

International Campaign to Ban Landmines
Statement on Transparency and the Exchange of Information
Eighth Meeting of States Parties to the Mine Ban Treaty
Dead Sea, Jordan
22 November 2007
Delivered by Tamar Gabelnick, ICBL

Mr. President,

As you will have heard us say already, the ICBL is calling the Mine Ban Treaty a “success in progress,” meaning the numerous accomplishments achieved so far in the treaty’s history should be welcomed, but they cannot be taken for granted. The implementation of Article 7 is a case in point, especially given the annual requirement to provide reports. We have seen some positive results, but we are concerned about slippages and continuing challenges. Let me elaborate.

On the positive side, the rate of submission of initial reports has remained a high 96%. We have heard from Belgium that since the 7MSP six states have turned in their reports by their due dates, and we congratulate them for doing so. These reports provide critical information on states’ baseline status for treaty obligations and are the only way that other States Parties can know whether specific treaty provisions will apply to that state and are being implemented. This is why it is alarming that six countries did not meet their deadlines: Equatorial Guinea (due back in August 1999), Cape Verde (due in 2002), Gambia (due in 2003), Sao Tome e Principe (due in 2004), Ethiopia (due in 2005) and Haiti (due last January). We have therefore learned only by chance that Cape Verde not only had stockpiles but was late in destroying them.

Four states now have pending deadlines: Indonesia, Kuwait, Iraq and Palau. We cannot emphasize enough the importance of turning these reports in on time. We also encourage States not Parties to the treaty to provide voluntary reports as an interim step along the path towards accession or ratification. In recent years, there have been reports from Mongolia (2007), Morocco (2006), Poland (since 2003), and Sri Lanka (2005, though not including information on stockpiles), and we highly encourage other states not party to do so.

We are also noting a troubling downturn in the annual report submission rate. This year only 60% of states have turned in their reports on 2006 calendar year, and the compliance rate for calendar year 2005 reports was also a low 62% by our count. Again, the information provided in these reports is not only legally required, but it also gives other states news about progress on implementation and any remaining challenges they face.

Quantity is not the only matter of importance on Article 7 reporting; high quality is also essential. It should be self-evident that states parties should be reporting on all remaining implementation obligations, but this does not always happen. In addition, we would encourage more use of voluntary Form J to cover treaty requirements that do not have specific reporting requirements, such as victim assistance, international cooperation and assistance, and steps taken to ensure Claymore and OZM-72 mines – which are only legal under the Mine Ban Treaty when used in command-detonated

mode – can only be used in this mode. States Parties should also report on any foreign stockpiles in order to be consistent with the spirit of the convention aimed at no possession of antipersonnel mines by anyone.

In addition, since mines with sensitive fuzing mechanisms (such as tilt rods, breakwires or tripwires) or equipped with sensitive antihandling devices that explode from an unintentional act of a person are banned by the treaty, we believe that States Parties should include information on them in their Article 7 reporting, including types and numbers possessed, modified, and destroyed.

Finally, Mr. President, we believe that one of the successes related to Article 7 is the fact that States Parties view the reporting forms as flexible tools that can and should be modified when it becomes clear that more specific information should be requested. We were pleased when Form D was modified at the 6MSP to include space for States Parties to report on past and planned use of mines retained under Article 3, which is critical information for assessing if they are being kept for permitted purposes, as we will describe today.

We also welcome the proposal made by the Stockpile Destruction Co-Chairs to amend Forms B and G to specifically request information on stocks discovered – meaning found, seized, captured, or turned-in - after official destruction programs have ended. Since mid-2006, there have been reports of discoveries or seizures of antipersonnel mines in Afghanistan (by national and coalition forces), Algeria, Bangladesh, Bosnia and Herzegovina (by EUFOR), Colombia, DR Congo, and the Philippines. We hope to learn more about these mines and their destruction in these states' next Article 7 reports, and the proposed amendments will help them do so. Of course, States Parties need not only approve such changes, but use the new forms once amended. Only 12 states used the revised Form D despite the fact that it was revised two years ago and 70 states retain mines under Article 3. We strongly encourage States Parties to use these expanded reporting formats.

Mr. President, “a success in progress” means keeping vigilant. On the matter of Article 7, every State Party must do its part to ensure success every year.

Thank you.