

Ninth Meeting

Geneva, 24 – 28 November 2008

Item 11 of the provisional agenda

**Informal presentation of requests
submitted under Article 5 and of
the analysis of these requests**

**ANALYSIS OF THE REQUEST SUBMITTED BY SENEGAL FOR AN
EXTENSION OF THE DEADLINE FOR COMPLETING THE
DESTRUCTION OF ANTI-PERSONNEL MINES IN ACCORDANCE
WITH ARTICLE 5 OF THE CONVENTION**

Submitted by the President of the Eighth Meeting of the States Parties on behalf of the States Parties mandated to analyse requests for extensions*

1. Senegal ratified the Convention on 24 September 1998. The Convention entered into force for Senegal on 1 March 1999. In its initial transparency report submitted on 28 August 1999, Senegal reported areas under its jurisdiction or control containing, or suspected to contain, anti-personnel mines. Senegal is obliged to destroy or ensure the destruction of all anti-personnel mines under its jurisdiction or control by 1 March 2009. Senegal, believing that it will be unable to do so by that date submitted on 2 April 2008 to the President of the Eighth Meeting of the States Parties (8MSP) a request for an extension of its deadline. On 14 April 2008, the President of the 8MSP wrote to Senegal to ask for clarifications on a number of points. Senegal provided a detailed response and subsequently, on 8 July 2008, Senegal submitted to the 8MSP President a revised request for an extension incorporating additional information provided in response to the President's questions. Senegal requests a seven year extension (until 1 March 2016.)

2. The request indicates that in 2005-2006, an "Emergency Landmine Impact Survey" (LIS) was carried out in the Casamance region of Senegal and that it identified 149 areas suspected to contain mines. The 8MSP President had asked Senegal to clarify if all 149 areas were suspected to contain anti-personnel mines (rather than only other explosive remnants of war). The revised request indicates that while 8 areas were suspected to contain only unexploded ordnance, later survey activities suggested that these areas could also contain anti-personnel mines. The request further indicates the 149 identified suspected hazardous areas include 85 areas totaling approximately 11,183,359 square metres, 47 areas that include a total of 73.45 linear kilometers of roads or paths, and 17 areas whose estimated size is unknown.

* Submitted after due date and as soon as received by the Secretariat.

3. The 8MSP President had asked for clarifications regarding the work that had been undertaken by Senegal between entry into force and the present and the results of this work. The revised request indicates that the only demining that has taken place has been in the context of military operations and is not of character consistent with humanitarian demining. The request, therefore, indicates that, other than 2 areas that were declared no longer dangerous in early 2008, 83 of the 85 areas noted above (for a total of 11,175,359 square metres), all 47 areas of roads or paths, and all 17 areas whose estimated size is unknown remain to be dealt with in the lead up to and during the requested extension period. The request also indicates that sizes of areas identified are indicative only, that at present Senegal cannot seriously provide the actual status of mined areas and precision regarding their surface location and areas, and that only following technical survey of each area would there be clarity regarding the true nature of the challenge. The States Parties mandated to analyse requests submitted under Article 5 of the Convention (hereafter referred to as the “analyzing group”) noted that, if the LIS as in other cases grossly overestimated the true size of the challenge, the outcomes of general and technical survey efforts may be the potential for Senegal to complete implementation sooner than by 1 March 2016.

4. As noted, Senegal’s requests is for seven years (until 1 March 2016). The request indicates that the amount of time sought is based on the fact that the demining programme is still in a start-up phase and that, given the imprecise nature of the information at Senegal’s disposal at present, it is impossible to make precise projections. The request further indicates that as better information becomes available, Senegal will regularly adjust its operational plans. The request also notes that while it may be possible (subject to the results of general and technical survey activities) to complete implementation faster, another factor taken into consideration in requesting seven years is that the success of operations is dependent upon the evolution of the peace process in the affected area and the ability to access all suspected areas.

5. The request indicates that circumstances that impeded implementation in the 10 year period centre around ongoing conflict in the Casamance region that prevented Senegal from putting in place a national demining structure until the end of 2004 when a cease-fire was agreed. The request also indicates that ongoing concerns over safety of personnel placed geographic restrictions on the reach of those conducting the LIS. Furthermore, the evolution of the peace process has impeded implementation in that the removal of mines, which may be seen by combatants as affecting their strategic position, must be undertaken in the context of broader confidence-building efforts. In addition the request indicates that delays in establishing institutional structures impeded implementation. The analysing group highlighted that Senegal was now acting with renewed engagement with respect to Article 5 implementation.

6. The request indicates that approximately 4 square kilometres of suspected hazardous areas could be addressed each year if 26 teams, of 9 manual deminers each, supported by three mechanical teams, were deployed. While these 26 teams could cover the 20 square kilometres of suspected area in 5 years, Senegal believes it will be unable to deploy all teams at the same time. The 8MSP President had asked Senegal to clarify whether its plans had taken into account suspected hazardous areas that could be released through survey activities, particularly given that Landmine Impact Surveys typically grossly overestimate the actual amount of area that would need to be addressed by clearance. While the revised request states that the estimates contained in the revised request take into account the release of areas currently suspected through survey and cancellation, the analysing group noted that the information contained in Annex 2 to the

revised request implies that only land release through demining has been used to develop calculations for annual projections of progress. The analysing group further noted that if Senegal applied all available methods to release suspected hazardous areas, as Senegal states in its request, Senegal may be able to complete implementation sooner than by 1 March 2016.¹

7. The request indicates that the safety of deminers and of populations for which demined land is returned is guaranteed through the application of the International Mine Action Standards (IMAS). The request further indicates that humanitarian demining operations are subject to quality assurance and quality control and that Senegal's national demining authority counts on the technical support of the United Nations Development Programme (UNDP) for verification and validation of demining efforts. In addition, the request indicates that, while Senegal has not yet developed a cancellation procedure, Senegal acknowledges that such a procedure could be useful in fulfilling Convention obligations. The analysing group again noted that, given that the LIS may have grossly overestimated the actual amount of area that would need to be addressed by clearance, Senegal indeed could benefit from taking the full range of land release methods into account.

8. The 8MSP President had asked Senegal to provide information on the calculations used to develop cost estimates for the period of the extension. The revised request indicates that a total of US\$ 32.07 million will be required during 2009-2015, including US\$ 3.35 million for headquarters costs (including international technical expertise and office costs), US\$ 2.02 million for mechanical means and US\$ 26,700,000 for manual demining. The request further indicates that it is too early for Senegal to precisely extrapolate costs. The analysing group noted that this may explain why costs for the release of areas through means other than clearance and subsequent reductions in cost estimates for clearance have not been included in the request and that Senegal could benefit from providing such precision at a later date.

9. The 8MSP President had asked for clarity regarding Senegal's projected national contribution to implementation during the extension period. The revised request indicates that the Government of Senegal had committed approximately US\$ 334,000 in 2009 (the third year of a three year CFA 150 million commitment) to the national demining programme and that this sum should be augmented following 2009. The request further indicates that that part of the national budget will be dedicated to mine action in Casamance for as long as the problem remains. The request also indicates that US\$ 4.82 million in international funding (from the European Commission) has been committed for the period 2009-2011.

10. The request indicates that 731 victims have been recorded in Senegal during the period 1988-2008, 311 of them since the entry into force of the Convention. The request further indicates that the LIS reported that more than 90,000 individuals are affected by mines and 70,000 individuals originally from the areas in question are internally displaced or refugees. The request also indicates that the presence or suspected presence of mines impedes the provision of international assistance, affects economic development and trade and serves as an obstacle to the application of Senegal's poverty reduction strategy and the attainment of Millennium Development Goals. The request therefore implies that significant humanitarian, social and

¹ The analysing group noted a small discrepancy between a reference to 26 demining teams that appears frequently in the request and 25 demining teams that appears in Annex 2 to the request.

economic benefits would flow as a result of completing implementation of Article 5 during the extension period.

11. The request includes other relevant information that may be of use to the States Parties in assessing and considering the request, including a strategic framework for mine action for the period 2007-2015 and a detailed listing of each of the 149 areas in question.

12. The analysing group noted that while it may be unfortunate that after almost ten years since entry into force a State Party is only beginning to obtain clarity regarding the challenge it faces and has demined very little, in the case of Senegal there were some compelling circumstances that impeded any work from proceeding until 2005. The analysing group further noted that it is encouraging that Senegal has used the process of preparing its extension request to signal that it is now acting with greater urgency, notwithstanding that Senegal was slow to establish national structures following the 2004 cease-fire agreement and to make use of the findings of the LIS which was completed in 2006.

13. The analysing group noted that while Senegal does not yet know the exact size and locations of areas that will actually warrant mine clearance, its estimates for time and money required appear to be based solely on clearance assumptions. The analysing group further noted that the commitment made by Senegal to undertake technical survey activities and to develop a cancellation procedure may result in implementation that proceeds much faster than that suggested by the amount of time requested and in a more cost-effective manner. The analysing group added that doing so could benefit Senegal in ensuring that the grave humanitarian, social and economic impacts outlined by Senegal in its request are addressed as quickly as possible.

14. The analysing group noted that given the importance of external support to ensure timely implementation and the need to address compelling humanitarian, social and economic impacts, Senegal could benefit if it acted with urgency to release those suspected hazardous areas that do not actually contain mines, to define the clearance requirement through general and technical survey, to revise projections for the amount of time and money required and to communicate these revisions to all concerned. In particular, the analysing group noted that both Senegal and all States Parties could benefit if Senegal provided updates on such matters at meetings of the Standing Committees, at the Second Review Conference and at Meetings of the States Parties, including by reporting on progress relative to the detailed listing areas annexed to its extension request.
