written to the three late states to express concern and offer to visit them to discuss the matter further. We also congratulate the SD co-chairs for the leadership on their tackling this issue and work with non compliant cases , including by convening a special meeting to discuss PFM mines. We strongly support the paper circulated by the SD co-chairs on “Ensuring the full implementation of Article 4” as a way to encourage concrete actions on preventing and addressing compliance cases. We especially want to underline point 1 – on the need for late States Parties to report on the extraordinary reasons that prevented on-time completion and point 4 – on the need for preventive action if states do not have a plan for stockpile destruction after a year of joining the convention or have not begun destroying stockpiles after two years.

Finally, as Norway alluded to, non-compliance in Article 4 is tied to Article 88, and we hope for further discussion on dealing with compliance in the GSOC meeting on Friday.

Thank you again to the co-chairs for your leadership and for allowing us to take the floor again.