

**THE STATUS OF IMPLEMENTATION OF ARTICLE 4 (STOCKPILE DESTRUCTION) OF
THE ANTI-PERSONNEL MINE BAN CONVENTION**

**PRELIMINARY OBSERVATIONS OF THE PRESIDENT OF THE FIFTEENTH MEETING OF THE STATES
PARTIES**

2016 INTERSESSIONAL MEETINGS

I. Introduction

1. At the Maputo Review Conference in 2014, States Parties agreed that the President of the Meetings of the States Parties would be mandated to “take the lead with respect of any issue related to the pursuit of the Convention’s aims other than those related to the mandates of the Committees, including matters related to stockpile destruction under Article 4 and transparency regarding the exceptions contained in Article 3 of the Convention.”
2. The mandate of the President further indicates that the President can present a preliminary report on activities at intersessional meetings, if need be, as well as present a final report on activities, as well as conclusions and recommendations if relevant, at Meetings of the States Parties or Review Conferences. In this context, the President of the Fifteenth Meeting of the States Parties presents a preliminary report on the status of implementation of Article 4 stockpile destruction obligations and observations in this regard.
3. At the close of the Fourteenth Meeting of the States Parties, five States Parties had reported that they were still in the process of implementing Article 4 of the Convention, including three States Parties – Belarus, Greece and Ukraine - that have missed their deadline for the completion of Article 4 and two States Parties – Oman and Poland - with deadlines still to come.
4. On 19 April 2016, the President of the Fifteenth Meeting of the States Parties (hereafter referred to as “The President”) wrote to Belarus, Bulgaria, Greece, Oman, Poland and Ukraine to encourage them to provide updated information at the 19-20 May 2016 intersessional meetings on their effort to comply with the Convention’s obligation to destroy all stockpiled anti-personnel mines.
5. As part of the transparency measures which exist under this Convention, each year, no later than 30 April, States Parties should provide updated information on a number of matters including on the number of stockpiled anti-personnel mines held, the status of programmes for the destruction of stockpiled anti-personnel mines and the number of stockpiled anti-personnel mines destroyed in the previous calendar year.
6. Of the five States Parties, which at the close of the Fourteenth Meeting of the States Parties had reported they were still in the process of implementing Article 4 of the Convention, as of 30 April 2016, two had not yet submitted updated information in accordance with the relevant provisions of Article 7 on stockpiled anti-personnel mines: Belarus and Oman. The President recalled that the preparation of preliminary observations on the status of implementation of Article 4 of the Convention was dependent on the submission of updated transparency information by the relevant States Parties.
7. Two States Parties – Bulgaria and Germany – reported that stockpiled anti-personnel mines were transferred to their territory for the purpose of destruction.

II. Information provided by States Parties on the implementation of Article 4

Maputo Action Plan, Action #5:

1. In the Maputo Action Plan, it was agreed that “each State Party that has missed its deadline for the completion of its Article 4 obligations will provide to the States Parties, through the President, by 31 December 2014, a plan for the destruction of all stockpiled anti-personnel mines under its control or jurisdiction as soon as possible, and thereafter keep the States Parties apprised of efforts to implement its plan through annual transparency reports and other means.”¹
2. **Belarus**, on 29 December 2014, provided information noting the technical complexity associated with destroying the PFM-1 type mine, and that, as of 3 November 2014, 3,370,316 mines remained to be destroyed. Belarus further reported that, according to the estimate of the company Explosivos Alaveses SA (EXPAL), all mines, apart from those considered being in an unsafe condition, will be destroyed by 1 November 2016 by EXPAL.
3. At the Convention’s June 2015 intersessional meetings, Belarus clarified that it intended to destroy all stockpiled anti-personnel mines on its territory. Belarus also indicated that EXPAL had asked for an extension of the agreement between Belarus and the European Commission until the end of 2017.
4. At the Convention’s Fourteenth Meeting of the States Parties in December 2015, Belarus indicated that the project between the European Commission and Belarus was extended until August 2020 and the contract between the European Commission and EXPAL until February 2018. Belarus further informed that the deadline to complete the destruction of its remaining stockpile is set by EXPAL in agreement with the European Commission and therefore Belarus relies on its project partners for completion. The President noted that Belarus has provided relevant information in accordance with Action #5 of the Maputo Action Plan.
5. Also at the Convention’s Fourteenth Meeting of the States Parties, Belarus clarified that the destruction of anti-personnel mines considered in an unsafe condition will not be under the responsibility of EXPAL but under the responsibility of Belarus and it indicated that no such mine has yet been found.
6. **Greece**, on 31 December 2014, provided information noting that, on 1 October 2014, an explosion occurred at the facilities of the company in Bulgaria contracted to destroy Greece’s mines and that work has been suspended indefinitely. Greece further indicated that it is reviewing all possible options in an effort to adhere to its initial intention to complete the destruction of all stockpiled anti-personnel mines by the end of 2015. Greece reported that, as of 31 December 2014, a total of 690,351² anti-personnel mines remained to be destroyed.
7. At the Convention’s June 2015 intersessional meetings Greece reported that it was in discussions with the Bulgarian authorities regarding the return to Greece of anti-personnel mines that had been transferred to Bulgaria, that cooperation between the two States Parties was excellent and that preparations were underway that would see all remaining stockpiled anti-personnel mines destroyed by Hellene Defence Systems at its plant in Lavrio,

¹ Maputo Action Plan, Action #5.

² While Greece had reported 690,353 anti-personnel mines in the information provided on 31 December 2014, Greece later corrected this to read 690,351.

Greece. In addition, Greece further noted that it would provide, to the Fourteenth Meeting of the States Parties, a timetable for the completion of stockpile destruction.

8. At the Convention's Fourteenth Meeting of the States Parties in December 2015, Greece indicated that the ongoing financial crisis had delayed infrastructure preparations at the destruction site in Lavrio, Greece, and the procurement of the necessary equipment. Greece further indicated that a realistic timeline for the destruction of the remaining anti-personnel mines will be established once the preparatory process is completed and the facilities have been inspected. The President noted that while Greece had provided updated information on its efforts to implement its stockpile destruction programme, it may want to provide as soon as possible an updated timeline for the destruction of the remaining stockpiled anti-personnel mines.
9. **Ukraine**, on 29 December 2014, indicated that "the Ukrainian side plans to present all the information available regarding the destruction of all stockpiled anti-personnel mines under its control or jurisdiction during the Meeting of Experts of States Parties to the APLC to be held in 2015."
10. At the Convention's June 2015 intersessional meetings, Ukraine reported that all stockpiled anti-personnel mines in areas under Ukraine's jurisdiction are also in areas under its control, with the exception of 605 stockpiled anti-personnel mines, which are in areas outside of Ukraine's effective control. Ukraine further reported that no stockpile destruction was taking place given financial constraints and that talks were being held concerning obtaining financial assistance necessary to complete destruction.
11. At the December 2015 Fourteenth Meeting of the States Parties, Ukraine reiterated that 605 OCM-4 mines are located in areas outside of Ukraine's effective control. Ukraine also informed that since February 2014, funds are primarily allocated to the training of the defence forces and the destruction of stockpiled anti-personnel mines has been suspended. Despite the difficult economic situation, Ukraine informed that it will resume the destruction of stockpiled anti-personnel mines of the PFM-1 type in the near future and that to that end, a second agreement has been concluded on 19 October 2015 between the Ministry of Defence, NATO Support and Procurement Agency (NSPA) and the State Enterprise Pavlograd Chemical Plant to destroy 3 million PFM-1 type mines. Under this agreement, a contract was signed on 26 November 2015 to destroy 642,960 units of PFM-1 type mines in 2015 and 2016 at the Pavlograd Chemical Plant which is under the authority of the Space Agency of Ukraine. The President noted that Ukraine has still not provided a plan for the destruction of all stockpiled anti-personnel mines under its control or jurisdiction in accordance with Action #5 of the Maputo Action Plan. The President further noted that additional details on the latest agreement signed by the MoD, NSPA and the Pavlograd Chemical Plant would be welcomed, in particular information on a timeline for the destruction of the 3 million PFM-1 type mines.

Maputo Action Plan, Action #6:

12. In the Maputo Action Plan, it was agreed that "each State Party in the process of destroying its stockpiled anti-personnel mines will regularly communicate to the States Parties, through annual transparency reports and other means, plans to fulfil its obligations and progress achieved, highlighting as early as possible any issues of concern."³ As of 10 May 2016, the

³ Maputo Action Plan, Action #6.

following States Parties provided updated information on the total of all stockpiled anti-personnel mines owned or possessed by it, or under its jurisdiction or control, and / or on anti-personnel mines transferred for the purposes of destruction, and / or the status of programmes for the destruction of stockpiled anti-personnel mines and / or on the types and quantities of all stockpiled anti-personnel mines destroyed: Greece, Poland and Ukraine. The President noted that of the five States Parties still in the process of destroying stockpiled anti-personnel mines, three had submitted updated information in accordance with their Article 7 obligations. The President further noted that the provision of updated information through annual transparency reports was of utmost importance to take stock of progress and challenges in the implementation of the Article 4 stockpile destruction obligations.

13. In information provided in 2015 by **Belarus** in accordance with its Article 7 transparency obligations, Belarus reported that 2,862,068 stockpiled anti-personnel mines remained to be destroyed as of 1 January 2015, that cumulative total of 806,307 stockpiled anti-personnel mines had been destroyed by 1 January 2015. Information was provided on the quantity and lot numbers of each type of anti-personnel mine. At the Convention's June 2015 intersessional meetings, Belarus reported that, during the period 26 March 2014 to 1 June 2015, 899,856 stockpiled PFM-1 type anti-personnel mines had been destroyed.
14. At the Fourteenth Meeting of the States Parties in December 2015, Belarus reported that by November 2015, a total of 1'414'688 mines had been destroyed under the project with the European Commission and the EXPAL company (of the original total of over 3.3 million mines). The President observed that while Belarus had provided information on stockpiled anti-personnel mines destroyed, the provision of information on the total number of stockpiled anti-personnel mines remaining to be destroyed by Belarus would be welcomed.
15. In information provided in 2015 by **Bulgaria** in accordance with its Article 7 transparency obligations, Bulgaria reported that 500,590 stockpiled anti-personnel mines had been transferred from Greece to Gorni Lom, Bulgaria for the purposes of destruction. Information was provided on the quantity of each type of anti-personnel mine. Bulgaria reported that the institution authorised by Bulgaria to receive the transfer was VIDEX JSC. At the Convention's June 2015 intersessional meetings, Bulgaria reported that, on 1 October 2014, when an explosion occurred at the VIDEX destruction plant, 197,600 anti-personnel mines were stored at the plant. Of this number, 6,986 anti-personnel mines were destroyed during the explosion or recovered and destroyed afterwards, and 190,614 anti-personnel mines remained. Bulgaria further reported that Bulgaria and Greece were in consultations regarding the return of these mines to Greece.
16. At the Fourteenth Meeting of the States Parties in December 2015, Bulgaria informed that Greek experts visited the storage site of the remaining stockpiles in July 2015 and discussed with their Bulgarian counterparts the modalities for their return. Bulgaria reported that it had undertaken all legal measures needed to export the anti-personnel mines to Greece and that the mines are kept in sealed and secured warehouses of the factory. Bulgaria further reported that it expected the constructive cooperation with Greece to continue to solve the issue as soon as possible. The President noted the importance of continued transparency on this issue and observed that it was positive that Bulgaria regularly provided updated information on stockpiled anti-personnel mines that had been transferred to its territory for the purpose of destruction by another State Party.
17. In information provided by **Greece** in 2015 in accordance with its Article 7 transparency obligations, Greece reported that 690,351 stockpiled anti-personnel mines remained to be destroyed as of 31 December 2014, that 500,590 stockpiled anti-personnel mines had been

transferred to Bulgaria for the purposes of destruction in 2014, that of these 500,590 mines 262,934 had been destroyed in 2014, and that, in total to date, 877,816 have been destroyed. Information was provided on the quantity of each type of anti-personnel mines. At the Convention's June 2015 intersessional meetings, Greece reported that, as of that time, 643,309 stockpiled anti-personnel mines remained to be destroyed, including 452,695 mines stored in Greece and 190,614 stored in Bulgaria. As noted, both Bulgaria and Greece reported in June 2015 that they are in discussions related to the return of these 190,614 mines to Greece for destruction.

18. At the Fourteenth Meeting of the States Parties in December 2015, Greece informed that the Ministry of Defence had contracted the Hellenic Defence Systems (HDS) company to destroy the remaining 643,265 anti-personnel mines, of which 452,695 are stored in military warehouses in Greece and 190,570 in warehouses of VIDEX company in Bulgaria.
19. In information provided in 2016, in accordance with its Article 7 transparency obligations, Greece reported that there were 643,265 remaining stockpiled anti-personnel mines to be destroyed, 190,570 of which are stored in VIDEX warehouses in Bulgaria. Greece further reported that in the present phase 942,902 anti-personnel mines have been destroyed. The President noted that there seemed to be a discrepancy between the number of stockpiled anti-personnel mines reported stored in Bulgaria in 2015 (190,614) and those reported in 2016 (190,570). The President further noted that information on the status of discussions concerning mines transferred to Bulgaria would be welcomed.
20. At the Fourteenth Meeting of the States Parties in December 2015, **Oman** reported that it is committed to destroying its stockpiled anti-personnel mines in the period stipulated in Article 4 of the Convention. Oman further reported that a schedule has been developed with the stakeholders to implement the Convention and the first batch of mines was destroyed in September 2015. The President noted that further information on a timetable for the destruction of Oman's stockpile of anti-personnel mines would be welcomed.
21. In information provided by **Poland** in 2015 in accordance with its Article 7 transparency obligations, Poland reported that information on stockpiled anti-personnel mines that remain to be destroyed, its programme for the destruction of stockpiled anti-personnel mines and the types and quantities of all stockpiled anti-personnel mines destroyed since entry into force was the same as that provided in 2013. In 2013, Poland reported that there were 16,597 PSM-1-type stockpiled anti-personnel mines owned or possessed by Poland, or under its jurisdiction or control as of 1 June 2013. In 2013, Poland further reported that the process of destroying stockpiled anti-personnel mines had started in 2011, that all remaining stockpiled anti-personnel mines had been gathered in five central storage facilities in 2013, and that a contractor for the destruction of the mines would be chosen in 2014.
22. At the Convention's June 2015 intersessional meetings, Poland clarified that, in March 2015, Poland signed a contract related to the destruction of these 16,597 mines with the NATO Support and Procurement Agency and that stockpile destruction should be complete in June 2016.
23. At the Fourteenth Meeting of the States Parties in December 2015, Poland informed that by September 2015, the remaining 16,957 PSM-1 anti-personnel mines were transported to the place where the destruction process is conducted. The contract signed with the NATO Support and Procurement Agency in March 2015 stipulates that the destruction is concluded 6 months after transportation is concluded, that is by March 2016. On the basis of the progress achieved, Poland confirmed that it should fulfil its obligations under Article 4 well

before its 1 June 2017 deadline. The President noted that it was positive that Poland intended to complete the destruction of its remaining stockpiled anti-personnel mines before its Article 4 deadline.

24. In information provided by Poland in 2016 in accordance with its Article 7 transparency obligations, Poland reported that during the course of 2015, the 16,957 stockpiled anti-personnel mines as well as a number of anti-personnel mines components were transferred to Germany for the purpose of destruction. Poland further reported that the 16,957 stockpiled anti-personnel mines were irreversibly dismantled before being transferred.
25. In information provided by **Germany** in 2016, in accordance with its Article 7 transparency obligations, Germany reported that in 2015, the ammunition disassembly and recycling company "SPREWERK LÜBBEN GmbH" in Germany received components of 16,957 anti-personnel landmines of type PSM-1 in transfer from the Military Property Agency in Poland for the purpose of destruction. The President noted the importance of continued transparency on this issue and observed that it was positive that Germany provided information on stockpiled anti-personnel mines that had been transferred to its territory for the purpose of destruction by another State Party.
26. At the Convention's June 2015 intersessional meetings, **Ukraine** indicated that 5,584,373 stockpiled anti-personnel mines remained to be destroyed and again provided the quantity of each type of anti-personnel mine. Ukraine also reported that it had destroyed 1,219,008 stockpiled anti-personnel mines and provided the quantity of each type of anti-personnel mine destroyed.
27. At the Fourteenth Meeting of the States Parties in December 2015, Ukraine reiterated that it had destroyed 1,219,008 anti-personnel mines and provided the quantity of each type of anti-personnel mines destroyed (401,200 PMN; 8,060 PMD-6; 238,000 POMC; 568,248 PFM; 3,500 OCM; all remaining stocks of PMN and PMD-6 type mines had been destroyed). Ukraine further reiterated that 5,584,373 stockpiled anti-personnel mines remained to be destroyed and provided the quantity of each type of anti-personnel mines (5,434,672 PFM; 149,096 POMC; 605 OCM-4). Ukraine reiterated that the 605 OCM-4 mines are located in areas outside of Ukraine's effective control. All other stockpiled anti-personnel mines which remain to be destroyed are located at 6 arsenals under the control of Ukraine. Ukraine reported that 332,352 stockpiled PFM-1 type mines had already been destroyed at the Pavlograd Chemical Plant and that the Plant has a capacity of destroying 600'000 PFM-1 type mines per year. Ukraine further informed that the Pavlograd Chemical Plant and the Space Agency of Ukraine are currently exploring possibilities of further disposal of PFM-1-S type mines to fully comply with the Convention.
28. In information provided by Ukraine in 2016 in accordance with its Article 7 transparency obligations, Ukraine reported that 5,564,429 stockpiled anti-personnel mines remained to be destroyed as of 1 January 2016. Information was provided on the quantity of each type of anti-personnel mine. Ukraine also reported that 605 of the stockpiled anti-personnel mines that remain to be destroyed are in areas outside of Ukraine's effective control. In addition, Ukraine reported that, during the period 1 January 2015 to 1 January 2016, 19,944 stockpiled anti-personnel mines had been destroyed.
29. The President observed that based on the updated transparency information provided by States Parties in 2016 or on information previously provided, the following is understood to

be the quantity of anti-personnel mines destroyed and remaining to be destroyed by Belarus, Greece, Poland, Oman, Poland and Ukraine:

State Party	Total number of anti-personnel mines destroyed	Total number of anti-personnel mines remaining to be destroyed	Article 4 projected completion date
Belarus	1'414'688 ⁴	Latest number to be provided	1 February 2018
Greece ⁵	942,902	643,265	Timeline to be established
Oman ⁶	The first batch of mines was destroyed in September 2015	17,260	Within the Article 4 deadline
Poland	1,042,386	16,597	March 2016
Ukraine	1,228,315 ⁷	5,564,429 ⁸	Unknown

Maputo Action Plan, Action #7:

30. In the Maputo Action Plan, it was agreed that “each State Party which discovers previously unknown stockpiles after stockpile destruction deadlines have passed will inform the States Parties as soon as possible, report pertinent information as required by the Convention, and destroy these anti-personnel mines as a matter of urgent priority and no later than six months after the report of their discovery.”⁹ Since the Fourteenth Meeting of the States Parties in December 2015, the following States Parties provided updated information on the destruction of previously unknown stockpiled anti-personnel mines:

31. In information provided in 2016 by **Afghanistan** in accordance with its Article 7 transparency obligations, Afghanistan reported that, during the period 1 January 2015 to 31 December 2015, 329 previously unknown stockpiled anti-personnel mines had been destroyed by weapons and ammunition disposal (WAD) teams. Information was provided on the quantity of each type of anti-personnel mine destroyed.

32. In information provided in 2016 by **Cambodia** in accordance with its Article 7 transparency obligations, Cambodia reported that, during the period 1 January 2015 to 31 December 2015, 16 stockpiled anti-personnel mines had been destroyed by the Halo Trust. Cambodia further reported that these mines were found and delivered by military personnel.

33. The President observed that some States Parties report anti-personnel mines retained for purposes permitted under Article 3 of the Convention as “stockpiled anti-personnel mines.” The President recommended that, to ensure clarity and avoid double counting, anti-personnel mines retained for permitted purposes should not be reported as “stockpiled anti-personnel mines” and should be reported separately. The President also noted that the draft

⁴ Source of information: statement delivered by Belarus, Fourteenth Meeting of the States Parties, 3 December 2015.

⁵ Source of information: statement delivered by Greece, Fourteenth Meeting of the States Parties, 3 December 2015 and Article 7 report submitted by Greece in 2016.

⁶ Source of information: initial Article 7 report submitted by Oman in 2015.

⁷ This number is the total number of stockpiled anti-personnel mines destroyed reported previously by Ukraine minus the number of mines destroyed in 2015 (19,944). However, this calculation results in a difference of two mines in the total number of mines to be destroyed – 5,564,427 instead of the reported 5,564,429.

⁸ Source of information: Article 7 report submitted by Ukraine in 2016.

⁹ Maputo Action Plan, Action #7.

guide to reporting could assist States Parties in providing transparency in an unambiguous manner on matters concerning both Articles 3 and 4 of the Convention.