

CANADIAN STATEMENT - ARTICLE V

We all agreed in Nairobi that we had to assign priority to “finishing the job”, particularly in the area of mine clearance and that, while this posed a challenge, it was nonetheless achievable.

In Zagreb we, collectively, agreed to priorities to further achieve that goal. We also re-affirmed the Nairobi Action Plan Action number 27 that we would “Strive to ensure that few, if any States Parties will feel compelled to request an extension”. At the same time we took note of the Non-Paper presented by Norway and its offer to further elaborate ideas during these intersessionals. At the time, Canada felt it would be unrealistic to expect all States Parties to be able to achieve their Article 5 deadlines and applauded the proposal to establish a process. Some States Parties, despite their best efforts, will just have to request extensions.

The Co-Chairs Discussion Paper “Towards Completion: Implementing Article 5” is an excellent start. In general Canada fully supports this paper and commends the authors for bringing it forward for discussion. Canada also notes the Questionnaire prepared by the Co-Chairs and encourages all mine affected States parties who have not yet done so to fully respond to all seven questions posed by the Co-Chairs. These two documents together, will help us to meet the challenges of achieving Article 5 obligations.

The Discussion Paper in particular poses a number of interesting questions and proposes a timeline for establishment of a process to consider extension requests. I must say though that the timeline proposed, while it could meet the minimum requirements, would have the result that States Parties requesting extensions would not receive those extensions until a short six months or less before the 1 March 2009 deadline of many States Parties.

If one envisages a sort of “carte blanche” granting of extensions without any limitations – in other words the Meeting of States Parties grants the extension exactly as requested without any limitations or requirements to adjust plans, a September 2008 granting of an extension would work.

To my mind it is much more probable that a Meeting of States Parties is most likely to qualify the granting of an extension which might require adjustments to plans prior to any deadlines. For that reason Canada suggests that a timeline which would have extensions granted in September 2007 might be more

appropriate, allowing States Parties to report back to the subsequent Meeting on what it has done to adjust its plans.

If that suggestion is agreed we do not have very much time to establish the process and secure the sort of expert help, at the technical level, that we will need. We would have little time to make known any suggested additional information requirements beyond that specified in the Convention.

The information requirements of the Convention are quite explicit. In accordance with the provisions of Article 5, a State Party must provide:

- a) The duration of the proposed extension;
- b) A detailed explanation of the reasons for the proposed extension, including:
 - (i) The preparation and status of work conducted under national demining programs;
 - (ii) The financial and technical means available to the State Party for the destruction of all the anti-personnel mines; and
 - (iii) Circumstances which impede the ability of the State Party to destroy all the anti-personnel mines in mined areas;
- c) The humanitarian, social, economic, and environmental implications of the extension; and
- d) Any other information relevant to the request for the proposed extension.

A possible timeline might be:

<i>Informal agreement to develop a process (I)</i>	8 to 12 May 2006 (Intersessionals)
<i>Refinement of a process (I)</i>	May to September 2006
Approval of the process (F)	18 to 22 Sep 2006 (7MSP)
States submit extension requests (F)	May/Jun 2007 (Intersessionals)
Consider/approve extension requests (F)	8MSP Jordan (late 2007)

Canada believes that the obligations of Article V are very clear, indeed completely unambiguous. The interim phase of achieving a “mine-safe” or “mine threat free” status, while important, is only a step along the way to full compliance with Article V obligations. While, clearly laudable, such a step is only a means for mine-affected states to develop priorities for clearance, and not as an end in itself. We all agree with the approach of dealing with high and medium priorities first before moving on to lesser priorities.