

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 THAILAND 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. Thailand ratified the Convention on 27 November 1998. The Convention entered into force for Thailand on 1 May 1999. In its initial transparency report submitted on 10 November 1999, Thailand reported areas under its jurisdiction or control containing, or suspected to contain, anti-personnel mines. Thailand is obliged to destroy or ensure the destruction of all anti-personnel mines under its jurisdiction or control by 1 May 2009. Thailand, believing that it will be unable to do so by that date, submitted on 3 April 2008 to the President of the Eighth Meeting of the States Parties, a request for an extension of its deadline. On 14 April 2008, the President of the 8MSP wrote to Thailand to ask for clarifications on a number of points. Thailand provided a detailed response and subsequently, on 7 August 2008, Thailand submitted to the 8MSP President a revised request for an extension incorporating additional information provided in response to the President's questions. Thailand requests a nine and a half year extension (until 1 November 2018.)

2. The request indicates that a Landmine Impact Survey (LIS) conducted in 2001 recorded 933 contaminated sites totalling 2,557 square kilometres with mined areas in 27 of Thailand's 76 provinces. The request further indicated that while the LIS became the internationally recognised benchmark from which progress would be measured, it had significant limitations. The LIS grossly overestimated the area known or suspected to contain mines and it was impossible and illogical for Thailand to initiate an effective mine clearance plan based upon areas identified by the LIS.

3. The request provides annual totals of land released beginning in 2001. The request indicates a dramatic increase in the amount of land released in 2007 and 2008 relative to previous years when a "Locating Minefields Procedure" (LMP) – a method of land release that

combines technical and non-technical survey – was used in addition to manual / mechanical demining. The request further indicates that 1,354.75 square kilometres have been released with 1,299.19 square kilometres of this released through the LMP. Therefore, 1,202.25 square kilometres remain to be addressed during the extension period. In addition, the request indicates that it is projected that the further application of the LMP will result in approximately 528.2 square kilometres that will remain to be released using manual demining, the LMP and other appropriate methods.¹

4. As noted, Thailand's request is for nine and a half years (until 1 November 2018). The request indicates that in considering the amount of time, Thailand took into account its past demining experience, past clearance productivity of 50 square kilometres per year, as well as other external and independent factors. The request further indicated that factors that may affect completion of implementation during the requested period include ongoing conflict in areas bordering Thailand, the need to settle disputed borders, abnormal meteorological conditions and unexpected dramatic political change. The States Parties mandated to analyse requests submitted under Article 5 of the Convention (hereafter referred to as the "analyzing group") noted that whereas completion of Article 5 implementation may have seemed impossible prior to 2007, the application of the LMP had provided Thailand with the target of 2018 for completion by defining the actual clearance task and by cancelling areas that should never have been considered dangerous due to the presence or suspected presence of anti-personnel mines.

5. The request indicates the following as impeding circumstances: (a) The LIS, which was perceived as credible given its certification by the United Nations, grossly overestimated the magnitude of the challenge and lacked utility as a planning tool; (b) Thailand's mine problem is located in difficult regions such as the jungle with high levels of heat and humidity as well as the threat of virulent tropical diseases. Landmines are located on dangerous slopes and difficult terrain that is difficult to access by deminers and their equipment; (c) Thailand's demining budget is in direct competition with the budgets of other divisions and subdivisions within the Ministry of Defence. Additionally, other emergencies such as natural disasters and unrest in the three southern provinces have emerged as more pressing demands on finite government resources; (d) The Thailand Mine Action Centre (TMAC) has been funded inadequately by the government's annual budget. International funding and assistance has been relatively limited.

6. The analysing group noted that the request implied that significant steps had been undertaken (such as through the LMP) to overcome circumstances such as the manner in which the LIS hindered implementation efforts. In addition, the analysing group noted that the request implies a commitment by Thailand of a significant increase in State funds that will be dedicated to implementing Article 5, which should address another circumstance that has impeded implementation to date.

7. The request provides a detailed listing of which areas and how much area will be cleared during each year of the extension period and at what cost. The request indicates that approximately 40 to 60 square kilometres per year will be cleared each year from 2009 to 2018 using 90 TMAC field teams (each comprising 10 deminers) complemented by the efforts of three

¹ In response to an invitation by the President of the Eighth Meeting of the States Parties to comment on a draft analysis, Thailand indicated that updated figures contained in this paragraph would be provided in a revised extension request.

non-governmental organisations. The analysing group noted that the annual projections contained in the request could provide a sound basis for monitoring progress during the requested extension period.

8. The request provides a detailed description of the “Locating Minefields Procedure” and of methods of controlling and assuring quality, including by mentioning that quality assurance is undertaken in accordance with international guidance. The request indicates that the projected area that will remain once the LMP has been applied will be addressed through traditional landmine clearance and other appropriate methods. The request further indicates that TMAC’s standing operating procedures for mine clearance are derived from the International Mine Action Standards, adapted to be more suitable for Thailand’s circumstances.

9. The request indicates that a total of 18,492.25 million Thai baht (approximately US\$ 544 million) is required for Thailand to complete implementation. The request further indicates that Thailand has provided 430.95 million baht (approximately US\$ 12.6 million) since 1999 of its own funds to implement Article 5, that levels of State funds provided in 2007 and 2008 have been dramatically higher than in past years, and, that during the extension period Thailand intends to contribute 12,500 million baht (approximately US\$ 370 million) with annual amounts increasing in 2013 from 1,000 million baht to 1,500 million baht in accordance with the increase in projected area to be cleared each year from 2013 to 2018. The request also indicates that a total of 5,992.25 million baht (approximately US\$ 175 million), or an average of approximately 600 million baht per year (approximately US\$ 17.5 million), is required from sources other than the Thai government.

10. The analysing group noted that Thailand is committed, during the extension period, to make significant increase in national resources to Article 5 implementation and that it was prepared to cover more than two thirds of the costs of implementation. The analysing group further noted that the annual amounts required from sources other than the State budget are at least ten times greater than Thailand’s recent experience in acquiring external financial assistance. The analysing group added that this implied a need on the part of Thailand to be proactive and creative in seeking and obtaining external resources in order to be able to implement the plan described in the request during the requested period. The 8MSP President had asked for clarity regarding plans to mobilise resources. Thailand responded by indicating that the plan to mobilise funding will be finalized upon the completion of the LMP project. The analysing group also noted that Thailand is now working to transform TMAC into a civilian organisation in order to increase flexibility and effectiveness.

11. The request indicates that the LIS’ conclusion that there were dramatic socio-economic impacts caused by mines was skewed in part because economic conditions have changed to the extent to which individuals are no longer compelled to earn a livelihood from entering mined areas. The request further indicates that while the present humanitarian, impact of mined areas is not great, mines continue to result in victims. The request also provides a detailed accounting of net economic gains that are expected during each year of the extension request as a result of increased land use, trade and tourist income and decreased hospital costs.

12. The request includes other relevant information that may be of use to the States Parties in assessing and considering the request including a detailed set of tables outlining the status of

each area in question, indications regarding which areas are now no longer considered dangerous due to the presence or suspected presence of anti-personnel mines, and the standard operating procedures for Thailand's LMP. In addition, Thailand made available electronic copies of maps of each contaminated area.

13. The analyzing group noted that the proposed 9.5 year is ambitious and contingent upon maintaining a sizeable increase in State funds dedicated to implementation and obtaining external support at a level that is at least 10 times greater than Thailand's recent experience in acquiring such support. The analysing group noted that given the importance of external support to ensure timely implementation, Thailand, in accordance with Article 6 of the Convention, could benefit from developing as soon as possible a resource mobilisation strategy that takes into account, as is indicated in the extension request, the need to reach out to other levels of Thai government, State enterprises, development banks and domestic and foreign donors.

14. The analysing group noted that the detailed accounting of the remaining mined areas provided by Thailand would greatly assist both Thailand and all States Parties in assessing progress in implementation during the extension period. In this regard, the analyzing group noted that both could benefit if Thailand provided updates relative to this accounting of areas at meetings of the Standing Committees, at the Second Review Conference and at Meetings of the States Parties.
