

Overview of the General Status of Implementation
Cecilia Sanchez Reyes
Permanent Mission of Nicaragua

**Presentation to the Standing Committee on the General Status and Operation of the
Convention**

May 27, 2002

Introduction:

Why was it considered useful to begin this week with an overview of the general status of implementation? The answer relates to how while the Standing Committees have done an effective job examining discrete parts of the Convention, in the past, the week of Standing Committee meetings have not necessarily provided an assessment of the global picture.

Essentially we have two broad objectives here. The first is to ensure we begin this week with a broad understanding of both our progress as a community of States and organizations in achieving the broad humanitarian aims of the Convention, and, some of the main challenges that lie ahead. The second is to set the scene for the more intensive dialogue that will be facilitated by the eight Co-Chairs in their respective meetings. Following my presentation I will ask the Co-Chairs to highlight key ways in which their Standing Committees will focus attention on marking progress and overcoming implementation challenges related to the subject matter of their Standing Committees.

First, what exactly is meant by achieving the broad humanitarian aims of the Convention? The answer lies in the preamble to the Convention, which eloquently indicates that when we as States made the solemn commitment to be bound by the Convention, we literally stated that we “(believe) it necessary to do (our) utmost to contribute in an efficient and coordinated manner to face the challenge of removing anti-personnel mines placed throughout the world.” We stated our belief in the necessity of assuring the destruction of anti-personnel mines. We indicated our “(wish) to do (our) utmost in providing assistance for the care and rehabilitation, including the social and economic reintegration of mine victims. And we “(emphasized) the desirability of attracting the adherence of all States to (the) Convention.”

It is on the basis of these humanitarian goals that I will focus my presentation. That is, what is the general status of our efforts to implement, and main challenges regarding, the provisions of the Convention related to: destroying stockpiled mines; clearing mined areas; assisting victims; and, generating the resources necessary to undertake these tasks. A subsequent agenda item will also cover the matter of universalizing acceptance of the Convention.

Destroying stockpiled mines:

With respect to the status of efforts to destroy stockpiled mines, we are well aware that the Convention obliges each State Party to destroy its stockpiled anti-personnel mines within four-years of the Convention’s entry-into-force in that country. Implementation of this is proceeding at a good pace: I understand that 72 States Parties have completed stockpile destruction, have never held mine stockpiles or if Article 7 information is not available are presumed not to hold stockpiles. A further 31 States Parties are in the process of destroying stockpiles or, if Article 7 information has not been made available, are presumed to have

extremely small stockpiles. According to the 2001 Landmine Monitor, States Parties had by that time destroyed more than 20 million anti-personnel mines.

While progress in destroying stockpiled mines has been impressive, important challenges lie ahead: The timelines for stockpile destruction are rapidly approaching for several States Parties. By March 1, 2003 – only nine months from now – full implementation of Article 4 will be required on the part of 45 States Parties. By the end of 2003, a total of 83 States Parties will be required to have completed destruction. Of these, 26 States Parties are still in the process of destroying stockpiled AP mines, have not yet begun stockpile destruction or have not provided sufficient information on whether stockpiles are held. And while areas like mine clearance and victim assistance require our attention, in the interest of the health of the Convention it is important that all States in a position to do so become as active as possible in contacting and assisting states parties with particular stockpile destruction problems.

Clearing mined land:

With respect to clearing mined areas, Article 7 reports indicate that 25 States Parties have reported areas that contain mines or are suspected to contain anti-personnel mines. Based upon other information available in sources like Landmine Monitor, an additional 20 States Parties may have areas containing anti-personnel mines.

In terms of efforts to clear, thereby eliminating the impact of, these anti-personnel mines, impressive progress has been made: Landmine impact surveys have been completed in four of the most mine-affected States Parties and survey efforts are underway or are set to begin in further three States Parties. According to Landmine Monitor, in 2000 and 2001, mine clearance operations were carried out in 35 States Parties. In 16 of these States Parties, the Information Management System for Mine Action (IMSMA) has been deployed to assist in the mine action effort. And the result of the effort that has been made over the past year, significant areas have been cleared or declared safe.

Important challenges exist in ensuring full implementation of Article 5 of the Convention – which says that “each State Party (shall undertake) to destroy or ensure the destruction of all anti-personnel mines in mined areas...as soon as possible but not later than ten years after entry into force of (the) Convention”: According to the ICBL, domestic implementation of this Article is relevant for at least 25 States Parties by August of 2009. This sounds like a long time from now. But given the pace of mine clearance it’s not.

We must work quickly to ensure that we know the extent of the problem, to establish and support national mine action programs and centers, to develop national plans which take into account the Convention’s 10-year time-frame, and to ensure that progress is effectively measured. As one delegate said in January, ten years is not magic but simply a reasonable time to organize, implement and complete mine clearance in mine-affected countries. By acting promptly and in a spirit of cooperation, we can ensure that this ten-year period is well used, and that very few States Parties, if any, will require an extension on their period of obligation.

Assisting victims:

With respect to assisting in the care and rehabilitation, and social and economic reintegration, of landmine survivors, we have an important and unique obligation. Determining how to

fulfill our obligation to survivors is not always easy, but important strides have been taken: Thanks to the leadership of organizations like the Landmine Survivors Network and Handicap International, a general consensus has emerged regarding what it is that we mean when we say “victim assistance.” In addition, thanks to the work of the Standing Committee, it has been an accepted principle that our effort to improve the lives of landmine survivors should not discriminate against the victims of other traumatic circumstances. We have gained an understanding of the importance of involving landmine survivors in the work of the Convention and now understand better the challenges faced by survivors. And we have taken steps to assist in overcoming these challenges by raising awareness, establishing legislation, developing better coordination and improving services.

Despite this progress, the challenges in meeting the needs of landmine survivors continue to be significant. According to the Landmine Monitor Victim Assistance Research Coordinator, 43 States Parties may require assistance in helping to meet the care, rehabilitation and reintegration needs of landmine survivors. The challenge of meeting these needs is compounded by the fact that some of the countries with the greatest numbers of victims of mines are also some of the world’s poorest countries. And the need to assist landmine survivors does not have a time limit – like 4 or 10 years – but rather exists for as long as there are landmine survivors.

Cooperation and assistance:

One of the essential elements in ensuring the achievement of the humanitarian aims of the Convention rests in continuing to ensure that the words contained in Article 6 of the Convention become actions. Article 6 says, “each State Party has the right to seek and receive assistance, where feasible, from other States Parties to the extent possible. And this Article indicates that “each State Party in a position to do so shall provide assistance” for the destruction of anti-personnel mines, for mine clearance and related activities, for mine awareness programs, and for the care, rehabilitation and reintegration of landmine survivors.

Article 6 is relevant for each State Party because we all are tasked with determining the extent to which we are in a position to provide assistance and the level and type of assistance we can provide. It is an obligation that my country and other mine affected States Parties take very seriously in terms of the commitments of the high priority that your own governments place on addressing our respective landmine problems. And it is an obligation that I know many other countries that do not have landmine problems also take very seriously. For example: The United Nation’s *Mine Action Investments* database indicates that the combined contributions of only a small group of donors has exceeded US\$100 million per year every year since the Convention was signed in December 1997. Landmine Monitor has identified that the in each of 1999 and 2000 over US\$200 million was spent on mine action. In total, over US\$ 1 billion has been disbursed over the past decade on mine action.

And we must not forget that funding sources other than governments have become important means of supporting the mine action effort. Two examples are as follows: In Belgium, Handicap International in fiscal year 2000 obtained over 25 percent of its resources – or over €3.3 million from private finding sources. In Canada, the Canadian Landmine Foundation in fiscal year 2001 obtained private sector donations exceeding CDN\$ 610,000, which, after government matching programs, meant that over CDN\$ 2.1 million for mine action.

In terms of challenges that lie ahead in our collective effort, ensuring ongoing fulfillment of our obligations under Article 6 remains one of the biggest. While the landmine issue does not receive the level of media attention as in the past, our obligations remain to destroy stockpiled mines, to clear mined land and to assist victims. For mine affected States Parties, there is a need to ensure that mine action continues to be a prominent domestic issue of concern, in part in order to demonstrate to donors that resolving landmines problems remains a high priority. For donor States Parties, there is a need to sustain support for programs to their completion rather than exiting when we are so close to achieving the Convention's humanitarian aims. It also means that we should all work hard to assure that the limited resources available are used in the most efficient way. And for all States Parties, there is a need to maintain domestic interest in the landmines issue to ensure that the necessary political will exists and financial and non-material resources are generated to finish the work that remains.

Conclusion:

As you can see, in a very short time frame, we as States Parties and partners from various organizations have made extraordinary progress. Yet challenges remain and therefore let me conclude with a reminder and a challenge for you. I wish to remind you that the Convention's first Review Conference is only two years away. By that time, further progress in implementation will be required in some areas and expected in others. With this in mind, I wish to challenge you to do two things: First, I would like to ask all of you to remain as committed as you have in the past to ensuring that this progress is made. And second, I would like to ask you to start taking the necessary steps now to ensure that by the Review Conference a significant renewal of our commitment is made to finish the job of eliminating the terror of anti-personnel mines.

Thank you.