

Analysis of the request submitted by Peru for an extension of the deadline for completing the destruction of anti-personnel mines in accordance with Article 5 of the Convention

Submitted by the Committee on the Implementation of Article 5 (Costa Rica, Ecuador, Ireland and Zambia)

1. Peru ratified the Convention on 17 June 1998. The Convention entered into force for Peru on 1 March 1999. In its initial transparency report submitted on 2 May 2000, Peru reported areas under its jurisdiction or control containing, or suspected to contain, anti-personnel mines. Peru was obliged to destroy or ensure the destruction of all anti-personnel mines in mined areas under its jurisdiction or control by 1 March 2009. Peru, believing that it would be unable to do so by that date, submitted a request to the 2008 Ninth Meeting of the States Parties for an eight year extension of its deadline, until 1 March 2017. The Ninth Meeting agreed unanimously to grant the request.
2. In granting Peru's request in 2008, the Ninth Meeting noted that after sporadic progress since entry into force, the request indicated a commitment on the part of Peru to proceed at a more constant rate through the extension period. In this context, the Ninth Meeting noted that Peru, using all resources and techniques available, could be in a position to proceed with implementation much faster than suggested and that this would benefit both the Convention and Peru itself given the indication by Peru of the socio-economic benefits that will flow from demining.
3. On 30 March 2016 Peru submitted to the Committee on Article 5 Implementation, mandated to analyse requests submitted under Article 5 of the Convention (hereafter referred to as the "the Committee"), a request for an extension of its 1 March 2017 deadline. On 13 June 2016, the Chair of the Committee wrote to Peru to request additional information. Peru provided a response on 22 June 2016. On 2 August, Peru submitted to the Chair of the Committee a revised request for extension incorporating additional information provided in response to the Committee's questions. Peru's request is for 7 years and 10 months, until 31 December 2024.
4. The request indicates that in its initial extension request Peru faced contamination within its national infrastructure, namely in areas located around three high security penitentiaries with a total of 11'167 square meters to be addressed containing 9'048 anti-personnel mines and two police bases with an unknown total area containing 1'000 anti-personnel mines. The request further indicates that Peru also faced contamination on its border with Ecuador with a total of 35 mined areas measuring 192'700 square meters and containing 29'205 anti-personnel mines.
5. The request indicates that information concerning the amount of contamination on Peru's border with Ecuador fluctuated as a result of information exchanges with Ecuador as well as a result of survey and clearance operations over the course of 2009 to 2015 and that, progressively, a more accurate picture of the total challenge emerged. The request indicates that Peru's understanding of contamination on its border with Ecuador at this time amounted to 35 areas measuring 192'700 and that today it is understood that contamination totals 177 areas measuring 582'653.72 square meters.
6. The request indicates that the eradication of anti-personnel mines sown on the common land border between Peru and Ecuador has benefited from the good will that both countries have shown in sharing information concerning dangerous areas which has permitted the planning of humanitarian demining operations. The request further indicates that this

exchange of information on the existence of dangerous areas has been an effective and efficient confidence and security building measure. The Committee on Article 5 Implementation noted the cooperation of Peru with Ecuador in meeting their common objectives of destroying anti-personnel mines in mined areas on their common border and emphasized the importance of this continued cooperation.

7. The request indicates that during the initial extension period Peru addressed the totality of remaining contamination throughout its national infrastructure having cleared a total of 11'612.86 square meters leading to the detection and destruction of 8'843 anti-personnel mines, 86 Bengal, 37'445 pieces of metallic waste and 8 items of unexploded ordnance. The request further indicates that on its border with Ecuador, during the initial extension period (to the date of submission of the request), Peru addressed a total of 37 mined areas totalling 245'998.9 square meters with a total of 66,397.34 having been reduced and 179'601.5 having been cleared and leading to the detection and destruction of 9'373 anti-personnel mines and 21 items of unexploded ordnance. The Committee noted that Peru has made steps to ensure that the objectives of its initial extension request were achieved.
8. The request indicates that to address areas known or suspected to contain mines, Peru carries out the process of humanitarian demining in accordance with that established in its Manual of Humanitarian Demining Procedures based on International Mine Action Standards (IMAS) modified to fit Peruvian realities. The request indicates that it uses the manual technique of "one man per lane", mine detection dogs and machines and that mined areas are subjected to a series of activities including non-technical survey, technical survey, clearance and quality control including a certification process. The Committee noted importance of Peru providing greater clarity on its plans to use other means to release land (including non-technical and technical survey) and how such survey activities might affect its overall work plan.
9. The request indicates that as of 2 August 2016 the remaining challenge includes 140 suspected hazardous areas measuring 479'994 in the districts of Cenepa, Achuime, Santiago and Tiwinza. The request also indicates that 12 of these areas measuring 68'300 square meters will be addressed 2016 (2 areas in Cenepa measuring 15'200 square meters; 3 areas in Achuime measuring 17'400 square meters, 1 area in Santiago measuring 2,400 square meters and 60 areas in Tiwinza measuring 33'300 square meters) and 128 areas measuring 411'694 square meters will be addressed during the requested extension period (44 areas in Santiago measuring 76'290 square meters, 30 areas in Tiwinza measuring 132'680 square meters, 36 areas in Cenepa measuring 21'759 square meters and 18 areas in Achuime measuring 180'965 square meters).
10. The request indicates that the sole circumstance that has impeded implementation of Peru's obligations under Article 5 is due to the information submitted by Ecuador to Peru concerning the existence of 138 mined areas located in Peruvian territory.
11. The request indicates that the mined areas impact the local population in the area along the border. The request indicates that as a result of climate conditions such as rains and flooding mines can be dislodged toward areas where there is greater movement of people. The request also indicates that the growth of towns has forces people to carry out activities such as hunting and gathering deeper into the forest which increases the possibility of accidents. The request further indicates that the mined areas have affected the communication between families of the same ethnic group that would traditionally move through the border but cannot do so without facing the threat of mines. The Committee noted that completion

of Article 5 implementation during the requested extension period had the potential of making a significant contribution to improving human safety and socio-economic conditions along Peru’s border with Ecuador.

12. As noted, Peru’s request is for seven years and ten months (until 31 December 2024) the request indicates three main factors that may negatively affect the duration of the extension request period: variation in the meteorological conditions and climate (El Nino phenomenon), location of a greater number of mined areas and violation of security measures in the process of humanitarian demining. The Committee noted the importance of Peru having expressed the key variables that could affect the implementation of the plan contained in the request.
13. The request indicates that in 2016 Peru intends to complete clearance of six areas remaining from its initial extension request as well as six additional areas pertaining to the square kilometre of Tiwintza measuring a total of 68’300 square metres. The request further indicates that from the period of 2017-2024 Peru intends to complete the clearance of 128 areas measuring 411’694 square meters as follows:

Year	Sector	Mined Areas	Square Meters	AP Mines
2017	TIWINZA	14	37’450	833
2018	TIWINZA	16	95’230	720
2019	CENEPA	20	9’458	746
2020	CENEPA	16	12’301	653
2021	ACHUIME	18	180’965	392
2022	SANTIAGO	16	28’225	838
2023	SANTIAGO	15	31’360	776
2024	SANTIAGO	13	16’705	1360
Total		128	411’694	6’318

14. The request indicates three scenarios in the implementation of this plan: 1) Probable Scenario: conclude humanitarian demining operations by 31 December 2024, as indicated in the work plan and with available human resource (two demining companies of the Peruvian Armed Forces and deminers of the Peruvian National Police); 2) Possible Scenario: conclude humanitarian demining operations prior to 31 December 2024 with additional human resources (three demining companies of the Peruvian Armed Forces and deminers of the Peruvian National Police), and; 3) Desirable Scenario: Conduct all humanitarian demining operations well in advance of 31 December 2024 with the support of other international entities.
15. The request indicates four strategic objectives and goals as well as specific activities to their achievement. The request indicates that Peru’s first objective is to develop new policies for land release and to restore released areas to native communities located in the Condor Mountain Range (Alto Cenepa and Alto Santiago) with the aim of finalizing policies within a period of six months following approval of plan. The request indicates that activities to achieve this objective include: the determination of reasonable effort and the requirement for Technical Survey, Completion Survey, quality management, prioritization of objectives for clearance and the allocation of human, logistic and financial resources. The request indicates that this is to be done in coordination with the General Directorate for Humanitarian Demining of the Army of Peru (DIGEDEHUME) and the Mine Action Division of the National Police of Peru (DIVSECOM). The Committee noted the importance of these activities and of Peru reporting on the outcomes of these objectives. The Committee further noted the

importance of Peru prioritizing operations based on the socio-economic impact of the mined areas.

16. The request indicates that a second strategic objective is the destruction of all anti-personnel mines sown in areas of the Condor Mountain range (Condorcanqui, Amazonas) on the common border with Ecuador between 2 March 2017 and 31 December 2024. The request indicates that activities to achieve this objective include: the evaluation of reports of dangerous areas provided by Ecuador; planning of non-technical surveys; geo-referencing of dangerous areas in IMSMA; location of the exact location of dangerous areas with information from the Direction of Sovereignty and Limits of the Ministry of Foreign Affairs; request complementary information from Ecuador and determine the concentration of dangerous areas in the different sectors and the magnitude and density of the objectives; release areas through non-technical survey, technical survey and clearance and carry out quality control, and; turn over released area to local authorities and native communities. The Committee noted the importance of these activities and noted that the fact that Peru indicates that it will seek to implement enhanced processes of releasing land suggests that Peru may find itself in a situation wherein it could proceed with implementation faster than that suggested by the amount of time requested. The Committee noted the importance of Peru updating the States Parties on their implementation as well as reporting on the precise perimeter and location of mined areas in accordance with the Maputo Action Plan.
17. The request indicates that a third strategic objective is to develop and implement new techniques for the safe deactivation of anti-personnel mines, UXO and booby traps with the aim of implementing new humanitarian demining techniques during the requested extension period. The request indicates that activities to achieve this objective include: contacting organizations and experts on animal detection, mechanical and robotic mine clearance techniques; the carrying out of workshops concerning humanitarian demining technology with the participation of organization and national and international experts; ensuring the participation, training and specialization of national experts, in international events which present new humanitarian demining technologies, and; the development, design, and implementation of new humanitarian demining technologies. The Committee noted the importance of these efforts and noted that these efforts could further contribute to Peru's implementation of its remaining challenge as soon as possible.
18. The request indicates that a fourth strategic objective for Peru is the strengthening of the capacity of the Humanitarian Demining School of Peru's Mine Action Centre (CONTRAMINAS) with the aim of incrementing by 20% the capacity of instruction and training for the second semester of 2017. The request indicates that activities to achieve this objective include: the evaluation and development of a report on the situation of the Humanitarian Demining School; development of a project for strengthening the Humanitarian Demining School; request national and international resources for the School; ongoing capacity building for instructors of the School, and; renovation and procurement of equipment
19. The Committee noted that Peru could benefit from ensuring the use of the full range of technical and non-technical means to release suspected hazardous areas and noted the commitment made by Peru in the extension request to develop such a policies. The Committee further noted the importance of Peru continuing to report on its progress in a manner consistent with the commitments of the States Parties to present information, disaggregated by release through non-technical survey, technical survey and clearance.
20. The request estimates that approximately US\$ 38 million will be required to address the remaining mined areas with this including approximately US\$37 million for operations and

the remaining funding allotted to maintenance and repairs and conditioning of headquarter installations and administration. The request indicates that the implementation of the plan will be at the sole expense of Peru. The request includes a detailed budget for the requested extension period. The Committee noted that Peru aims to significantly increase the annual budget to meet its requested deadline. The Committee noted that Peru was demonstrating a high level of national ownership over the challenge.

21. The request includes other relevant information that may be of use to the States Parties in assessing and considering the request including a detailed set of tables illustrating the status, location and size of each area in questions and tables and maps indicating priorities to be addressed per year during the extension period. The Committee noted that it would be of benefit to Peru and the Convention as a whole if Peru provided updates relative to these benchmarks at intersessional meetings, Meetings of the States Parties and Review Conferences.
22. The Committee noted with satisfaction that the information provided in the request is comprehensive, complete and clear. The Committee further noted that the plan presented by Peru is workable, lends itself well to be monitored, and states clearly which factors could affect the pace of implementation. The Committee also noted that the plans success is contingent upon the findings of survey efforts, stable funding and challenges posed by climate.
23. The Committee noted that the Convention would benefit from Peru providing by 30 April 2018 a revised work plan with information on the results of the activities to meet its strategic objectives containing an update of its annual benchmarks specifying which areas and how much area will be addressed during the requested extension period. The Committee further noted that the Convention would benefit from Peru reporting annually to the States Parties on the following:
 - a. Progress made relative to the commitments contained in section 15 of its extension request;
 - b. Results of efforts in the development new land release policies and on their implementation;
 - c. The outcomes of survey efforts and how additional clarity obtained may change Peru's understanding of the remaining implementation challenge and priorities for clearance;
 - d. Efforts undertaken to reach out to international entities to achieve Peru's desirable outcome to conclude implementation well in advance of its requested extension deadline;
 - e. Resources made available by the Government of Peru and other entities to support implementation.
24. The Committee noted the importance, in addition to Peru reporting to the States Parties as noted above, of keeping the States Parties regularly apprised of other pertinent developments regarding Peru's implementation of Article 5 during the period covered by the request at intersessional meetings, Meetings of the States Parties and at Review Conferences. The Committee further noted the importance of Peru providing updated information on an annual basis within its Article 7 transparency report and noted that the Guide to Reporting adopted at the Fourteenth Meeting of the States Parties may support Peru in reporting on progress in implementing the plan within its request for extension.