

Notes for ICRC intervention under the item

'Addressing concerns about compliance with article 4 of the convention', Standing Committee on Stockpile Destruction Monday 2 June 2008

The ICRC would like to thank the co-chairs for tabling this very important topic of discussion during this meeting of the standing committee on stockpile destruction. We fully support the ideas contained in the document 2 B. We too believe that the failure to comply with article 4 represents a serious challenge for all States Parties. These failures need to be addressed earlier and more pro-actively in the future.

The preamble of the convention states that the overarching goal of this instrument is to end the suffering and casualties caused by anti-personnel mines for all people for all time. This necessarily encompasses the obligation for all States Parties to rapidly and as a matter of priority put in place the measures which will enable them to destroy their stockpiles of anti-personnel mines. As mentioned earlier, we fear that the failures by some States to meet their deadline may have humanitarian implications if it signals that States Parties may neglect their treaty obligations.

Everything should be done to avoid any additional situations in which states parties fail to meet their stockpile destruction commitments. States Parties with upcoming deadlines should not minimize the technical, political, legal or administrative difficulties that they may encounter in the fulfillment of their article 4 obligations. These difficulties should be shared with the Ottawa treaty community at the earliest possible time, so that other states parties in a position to do so might be able to provide support, expertise or funding if necessary. Transparency and cooperation have been the hallmark of this convention. Transparency and communication should really be the guiding principles of States parties with upcoming deadlines.

At the same time, every state party should feel concerned when it is evident, from article 7 reports or in reporting by States Parties with an upcoming deadline, that there are no concrete numbers available concerning the quantity of mines being destroyed each year in these countries. The absence of reported destruction of any AP mines should act as a sort of alarm bell and trigger a response in advance of the deadline. This could consist in consultations between these states parties, the co-chairs on stockpile destruction and other states parties, donors or interested organizations in a position to provide help, expertise or funding well before the end of their deadline, as you rightly include Madame Co-chair in your document 2 B.

We hope that the current instances of failure to comply with obligations under article 4 of the convention will lead to more pro-active cooperation among States parties to ensure a full and prompt implementation of obligations under this Convention. We would like to end these remarks by thanking the co chairs Lithuania and Serbia for the great leadership they have shown on this matter this year.