

**Overview of the general status of implementation: Update on the pursuit of the aims of the Nairobi Action Plan and the priorities contained in the Zagreb Progress Report**

**Dijana Plestina**

**Advisor to the Minister of Foreign Affairs of Croatia and President of the Sixth Meeting of the States Parties**

**Check against delivery**

**8 May 2006**

It has been the practice since 2002 that the Convention's Presidency sets the scene for the meetings of the Standing Committees by providing an overview of the general status and operation of the Convention. With the adoption of the Nairobi Action Plan, we have a framework for assessing the pursuit of our common aims. Therefore, let me proceed accordingly.

*Universalization:*

At the close of the Nairobi Summit, 143 States had ratified or acceded to the Convention. Since that time, an additional 8 States have completed their ratification or accession processes including four that have done so since the Zagreb Sixth Meeting of the States Parties. These four States are: Ukraine, Haiti, the Cook Islands and – most recently – Brunei Darussalam.

In the Zagreb Progress Report, it was recorded that in the period leading to the next Meeting of the States Parties priorities should be: to 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; to 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 – as well as on those mine affected States that have not yet ratified or acceded to the Convention; and, to continue efforts to promote universal observance of the Convention's norms by taking appropriate steps vis-à-vis armed non-State actors.

The Croatian Presidency has done its part to promote universalization in accordance with the priorities identified in Zagreb. In particular, I am pleased to report that 6MSP President and Minister of Foreign Affairs of Croatia, Ms. Kolinda Grabar-Kitarovic, has written to all States not parties to urge their acceptance of the Convention. I hope others have taken similar actions and look forward to hearing updates later this morning.

*Stockpile destruction:*

The destruction of stockpiled anti-personnel mines in accordance with our Article 4 remains one of the Convention's success stories. Today there are 137 States Parties that now no longer hold stocks of anti-personnel mines, either because they never did or because they have completed their destruction programmes. That means that 14 States Parties must still destroy or ensure the destruction of stockpiled anti-personnel mines under their control or jurisdiction. As well, it means that we must work in accordance with the priority identified in the Zagreb Progress Report that efforts continue to ensure that States Parties strive to complete their destruction programmes if possible in advance of their four year deadlines.

The matter of stockpile destruction deadlines is especially important for one State Party – the Democratic Republic of the Congo – which is the only State Party with a destruction deadline in 2006. My hope is that the Democratic Republic of the Congo and the other 13 that also must fulfill Article 4 obligations will provide clear updates on their progress during the meeting of the Standing Committee on Stockpile Destruction on Thursday.

*Mine clearance:*

Undoubtedly the most urgent matter at this time in the life of our Convention concerns fulfilling our obligations under Article 5 to destroy or ensure the destruction of all anti-personnel mines in mined areas under our respective States' control or jurisdiction. A total of 51 States Parties have reported anti-personnel mines in mined areas under their jurisdiction or control and 6 of these have indicated that they have fulfilled their Article 5 obligations.

There are a number of matters that we must address with respect to Article 5. First and foremost of these matters concerns our need to meet expectations in complying with this Article in time for the Convention's Second Review Conference in 2009. For instance, there are expectations that those States Parties that reasonably could be expected to comply with their clearance obligations within the 10-year period set by the Convention indeed do so. And, as stated in Zagreb, there are expectations that those States Parties that that cannot reasonably be expected to comply in a 10-year period:

(a) will have acquired, as soon as possible after entry-into-force, all necessary information and hence prepared a national demining programme;

(b) will have made available from national sources financial and technical means to implement Article 5 and made best efforts to acquire any necessary external assistance; and,

(c) will have achieved a status of work conducted under a national demining programme that one could reasonably expect after a 10-year period.

With respect to this latter group of States Parties, another matter that we must address concerns all aspects related to possible requests for extension of deadlines to comply with Article 5 obligations, including timelines, scope and format of extension requests, review procedures and decision-making process. In this regard, I am pleased that the Co-Chairs and Co-Rapporteurs of the Standing Committee on Mine Clearance have initiated a discussion on this matter and look forward to this discussion on Wednesday afternoon.

*Victim assistance:*

With respect to victim assistance, the Zagreb Progress Report noted as a priority that 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 ensuring that these plans integrate mine victim assistance into broader health care and social service systems, rehabilitation programmes and legislative and policy frameworks.

If we are to realize meaningful progress in victim assistance during the period covered by the Nairobi Action Plan, we must provide sufficient space at meetings of the Standing

Committees for relevant States Parties to provide us with updates on their objectives, plans and priorities for assistance. In this regard, I look forward to the presentations by these States Parties later this afternoon. In addition, in the context of Action #39 of the Nairobi Action Plan, it is essential that relevant experts from these States Parties get engaged in the work of the Convention. In this context, I wish to acknowledge the vital role of the Sponsorship Programme for providing support for participation in these meetings by approximately 10 such experts.

*Other matters essential for achieving the Convention's aims:*

Other matters identified as being essential for achieving the Convention's aims include cooperation and assistance. On this matter, we should recall that the relevant priorities noted in the Zagreb Progress Report emphasized the need for us to examine the full breadth of sources available to fund our efforts. For instance, while significant advances have been made in discussing the integration of mine action into development funding programmes, we should also recall that the Zagreb Progress Report recorded that 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. Concerning victim assistance funding, we should recall that in Zagreb it was noted that providing support that will benefit landmine survivors can take many forms including integrated approaches in which development cooperation aims to guarantee the rights of all persons with disabilities, including landmine survivors.

Concerning transparency and the effective exchange of information, let us not forget that annual transparency reports are due by 30 April of each year. I feel compelled to emphasize this point because the overall reporting rate in 2006 stands at just less than 40 percent. Transparency not only concerns what we must provide but also what we can provide. For instance, in Zagreb we agreed to amend the Article 7 reporting format on the basis of a proposal presented by Argentina and Chile. This amendment, to Form D, provided a means for States Parties to volunteer additional information on mines retained for reasons permitted under Article 3. Since Form D was amended, six States Parties have made use of the revised format to volunteer information above and beyond what is minimally required of them.

With respect to preventing and suppressing prohibited activities, and, facilitating compliance, we should recall that the Nairobi Action Plan underscored that primary responsibility for ensuring compliance rests with each State Party through Article 9 obligations. In Zagreb it was noted that 75 States Parties had not yet reported either having adopted legislation in the context of Article 9 obligations or having existing laws that are sufficient. We must do better and thus I look forward to the ICRC's update on this matter on Friday.

Finally, concerning implementation support, we continue to be well-served by the mechanisms which exist pursuant to the decisions of the States Parties or which have emerged informally. The machinery of the Convention is efficient and inexpensive, but requires resources none the less. Thus, I look forward to announcements on Friday concerning commitments we made in Nairobi to continue to provide on a voluntary basis the necessary financial resources for the operation of the ISU and to contribute to the Sponsorship Programme thereby permitting widespread representation at meetings of the Convention.

Thank you.