



EUROPEAN COMMISSION

Ninth Meeting of the States Parties to the Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction

Position of the European Commission on European Community assistance in stockpile destruction

Mr Chairman,

It was not my intention to take the floor on the issue of the failure by Belarus and the potential failure by Ukraine to meet their commitments under the Convention.

However, since the Commission was specifically mentioned in statements by these two countries, I must clarify the issue from the Commission's point of view.

Yesterday the Belarus delegation stated that Belarus had failed to meet its commitment on stockpile destruction, partly due to delays in the "PFM-1 anti-personnel landmine stockpile destruction" project. Belarus claimed that now the Commission had introduced a new element that will cause further delays.

The Commission is committed to supporting Belarus in its efforts to destroy the country's stockpiled PFM-1 series antipersonnel landmines. It has demonstrated this commitment by allocating € 4 million for a new PFM-1 series project

It is important to ensure that the destruction of such weapons is carried out according to international mine action safety and environmental standards. In order to guarantee this it is also essential that the obligations and responsibilities of all those concerned are made fully clear. With this in mind in on 16 October in Minsk, the Commission and the Belarusian authorities agreed that the project Terms of Reference should be accompanied by an official letter signed by the Belarusian side setting out all sides respective responsibilities.

We are currently close to an agreement, via an exchange of letters which would allow the project to move forward. Indeed we expect discussions to continue on this as early as next week between the Government of Belarus and the Commission through its Delegation in Kyiv.

Mr Chairman,

Let me assure you and other delegates that our priority is to support Belarusian efforts, with respect to European and international standards in this area. The Commission's procedures regarding the contracting of this work are based on many years' practice in the field and are designed to ensure safety, transparency and to guarantee effective project management and delivery, in accordance with the ambitions of the Ottawa Convention and states parties present here today.

Please let me also clarify the situation with regard to our cooperation with Ukraine for the destruction of stockpiled PFM-1 series anti-personnel landmines. Ukraine has stated that it was not able to fulfil its obligations under Article 4 of the Ottawa Convention due to "unexpected withdrawal of initially provided technical assistance for Ukraine" by the European Commission. I think this statement requires a modicum of clarification in order for the situation to be clear to states parties.

Following a decision by the European Commission to support the Government of Ukraine to fulfil Ukraine's commitments taken through the ratification of the Ottawa Mine Ban Treaty, Terms of Reference for the project were negotiated and agreed with Government of Ukraine. These Terms of Reference clearly stipulated that "the destruction will be carried out at sites, identified, provided and arranged by the Government of Ukraine, where the destruction can be safely made", in accordance with Government of Ukraine legislation and international safety and environmental regulations. Two sites were identified in mid 2005, and later approved by the European Commission.

The Project Partner (the Ministry of Defence of Ukraine) which acted on behalf of the Government of Ukraine, proposed and agreed later with the Contractor a change of the pre-selected destruction sites, without obtaining prior consent by the European Commission, and without ensuring that the site possessed the necessary site-specific licences for the destruction of ammunition and without confirming such use with its owner. As a result cooperation was suspended.

Following the failure of this project, in October this year the President of the Commission Mr Barroso nonetheless wrote to the Ukrainian Prime Minister Ms Tymoshenko, offering further assistance in the destruction of stockpiled PFM-1 mines. More specifically the Commission has proposed to launch an independent expert mission to assess available destruction facilities for the destruction of PFM-1 mines as well as other types of ammunition. The experts' mission should determine the most suitable type of assistance as regards :

- upgrading of existing facilities

or

- the provision of new equipment to carry out the destruction itself – a capacity building rather than a destruction project.

It is important for the European Commission, as I am convinced it is for you, Mr Chairman, and all delegations here today, that we do not encounter similar problems to those which prevented the previous PFM-1 stockpile mine project achieving its objectives, namely the destruction of huge stocks of PFM-1 series mines in Ukraine. We remain ready to launch this independent expert mission to investigate capacity building for mine destruction and look forward to a rapid response from the Government of Ukraine on this issue.

I would, however, like to put this capacity building project into an overall financial context. The EC's overall assistance to Ukraine covers various areas and is one of the highest in terms of funding within the European Neighbourhood Policy. The total EC indicative allocation for Ukraine is over half a billion euros. Many projects are covered in this large assistance agreement, and by necessity some degree of prioritization is essential. The Government of Ukraine did not include APL in the current EU-Ukraine Action Plan and consequently there are currently no additional funds available for new capacity building projects for landmine destruction. New activities could only be financed by the Commission if the Government of Ukraine re-prioritizes amongst existing projects and frees up resources to cover new activities.

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