

# ICRC

## Statement on Article 5

30 November 2009

1. The next four years, leading up to the first deadlines for clearance of mined areas, are a critical phase in the life of the Convention. History will likely judge the success of the Convention primarily on the basis of the results achieved on article 5 implementation in the next few years and on the pattern which is established for addressing any extension requests in 2009 and beyond.
2. In this regard, we view with considerable concern the information provided in Annex IV of the Zagreb Progress Report and described in your important opening statement yesterday Mr. Co-Chair. It should be of great concern to all States Parties that 27 States Parties are either planning not to meet their deadlines, don't yet have plans to meet them, are unclear in their plans whether or not they will meet their deadlines or have not provided details on their plans.
3. The Nairobi Action Plan contains strong commitments which, if fully implemented by mine-affected States Parties and those in a position to assist them, should result in most mine-affected States Parties fulfilling their Article 5 obligations within their deadlines. These commitments include:
  - Achieving the maximum possible progress in clearance of mined areas through implementation of national mine action plans, as reflected in Actions #17 and 19 of the Nairobi Action Plan; and
  - Ensuring that few, if any, States Parties make requests for deadline extensions in 2009 and beyond. This is stipulated in Action #27 of the Nairobi Action Plan.

Fulfilment of these commitments will require the rapid mobilisation of considerable human, technical and financial resources in the coming years.

4. In the view of the ICRC additional key objectives during the period 2005 to 2009 should be:
  - First, agreeing on a consistent manner for States Parties to declare their fulfillment of article 5 obligations;
  - Second, establishing a transparent, predictable and constructive process of addressing any future requests for extension of article 5 deadlines; and
  - Thirdly, ensuring that when an extension request is considered, the difficulties that have given rise to the request are clearly identified and

that any extension plan clearly articulates specific responses to those difficulties, including assistance from other States Parties that is specifically earmarked to address the difficulties.

5. We welcome the «non-paper» on Article 5 circulated yesterday by Norway and the comments and proposals put forward by Canada, as well as those made by the ICBL on behalf of its member organizations including a variety of humanitarian mine clearance operators.
6. In our view this issue should be an important focus of the Standing Committee on the General Status and Operation of the Convention in 2006 and of the 7th Meeting of States Parties in Geneva. We believe that the 7th MSP should be in a position to make concrete decisions needed to ensure a consistent approach to declarations by States on fulfillment of their article 5 obligations and a predictable and constructive approach to handling any future requests for extension of article 5 obligations.

Thank you.