



UK Mission
Geneva

Office of the
Permanent Representative to the
Conference on Disarmament
58 Avenue Louis Casar
1216 Cointrin
Switzerland

06 August 2018

Tel: +41 (0) 22 918 2328
Mobile: +44 (0) 79 819 9686
Fax: +41 (0) 22 918 2344
aidan.liddle@fco.gov.uk
www.ukungeneva.fco.gov.uk

H.E. Sabrina Dallafior
Ambassador
Permanent Representative of Switzerland to the Conference on Disarmament
Chair of the Committee on Article 5 Implementation
Anti-Personnel Mine Ban Convention

C/o the Implementation Support Unit

Your Excellency,

UK Request under Article 5(6): Extension of the deadline for completing the destruction of anti-personnel mines in mined areas in accordance with Article 5(1)

Thank you for your letters of 8 June and 24 July, sent in your capacity as Chair of the Anti-Personnel Mine Ban Convention's Committee on Article 5 Implementation, on the Committee's initial examination of the UK's request and Article 7 transparency report. I am grateful for the opportunity to provide additional information or clarity to support the Committee's assessment. I am pleased to attach the UK's response to the questions posed in your letters and in the meeting between the Committee and UK officials on 6 June.

I also wish to alert you to an update in the UK's extension request. Due to a typographical error, the area of land behind the Stanley Common Fence on the Murrell Peninsular (area MP00 in Cluster 5) was not included in the total area of Phase 5b land within the UK request submitted on 29 March. Therefore, I attach an amended paragraph with the corrected reference at Section 3.5.1 and an updated record of Phase 5b Totals. Please be assured that the revision has no impact on the UK's analysis, planning or delivery for Phase 5b.

I thank you and the Committee for your support and advice to date in the UK's request. I underline our strong commitment to the successful and timely clearance of

the UK's remaining mined areas in the Falkland Islands. We look forward to Committee's full consideration of the request and stand ready to review the Committee's draft report in due course.

Yours sincerely,

Aidan Liddle

Aidan Liddle
Ambassador and Permanent Representative to the Conference on Disarmament

CC:

Members of the Committee on Article 5 Implementation

H.E. Juan Eduardo Eguiguren, Ambassador and Permanent Representative,
Permanent Mission of Chile to the United Nations;

H.E. Beatriz Londoño Soto, Ambassador and Permanent Representative,
Permanent Mission of Colombia to the United Nations;

H.E. Robbert Gabriëlse, Permanent Representative of the Netherlands to the
Conference on Disarmament in Geneva;

Mr. Juan Carlos Ruan, Director,
Anti-Personnel Mine Ban Convention Implementation Support Unit

Attachments

Annex 1: Response to the Committee's Technical Questions (letter of 8 June)

Annex 2: Response to the Committee's Preliminary Observations (letter of 24 July)

Annex 3: Update to UK Extension Request (Section 3.5.1 The annual cost and future funding of the remaining clearance).

Annex 4: Updated Annex A and B to UK Extension Request, on Phase 5b Totals

Annex 1: Response to the Committee's Technical Questions (letter of 8 June)

1. **The Committee advises that the request would benefit from any information which led to the assessment that Don Carlos Bay and Beatrice Cove should be verified.** We are confident that the areas in question were not mined. However, this is a demonstration that we are applying 'all reasonable effort' to ensure that the entire area behind the existing stock fence marking the boundary to mined areas on the Murrell Peninsula is safe. Don Carlos Bay and Beatrice Cove are (partly) located behind this fence. All other coves behind this fence are believed to be mined. Details are contained in section 3.3 of the request.
2. **The Committee advises that the request would benefit from indicating what type of booby-trap is expected to be found in the area at BAC 1.** There is no evidence that booby traps exist in any of the areas still to be processed, and no indication of what types of booby-traps may be present (if at all). Based on anecdotal evidence, there is some concern that there may be booby-traps in the area of BAC 1. Therefore, we are acting in line with our application of 'all reasonable effort' in the clearance of the Falkland Islands.
3. **The Committee asks whether it would be possible to extract an estimated figure for full clearance at Yorke Bay to ensure that funding is made available to avoid unnecessary delays in completion.** During 2017-2018, the Land Release Contractor, Demining Project Office and Strategic Advisor conducted extensive research and planning with the aim of establishing such an estimated figure. However, the variables at Yorke Bay are so extreme, as set out in section 3.4 of the request, that it is not possible to give an accurate estimate until after Technical Survey. We are planning ahead as far as possible, both in the UK and on the Falkland Islands, so we can act swiftly when we receive the Technical Survey information.
4. **The Committee advises that the request would benefit from indicating on how many occasions the 'missing mine drill' (MMD) has had to be employed and the results of these efforts.** During Phases 1 to 4 of the Programme, MMDs were not routinely added in to a database. Due to capacity, we have not yet been able to retrospectively calculate the number of MMDs from these earlier phases. However, during Phase 5a there were 350 MMDs conducted, and as at 6 June 2018, 79 MMDs in Phase 5b. The MMD is a near-forensic analysis of the location where a mine was expected, therefore there is a very high level of confidence that no mine remains.

Additional information on the MMD process, in response to the Committee's questions at the meeting on 6 June:

As a minimum, the following process is undertaken:

- A circular area with a radius of 1m from the point where the mine should be located is marked out and searched. A square or rectangular area is acceptable as long as it includes the minimum radius of 1m.
- This area is searched to a depth below which a mine could not reasonably be present.

- If no mine is found, every effort is made to find any evidence to explain the absence of the mine. This will include, but is not limited to, looking for any fragments of the mine that would indicate a detonation in-place.

It is essential that there is confidence that all the soil within the MMD's horizontal and vertical definitions has been processed in such a way that, had any mine been present, it would have been found. In addition, if soil is removed for processing it is controlled to ensure that:

- The soil is kept separate from other soil until it has been processed and it has been established that no mine, or other hazardous item, is present.
- Soil is returned to the MMD's location after processing is complete.

5. **The Committee welcomes addition information on the identification of “unused stockpile landmines which may not have otherwise been seen”, in particular the reporting and destruction of these previously unknown stockpiled mines.** These stockpiled mines would be better described as piles of un-laid mines. All were found within perimeter-fenced and marked mined areas. The mines have been reported within the total number of mines found for the area, and destroyed accordingly.

6. **The Committee advises that the request would benefit from information on how the United Kingdom intends to respond to residual contamination following completion.** The enduring UK military presence on the Falkland Islands includes an Explosive Ordnance Disposal (EOD) team from the Royal Air Force Armament Engineering Flight. The team is trained to handle a range of weapons in support of UK military activity. They hold an additional responsibility for EOD activity on the Falkland Islands and are tasked, trained and equipped to provide a contingency EOD response to any incidents or instances of unexploded ordnance or explosive remnants of war. As such, there will be a highly trained capability to deal with residual contamination for the foreseeable future.

Counter Proliferation and Arms Control Centre
6 August 2018

Annex 2: Response to the Committee's Preliminary Observations (letter of 24 July)

1. The **Observations are factually correct in all places except for one reference** to the remaining total area to be processed in Phase 5b. As detailed in the covering letter, a typographical error was made in omitting the area of MP00. Therefore, the Committee may wish to consider amending the sentence three in paragraph five to read '...and Cluster 5: 6 mined areas measuring **5,557,380** square metres with an additional 5 mined areas with a size to be determined.' A similar update should be made to Table 1 in the Total column for the Remaining Challenge.
2. We note the Committee's advice that the UK should ensure **the use of terminology contained within IMAS**, as well as using the **Guide to Reporting** in the submission of Article 7 transparency reports. We will consider this advice in the development of the UK's 2018 transparency report.
3. We likewise note the Committee's interest in **annual milestones** in each phase and cluster. Given the nature of this programme, it has been, and remains, more effective to build flexibility in to the work plan, with oversight and tracking maintained through an effective monitoring system. The programme takes an agile and flexible approach to allow the implementers the opportunity to flex and surge in response to events, thus making the best use of their resources and expertise to deliver clearance. The Land Release Contractor and the Demining Project Office schedule the tasks at appropriate junctures within the two years of Phase 5b, maintaining flexibility according to the complexity of the minefields, the logistical considerations (such as distance from base and access), and the operational aspects (weather conditions, tides). This approach has been effective throughout Phase 5a, which completed ahead of time allowing a phased approach to the start of Phase 5b. The Demining Project Office monitors the Land Release Contractor to ensure that it completes the task list to the contract standards and completion date. The Demining Project Office reports regularly to the Foreign and Commonwealth Office, and both Demining Project Office and the Land Release Contractor report to the National Mine Action Authority on progress made against timescales.
4. With regards to **Mine Risk Education**, the UK and the Falkland Islands Government undertake both protective and instructive action to manage the safety of all of those living on the Islands. Firstly, protective measures ensure that the location of mined areas is known: all mined areas have been fenced and marked with clear signage and the Falkland Island Government have made it a criminal offence to enter a mined area. Secondly, there is also a programme of risk education for military and civilian personnel on the island to ensure that mine awareness remains a key part of normal health and safety considerations as appropriate in the context of the Falkland Islands. Civilian adults and children are aware of the risks of landmines having grown up in close proximity. Service personnel are briefed on arrival about the risks of landmines.

Annex 3: Update to UK Extension Request

3.5.1 The annual cost and future funding of the remaining clearance

The UK Government has committed to spend over £27,000,000 on Phase 5 (2016-2020). This is a fully funded programme for the clearance of 79 mined areas measuring an estimated total of **10,859,558** square meters (see Annexes A and B). This leaves remaining only eight mined areas measuring an estimated 163,460 square meters. The original 122 mined areas are estimated to cover 13,010,610 square meters, including the land behind mine fences. The cost to complete the remaining clearance of the Falkland Islands will only be known during the course of Phase 5 from the technical survey work to be completed. Once an accurate estimate is acquired, the FCO and the MoD will bid for funding to complete the work.