

Statement by Humanitarian Mine Action Agencies in Support of Mine Action in Areas Under the Control of Armed Non-State Actors or Where They Are Present

Distributed at the Intersessional Standing Committees Meeting on 29 May 2009

We, the undersigned humanitarian mine action agencies, recognize that although enormous strides have been made to eradicate the menace of anti-personnel mines throughout the world, much still remains to be done.

A particular challenge is seeking to ensure the provision of appropriate humanitarian mine action in areas under the control of armed non-State actors or where they are present. We use the term of “humanitarian mine action” in accordance with the definition provided by the United Nations, which is comprised of five pillars: (1) Demining and ERW clearance (2) UXO and mine-risk education (3) Victim Assistance, including medical assistance, rehabilitation, psychosocial support, and economic and social inclusion as well as community rehabilitation (4) Public advocacy and lobbying, and (5) Stockpile destruction.

We take note that at the First Review Conference in Nairobi in 2004, States Parties to the AP Mine Ban Convention recognized the necessity to specifically address the need for mine action in areas under the control of armed non-State actors by adopting Action #46 of the Nairobi Action Plan, which set out a framework for seeking to end the suffering caused by anti-personnel mines during the period between 2005-2009:

‘States Parties in a position to do so will:

-continue to support, as appropriate, mine action to assist affected populations in areas under the control of armed non-state actors, particularly in areas under the control of actors which have agreed to abide by the Convention’s norms.’

Action #46 Nairobi Action Plan

There have been many examples of States Parties fulfilling their commitments under Action #46 and they are to be commended for so doing. This has allowed appropriate mine action activities to be undertaken in areas not reached previously. However, such mine action remains limited in comparison with the needs of the local communities and those activities that do take place are still subject to numerous non-operational challenges and constraints, often of a political nature. Mines continue to kill and injure in many different locations in areas under the control of armed non-State actors or where they are present; minefields continue to restrict movement and adversely impact socio-economic development; and landmine survivors continue to face serious obstacles to receiving appropriate care and the support necessary to go back to living an independent life.

As a humanitarian intervention, mine action must seek to address the effects of landmines in a non-discriminatory manner. This goal becomes even more compelling considering the large number of people hurt and killed, not only in areas under the control of armed non-State actors, but also in areas where armed non-State actors operate. These people cannot be left aside. It is in the context of preparations for the Second Review Conference of the Anti-Personnel Mine Ban Convention in Cartagena, Colombia, and the drafting of the Cartagena Action Plan that we make the following recommendations, without prejudice to the obligations of each State Party under the Anti-Personnel Mine Ban Convention:

We urge all States Parties to:

-Promote and report on the implementation of Nairobi Action Plan Action #46 in all relevant fora (e.g. Meetings of States Parties, regional seminars, bilateral dialogue etc.)

-Extend Action #46 to include all locations where armed non-State actors are present, irrespective of the armed non-State actor's control over territory.

-Provide political support for humanitarian mine action agencies working to assist affected populations in areas under the control of armed non-State actors or where they are present, notably by encouraging concerned States to provide safe and unhindered access for those agencies.

-Support efforts made by humanitarian mine action agencies to promote armed non-State actor adherence to the mine ban and to monitor the implementation of the mine ban in areas where armed non-State actors have agreed to abide by the Convention's norms.

-Support funding requests for mine action activities in areas under the control of armed non-State actors or where they are present, particularly when the armed non-State actors have agreed to abide by the Convention's norms.

We urge States Parties where armed non-State actors are present to:

-Allow for humanitarian mine action agencies to establish and maintain contact with armed non-State actors on issues concerning mine action.

-Facilitate efforts made by humanitarian mine action agencies to assist affected populations in areas under the control of armed non-State actors or where they are present, notably by providing safe and unhindered access for those agencies and their equipment.

-Facilitate efforts made by humanitarian mine action agencies to promote armed non-State actors adherence to the mine ban and to monitor the implementation of the mine ban in areas where armed non-State actors have agreed to abide by the Convention's norms, for instance by signing Geneva Call's Deed of Commitment.

1. Danish Demining Group
2. DanChurchAid
3. Geneva Call
4. Handicap International network
5. INTERSOS
6. Landmine Action
7. medico international
8. Mines Advisory Group
9. Norwegian People's Aid
10. Survivor Corps