



Convention on the Prohibition of the Use, Stockpiling, Production and Transfer
of Anti-Personnel Mines and on Their Destruction

PRIORITIES RECORDED IN THE ZAGREB PROGRESS REPORT¹

Introduction

1. On December 3, 2004 at the First Review Conference of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (hereinafter “the Convention”) the States Parties adopted the *Nairobi Action Plan 2005-2009*. In doing so, the States Parties “reaffirmed their unqualified commitment to the full and effective promotion and implementation of the Convention,” and their determination “to secure achievements to date, to sustain and strengthen the effectiveness of cooperation under the Convention, and to spare no effort to meet (their) challenges in universalizing the Convention, destroying stockpiled anti-personnel mines, clearing mined areas and assisting the victims.”

2. The *Nairobi Action Plan*, with its 70 specific action points, lays out a comprehensive framework for the period 2005-2009 for achieving major progress towards ending, for all people for all time, the suffering caused by anti-personnel mines. In doing so, it underscores the supremacy of the Convention and provides the States Parties with guidance in fulfilling their Convention obligations. To ensure the effectiveness of the *Nairobi Action Plan* as a means of guidance, the States Parties acknowledge the need to regularly monitor progress in the pursuit of the aims of the *Nairobi Action Plan* and to identify challenges that remain. Hence, pursuant to ideas proposed by the Austrian President of the First Review Conference and Croatia in its capacity as designated presidency of the Sixth Meeting of the States Parties, the States Parties – in their customarily inclusive and transparent manner – have developed the *Zagreb Progress Report*.

3. The purpose of the *Zagreb Progress Report* is to support the application of the *Nairobi Action Plan* by measuring progress made during the period 3 December 2004 to 2 December 2005. While all 70 points in the *Nairobi Action Plan* remain equally important and should be acted upon, the *Zagreb Progress Report* aims to highlight priority areas of work for the States Parties, the Co-Chairs and the Convention’s President in the period between the Sixth and the Seventh Meetings of the States Parties. It could be considered as the first in a series of annual progress reports prepared by the States Parties in advance of the 2009 Second Review Conference.

I. Universalizing the Convention

18. Given the progress made in 2005, in the period leading to the next Meeting of the States Parties priorities should be as follows:

- (i) All States Parties should direct specific efforts towards encouraging progress by those States not parties which have indicated that they could ratify or accede to the Convention in the near-term. As discussed by the Universalization Contact Group, these include: Bahrain, Brunei Darussalam, Indonesia, Iraq, Kuwait, the Federated States of Micronesia, Oman, Poland, Somalia and the United Arab Emirates.
- (ii) In keeping with Action #3 of the *Nairobi Action Plan*, all States Parties and those that share their aims should continue and increase universalization efforts that place a priority on those States not parties that produce, use, transfer and maintain large stockpiles of anti-personnel mines, including those developing new kinds of anti-personnel mines. In

¹ This document contains excerpts of the document *Achieving the aims of the Nairobi Action Plan: The Zagreb Progress Report*, which was warmly welcomed by the States Parties on 2 December 2005.

addition, efforts should continue to bring into the Convention those mine-affected States that have not yet ratified or acceded to the Convention.

- (iii) In accordance with Action #7 of the *Nairobi Action Plan*, efforts should continue to promote universal observance of the Convention's norms by condemning, and taking appropriate steps to end the use, stockpiling, production and transfer of anti-personnel mines by armed non-State actors.

II. Destroying stockpiled anti-personnel mines

30. Given the progress made in 2005, in the period leading to the next Meeting of the States Parties priorities should be as follows:

- (i) Efforts should continue, in accordance with Action #11 of the *Nairobi Action Plan*, to ensure that States Parties continue to strive to complete their destruction programmes if possible in advance of their four year deadlines.
- (ii) Given that some of the 13 States Parties for which stockpile destruction remains relevant lack necessary capacities, due attention must be given to continuing to overcome challenges identified by the First Review Conference, including that some States Parties do not possess the financial means to destroy their stockpiles of anti-personnel mines and that in some post conflict or otherwise complex situations it may be difficult to find and account for all stockpiled anti-personnel mines that are under the jurisdiction or control of a State Party.
- (iii) Success and / or progress in pursuing the aims of the *Nairobi Action Plan* as they pertain to stockpile destruction should continue to be monitored, measured and discussed, particularly during the Intersessional Work Programme, in part to raise awareness in relevant States Parties of the need to establish and implement stockpile destruction programmes that are consistent with good safety and environmental practices, such as those outlined in International Mine Action Standards.
- (iv) Appropriate actions should be taken to ensure that those States Parties that have not reported their stockpile status in their Article 7 Transparency Reports do so in a timely manner.
- (v) Efforts should be made to raise awareness of the need to establish and implement stockpile destruction of mines belonging to armed non-State actors that have made a commitment to ban the use, stockpiling, production and transfer of anti-personnel mines.

III. Clearing mined areas

55. Given the progress made in 2005, in the period leading to the next Meeting of the States Parties priorities should be as follows:

- (i) In keeping with action #18 of the *Nairobi Action Plan*, each State Party which has not yet identified all areas under its jurisdiction or control in which anti-personnel mines are known or are suspected to be emplaced should identify such areas as soon as possible and report this information as required.
- (ii) In keeping with action #19 of the *Nairobi Action Plan*, each State Party which has reported areas containing anti-personnel mines but which has not yet established a plan to clear these areas by its deadline should establish such a plan as soon as possible and share information on its plan and progress in implementing it, using mechanisms such as Article 7 reporting and the Intersessional Work Programme, and all States Parties shall

ensure that their plans, and the implementation of them, are consistent with Article 5 obligations.

- (iii) Each actor which has professed its support for the Convention and which is assisting States Parties in developing a national plan to implement Article 5 should ensure that advice and assistance provided is consistent with and does not contradict or fall short of the obligations that States Parties have accepted under Article 5 of the Convention.
- (iv) In keeping with Action #20 of the *Nairobi Action Plan*, States Parties shall prioritize clearance of areas with highest human impact to significantly reduce risks to populations, at the same time bearing in mind that this is an intermediary step towards fulfilling Article 5 obligations to destroy all antipersonnel mines in mined areas under a State Party's jurisdiction or control.
- (v) With a view to striving to ensure, as specified by action #27 of the *Nairobi Action Plan*, that few, if any, States Parties will feel compelled to request an extension in accordance with the procedure set out in Article 5, paragraphs 3-6 of the Convention, each State Party which has reported areas containing anti-personnel mines should make or acquire the financial and technical means available to clear mined areas, identify ways to address any circumstances which may impede its ability to conduct clearance, and share information on these matters using mechanisms such as Article 7 reporting and the Intersessional Work Programme.
- (vi) In cases where mine action is largely managed and conducted by foreign non-governmental organizations and / or international organizations, national ownership and local capacity development – which are more cost effective and sustainable – should be accelerated through means such as the use of national demining experts and staff and the use, if appropriate in local contexts, of regular army units or demobilized combatants in demining. In addition, in keeping with Action #24 of the *Nairobi Action Plan*, States Parties should continue using the International Mine Action Standards as a frame of reference to establish national standards and operating procedures.
- (vii) Given the advances made in the field of mine risk education, a priority should be placed on applying the relevant International Mine Action Standards in keeping with Action #21 of the *Nairobi Action Plan*, particularly by ensuring that all clearance operations have a community liaison component as stipulated by these standards.
- (viii) In accordance with actions #26 and #27 of the *Nairobi Action Plan*, States Parties should ensure an adequate supply and most efficient use of existing technologies to further integrate available technologies into clearance operations.

IV. Assisting the victims

80. Given the progress made in 2005, in the period leading to the next Meeting of the States Parties priorities should be as follows:

- (i) While objectives may have been established by many of the 24 States Parties that have reported the responsibility for significant numbers of survivors, it is essential that these States Parties proceed with the more complex task of developing comprehensive national plans to guide the fulfilment of these objectives, ensuring that these plans integrate mine victim assistance into broader health care and social service systems, rehabilitation programmes and legislative and policy frameworks.
- (ii) In keeping with the commitment made in the *Nairobi Action Plan* to “monitor and promote progress in the achievement of victim assistance goals,” a priority must be, to

place a focus on what steps are being taken to achieve the national objectives set by the 24 most affected States Parties and what progress is being made.

- (iii) Given that the objectives established by the 24 most affected States Parties provide a clearer picture of their priorities for assistance, an emphasis could be placed on an enriched exchange of information on ways in which States Parties in a position to do so are fulfilling their obligations under Article 6(3) as called for in action #36 of the *Nairobi Action Plan*.
- (iv) In 2006 and beyond, a priority should be placed by the Standing Committee on Victim Assistance on exploring in greater detail those areas of victim assistance which were not covered in great detail in 2005 such as physical rehabilitation, psychological support and / or establishment, enforcement and implementation of relevant laws and public policies.
- (v) As called for in actions #38 and #39 of the *Nairobi Action Plan*, States Parties and relevant organizations should continue to ensure effective integration of mine victims in the work of the Convention and an effective contribution in all relevant deliberations by health, rehabilitation and social services professionals.

V. Other matters essential for achieving the Convention's aims

A. Cooperation and Assistance

95. Given the progress made in 2005, in the period leading to the next Meeting of the States Parties priorities should be as follows:

- (i) In accordance with Actions #13, #23, #36, #44 and #45 of the *Nairobi Action Plan*, States Parties in a position to do so should act with greater urgency to fulfil their obligations under Article 6 of the Convention, taking into account the importance of providing necessary support until the implementation of Article 5 obligations has been completed, the long-term needs of landmine survivors, and the value of expanding the number of States Parties providing increased assistance for mine action.
- (ii) The Resource Mobilisation Contact Group should continue to explore ways that resources can be made use of in the most efficient and effective way, inter alia through cooperation, coordination and the application of best practices by concerned actors in relevant fora and institutions, particularly by drawing upon the experiences of field-based mine action actors.
- (iii) In line with Action #45 of the *Nairobi Action Plan*, efforts should continue concerning, as appropriate, the integration of mine action into broader humanitarian and / or development assistance programmes as one means of ensuring sustainability of commitments from all relevant sources, be they humanitarian, development or stand alone sources.
- (iv) In support of the application of Action #42 of the *Nairobi Action Plan*, increased support should be provided to mine-affected States Parties in their use of local resources and competence. In doing so States Parties in a position to assist should encourage mine-affected countries to identify mine action in national development plans, to show what national resources will be invested, and to improve the way they report on results they achieve. Furthermore, those providing assistance should consider capacity-building measures and assistance which is sustainable over the long term, as opposed to short term foreign expertise which does not sufficiently focus on transfer of capacity to local institutions.

- (v) Efforts should be undertaken to explore other areas where integrating support to mine action may be relevant, including in the context of integrating mine action into peace and confidence-building programmes and peace-support initiatives.
- (vi) Pursuant to Action #40 of the *Nairobi Action Plan*, an assessment should be made of the extent to which relevant States Parties have identified the fulfilment of Convention obligations in development plans, Poverty Reduction Strategy Papers and UN Development Assistance Frameworks.
- (vii) Pursuant to Action #48 of the *Nairobi Action Plan*, an assessment should be made of the extent to which States Parties have used, where relevant, their participation in decision making bodies to urge the UN, regional organizations, the World Bank and other development banks and financial institutions to support States Parties requiring assistance in fulfilling Convention obligations.

B. Transparency and the exchange of information

114. Given the progress made in 2005, in the period leading to the next Meeting of the States Parties priorities should be as follows:

- (i) All States Parties should continue to be reminded of, and comply with, their annual reporting obligations in accordance with Article 7, and in particular, those States Parties that are in the process of destroying stockpiled mines in accordance with Article 4, those that are in the process of clearing mined areas in accordance with Article 5, those that have decided to retain antipersonnel mines in accordance with Article 3, those undertaking measures in accordance with Article 9.
- (ii) All States Parties that have not yet provided an initial transparency report in accordance with Article 7, particularly given the need for these States Parties to confirm the presence or absence of stockpiled anti-personnel mines and mined areas should be urged to comply with their transparency obligations.
- (iii) Voluntary means to share information, including other relevant information through the use of Form J, should continue to be encouraged and used. In addition, States Parties should continue to cooperate with and provide information to the mechanisms created to facilitate the general operations of the Convention.
- (iv) Those States Parties that have retained or transferred anti-personnel mines for reasons permitted under Article 3 of the Convention will continue to share information, as called for by Action #54 of the *Nairobi Action Plan*.
- (v) In addition to States Parties complying with transparency obligations in accordance with Article 7, States Parties, States not parties, international organisations, non-governmental organisations and other actors, should continue to use the meetings of the Convention to provide and exchange information relevant to the implementation of the Convention and the *Nairobi Action Plan*. Actions taken and progress made should be recorded in the Progress Report of the Seventh Meeting of the States Parties, including specific efforts made with regards to universalization, and detailed information on, for example, the quantity of stocks that remain to be destroyed by a State Party in accordance with Article 4 obligations and the number of mined areas that remain to be cleared by a State Party in accordance with Article 5 obligations.

C. Preventing and suppressing prohibited activities and facilitating compliance

126. Given the progress made in 2005, in the period leading to the next Meeting of the States Parties priorities should be as follows:

- (i) While progress has been made by States Parties in fulfilling their Article 9 obligations, it remains a priority that the necessary appropriate legislative, administrative and other measures are taken by the 75 States Parties that have not yet done so. These States Parties are also encouraged to report once such measures are adopted.
- (ii) States Parties and relevant organizations in a position to do so should assist other States Parties that have indicated, consistent with Action #60 of the *Nairobi Action Plan*, that they would require legal assistance in drafting implementing legislation.
- (iii) States Parties that have not yet integrated the Convention's prohibitions and requirements into their military doctrine, in keeping with Action #61 of the *Nairobi Action Plan*, should do so as soon possible.