

Seventh Meeting of the States Parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of anti-personnel mines and on their Destruction.

Agenda item 11 Consideration of the General Status and Operation of the Convention.

Consideration of matters arising from/in the context of reports submitted under Article 7.

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Geneva, 21 September 2006

Madame President,

Transparency and the exchange of information are part of the important legal obligations to which States subscribe, when deciding to become a State Party to the Mine Ban Convention.

That is why the Convention describes in its Article 7 in a detailed manner when and how State Parties shall report on steps taken to implement different aspects of the Convention.

The Nairobi Action Plan therefore clearly states that *"all States Parties will fulfill their obligations to annually update Article 7 transparency reports and maximize reporting as a tool to assist in implementations, particularly in cases where State Parties must still destroy stockpiled mines, clear mined areas, assist mine victims or take legal or other measures referred to in Article 9."*

Transparency and the exchange of information have also been essential pillars on which the Convention practices, procedures and tradition of partnership have been built, through both formal and informal means. That is why, beyond the strict legal obligations, the States Parties, together with international and non governmental organizations have tried to explore the possibilities to go the extra mile and to provide, on a voluntary basis, information on a series of matters that can positively influence the implantation of the Convention and the achievement of its humanitarian norm.

In my capacity as Coordinator of the Article 7 Contact Group I would describe the current State of play as follows: the general rate of compliance with Article 7 reporting is quite high. But at the same time it is important to remain vigilant in all aspects of reporting. Given the annual character of the Article 7 obligations and taking into account the challenges which lay in front of us in the period before and at the 2nd Review Conference there is no such thing as an irreversible success in reporting.

On initial transparency reporting: it is positive to note that two new initial reports have been submitted. In complying with their treaty obligation Latvia and Vanuatu have joined the impressive majority of around 95% of the States Parties that are in compliance. Before the next intercessional meetings, in April 2007, 4 more initial article 7 reports are due. It is the hope of the members of the Contact Group that Ukraine, Haiti, Cook Islands and Brunei Darussalam will reinforce this message of compliance and commitment by the overwhelming majority of States Parties.

In this context it is also the hope of the Contact Group that the 7 States Parties that have so far not submitted their initial reports will be convinced of the importance to take this first step in showing their commitment to the Convention to the other States Parties. Persistent non reporting on Article 7, both in initial reporting and in annual reporting, is a source of concern, particularly given the need for States Parties to confirm the presence or absence of stockpiled antipersonnel mines and mined areas.

Members of the Contact Group will therefore concentrate efforts to assist and convince the very few missing ones to submit their install report.

Zero missing initial reports, or 100% compliance, is maybe a difficult, but not an impossible goal for the next meeting of States Parties, about one year from now.

On annual reporting the situation is as follows.

From only 79 reports submitted at the closing day of the intercessional meeting in May, we have improved the result to almost 100 reports today (97 to be exact), which means a compliance rate of about 65%. This reporting rate is quite high and it seems realistic to expect that before the end of this calendar year the reporting rate will at least equal the level of 2005, which was just over 70%.

The members of the Contact Group would like to remind all colleagues of the importance of reporting each year and for all States Parties, but in particular for countries which still have obligations to fulfill under Article 4, 5 and 9 and for States Parties that are retaining mines under Article 3.

In my PowerPoint presentation on Article 7 reporting during the Week of the Standing Committee Meetings in May, I have started to focus not only on overall figures of reporting, but in addition, also on specific reporting rates in connection with key Articles of the Mine Ban Convention. Such an approach allows the Contact Group to move beyond the “bookkeeping” level of work and to provide some additional indications on how the implementation of the Convention proceeds.

When focusing on specific reporting rates for the 4 key Articles, which I have mentioned above, my overall message is a positive one, be it with different levels of satisfaction for each Article under consideration:

- the current reporting rate by the States Parties that are in the process of destroying stockpiled anti-personnel mines in accordance with Article 4 is 72%.
- the current reporting rate by the States Parties that are in the process of clearing mined areas in accordance with Article 5 is 89%.
- the current reporting rate by the States Parties that are in the process of undertaking measures in accordance with Article 9 is 49%.
- the current reporting rate by the States Parties that have decided to retain anti-personnel mines in accordance with Article 3 is 88%.

Participants in the Contact Group meeting, which was held on Wednesday 20th September, were of the opinion that there is still a real potential to improve these reporting rates. They will, *inter alia*, make use of the meeting of the 1st Committee of United Nations General Assembly, regional events as well as their thematic networks to establish contacts with representatives of all of the States Parties that have not yet submitted an Article 7 report this year.

On voluntary reporting by States Parties: Since the entry into force of the Mine Ban Convention the following tools for voluntary reporting have been developed:

- voluntary reporting on matters related to current and future plans for use of mines kept under the provisions of Article 3. States Parties have two options: either sharing information at the Standing Committee on

General Status and Operation meetings, or making use of the amended Article 7 reporting format. Respectively 17 and 8 States Parties have voluntarily made use of these options.

-voluntary reporting under Form J.

-exchange of views and experiences in the Standing Committee on General Status and Operation on Articles 1, 2 and 3 pursuant to Action number 55 of the Nairobi Action Plan.

Several States Parties have made use of these opportunities, as is reflected in the General Progress Report.

On voluntary reporting by States not Parties: This year 2 voluntary reports were received, one from Poland, which submits a voluntary report every year, and one from Morocco.

Also in the context of transparency and exchange of information, and consistent with Action number 58 of the Nairobi Action Plan, States Parties and/or organizations convened on a voluntary basis regional and thematic workshops to advance the implementation of the Convention.

Based on all elements enumerated above, paragraph 65 of the Geneva Progress Report correctly reflects what needs to be done as priorities for the period leading to the Eight Meeting of States Parties (8 MSP):
"States Parties must continue, or improve as appropriate their compliance with Article 7 obligations, particularly those States Parties that are destroying stockpiled mines, clearing mined areas, retaining antipersonnel mines in accordance with Article 3, and/or undertaking measures in accordance with Article 9."

For its part the Contact Group on Article 7 will, as part of its contribution to 8 MSP, and in addition to what I mentioned already in my presentation, continue:

-to promote the issue of quality of reporting,

-to promote the use of amended Forum D.

-to promote means of voluntary reporting

-to remind States Parties of the existence of the cover page, and encourage its use by States Parties when appropriate

-to work together with the different Co-Chairs for a thematic interaction between their area of competence and Article 7 reporting.

Madame President,

This was my last report to the Meeting of States Parties, in my capacity as Coordinator of the Contact Group on Transparency Reports.

At this point I would like to confirm to colleagues and friends of the Mine Ban Convention that Belgium will continue to serve as Coordinator of the Contact Group. As of next Monday the Permanent Mission of Belgium to the United Nations here in Geneva, will be the point of contact.

Finally, I would like to express my sincere personal thanks to all individuals, representatives of States Parties, of International organizations, of the International Committee of the Red Cross (ICRC), the International Campaign to Ban Landmines (ICBL) and other NGO's, and especially all members of the Contact Group, who have given support to the activities of the Contact Group right from the start of my term as Coordinator at the 5MSP in Bangkok three years ago. I can assure everyone, especially the ISU, that I shall look back on this period of excellent cooperation with great pleasure and satisfaction.

I thank you, Madame President.