

# Sixth Meeting of the States Parties

Convention on the Prohibition of the Use, Stockpiling, Production and  
Transfer of Anti-Personnel Mines and on Their Destruction



28 November to 2 December 2005  
Zagreb, Croatia





# Sixth Meeting of the States Parties

## Purpose of the presentation:

- Overview of the AP Mine Ban Convention / “Ottawa Convention”
- The status of the Convention
- The Zagreb Sixth Meeting of the States Parties





# Sixth Meeting of the States Parties



Ottawa – 1997

Following Oslo negotiations, Convention opens for signatures



Nairobi – 2004

Review of five years of implementation – Nairobi Action Plan adopted



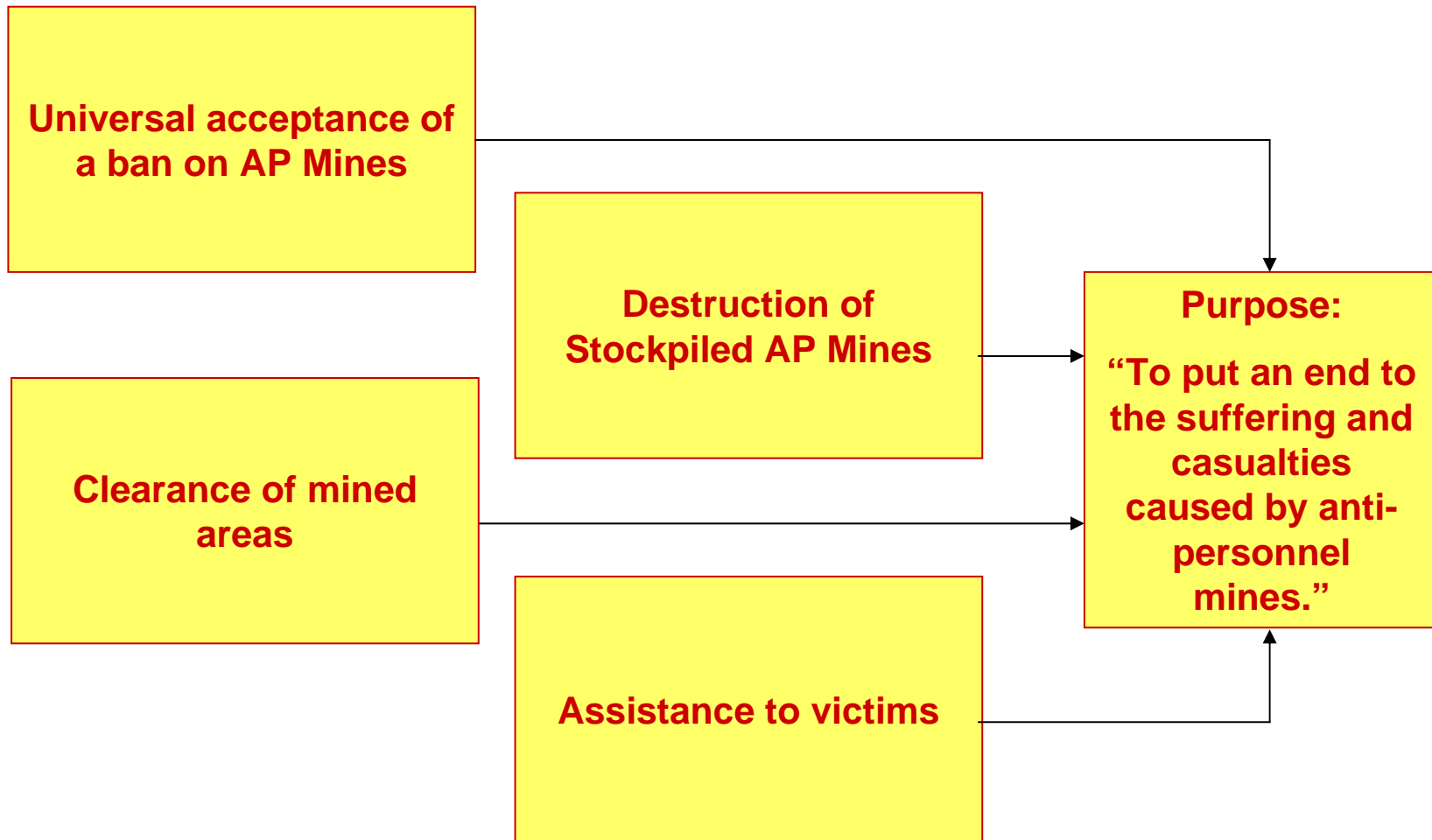
Zagreb – 2005

Progress made in the pursuit of the Nairobi Action Plan





# AP Mine Ban Convention





# AP Mine Ban Convention

Preventing future suffering



Addressing existing suffering



**Purpose:**  
“To put an end to the suffering and casualties caused by anti-personnel mines.”





# Ban on anti-personnel mines

## What the Convention says:

- In accepting the Convention, each State Party undertakes never under any circumstances:
  - To use anti-personnel mines;
  - To develop, produce, otherwise acquire, stockpile, retain or transfer to anyone, directly or indirectly, anti-personnel mines;
  - To assist, encourage or induce, in any way, anyone to engage in any activity prohibited to a State Party under this Convention.”
  
- “The Articles of this Convention shall not be subject to reservations.”





# Destruction of stockpiled mines

## Each State Party...

- ... “undertakes to destroy or ensure the destruction of all stockpiled anti-personnel mines it owns or possesses, or that are under its jurisdiction or control, as soon as possible but not later than four years after the entry into force of this Convention for that State Party.”
  
- ... may retain “a number of anti-personnel mines for the development of and training in mine detection, mine clearance, or mine destruction techniques.” This number “shall not exceed the minimum number absolutely necessary” for these purposes.





# Clearance of mined areas

## Each State Party...

- ❑ ... must make “every effort to identify all areas under its jurisdiction or control in which anti-personnel mines are known or suspected to be emplaced.”
- ❑ ... must “as soon as possible” ensure that these mined areas “are perimeter marked, monitored and protected by fencing or other means, to ensure the effective exclusion of civilians, until all anti-personnel mines contained therein have been destroyed.”
- ❑ ... must clear these mined areas “as soon as possible but not later than 10 years after the entry into force of this Convention for that State Party.”





# Victim assistance

## What the Convention says:

- **The Convention's preamble records the wish of the States Parties "to do their utmost in providing assistance for the care and rehabilitation, including the social and economic reintegration of mine victims."**
- **This wish is translated into the obligation of "each State Party in a position to do so" to "provide assistance for the care and rehabilitation, and social and economic reintegration, of mine victims."**





# Transparency in implementation

## What the Convention says:

- **Each State Party must provide an initial transparency report within 180 days of the Convention entering into force for it, and hence update this report annually.**
- **At Meetings of the States Parties, consideration of “matters arising from the reports submitted under the provisions of this Convention.”**

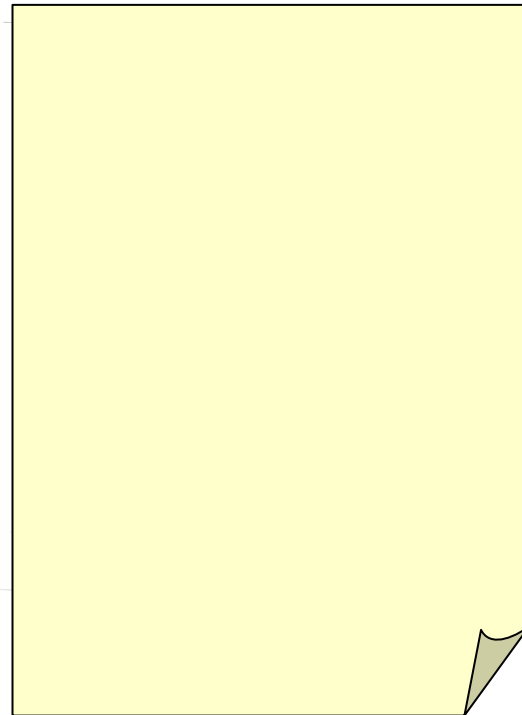




# Ensuring compliance

## What the Convention says:

- ❑ **The primary responsibility for ensuring compliance with the Convention rests with each individual State Party.**
- ❑ **Each State Party must take appropriate legal, administrative and other measures, including the imposition of penal sanctions, to prevent and suppress prohibited activities.**
- ❑ **A variety of compliance clarification mechanisms are available to the States Parties, ultimately including – if necessary – fact-finding missions.**





# Cooperation and assistance

## What the Convention says:

- “...each State Party has the right to seek and receive assistance, where feasible, from other States Parties to the extent possible.”
  
- “Each State Party in a position to do so shall provide assistance for...”
  - mine victims
  - mine awareness programs
  - mine clearance and related activities
  - the destruction of stockpiled anti-personnel mines.
  
- “Each State Party giving and receiving assistance (...) shall cooperate with a view to ensuring the full and prompt implementation of agreed assistance programs.”





# Towards universal acceptance

## Progress made:

- ❑ 146 States have ratified or have acceded to the Convention.
- ❑ Every State in the 3 in the Americas has joined the Convention, as have most European States and every State in Sub-Saharan African except Somalia.
- ❑ The use of anti-personnel mines has decreased dramatically through acceptance of the Convention by 146 States and the widespread of its norms by other States.
- ❑ The production of AP mines has decreased significantly: Of the 50 States that at one time produced AP mines, 33 are now parties to the Convention.

## Challenges that remain:

- ❑ 48 States have not yet ratified or acceded to the Convention. Adherence remains low in Asia, the Middle East and amongst the members of the CIS.
- ❑ 11 States not parties to the Convention have used AP mines since the Convention entered into force and 15 States not parties produce AP mines or retain the capacity to do so.\*
- ❑ Universal acceptance of the Convention's norms is impeded by armed non-State actors that continue to use, stockpile, and produce anti-personnel mines.

\* According to the ICBL.





# **Destruction of stockpiled mines**

## **Progress made:**

- **All States Parties whose 4-year deadlines for destruction have occurred have now reported completion of their stockpile destruction programmes.**
- **131 States Parties now no longer hold stockpiled anti-personnel mines.**
- **Together the States Parties have destroyed approximately 38 million mines.**

## **Challenges that remain:**

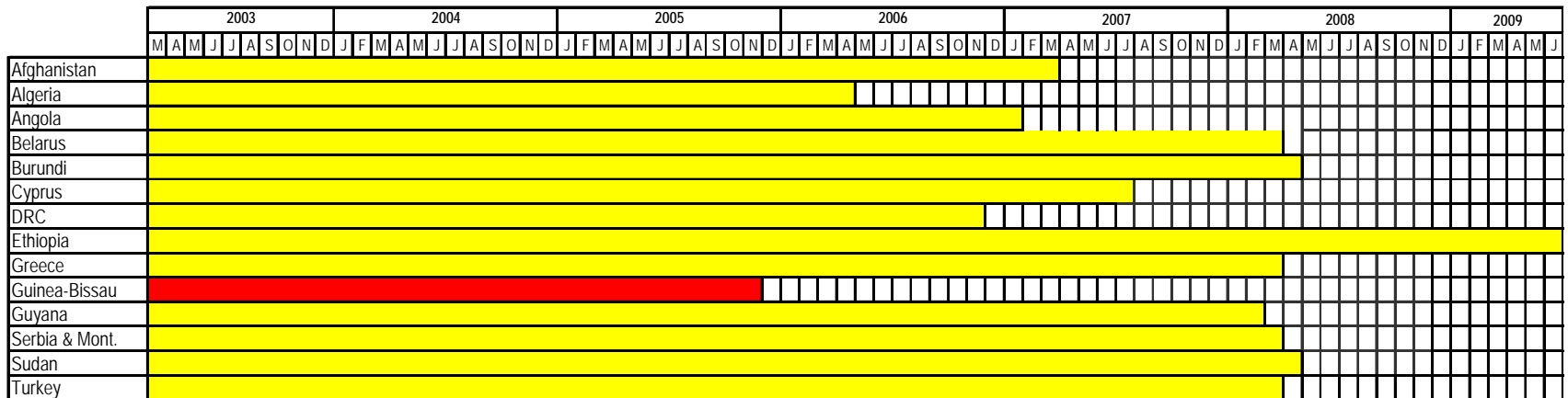
- **15 States Parties are still in the process of destroying their stockpiled anti-personnel mines.**
- **Combined, these 15 States Parties must destroy approximately 10 million mines.**
- **Destroying a particular type of mine – the Soviet-era “PFM-1” mine – is extremely hazardous and poses serious technical difficulties.**





# Destruction of stockpiled mines

## Timelines for the destruction of stockpiled mines:



**Key:**  
 Deadlines prior to the next Meeting of the States Parties  
 Deadlines after the next Meeting of the States Parties





# Clearance of mined areas

## Progress made:

- ❑ **50 States Parties** have reported mined areas under their jurisdiction or control.
- ❑ **4 of these 50 States Parties** - Costa Rica, Djibouti, Honduras and Suriname - have indicated that they have fulfilled their clearance obligations.
- ❑ **Several more** – including Albania, Guatemala, Guinea-Bissau, Malawi, Nicaragua and Zambia - are in a position to complete clearance soon with relatively small amounts of money.
- ❑ **Clearance activities and risk reduction measures** have led to a reduction in annual casualty rates in many countries.

## Challenges that remain:

- ❑ **The 10 year deadline for 22 States Parties to complete clearance will occur by the end of 2009.**
- ❑ **Meeting deadlines will require accelerated efforts to demine and to reduce the size of suspected mined areas through “technical survey” or “area reduction.”**







# Victim assistance

## Progress made:

- **The Convention itself is a major gain: For the first time a disarmament / arms-control convention contains measures to assist the victims of the weapons in question.**
- **The Convention has served as a catalyst for drawing attention to the plight of landmine survivors – and hence the challenges of all persons with disabilities – in some of the world’s poorest countries.**
- **Specialized organizations have raised millions of dollars – including the ICRC alone which has generated over US\$ 100 million – to assist landmine survivors and other persons with disabilities in mine-affected countries.**

## Challenges that remain:

- **24 States Parties have indicated that they have significant numbers – hundreds or thousands – of landmine survivors for which they must provide care.**
- **Many of these 24 countries are some of the poorest on earth and thus need a great deal of assistance in meeting the needs of mine victims.**
- **These 24 States Parties themselves must define what can be / should be achieved in concrete and measurable terms, and how. Until there are plans to achieve what is desired, success or failure will constantly be an undefined and / or a changeable target.**





# Victim assistance

## 24 States Parties with significant numbers of landmine survivors:

- Afghanistan
- Albania
- Angola
- Bosnia and Herzegovina
- Burundi
- Cambodia
- Chad
- Colombia
- Croatia
- Dem. Rep. of the Congo
- El Salvador
- Eritrea
- Ethiopia
- Guinea-Bissau
- Mozambique
- Nicaragua
- Peru
- Senegal
- Serbia and Montenegro
- Sudan
- Tajikistan
- Thailand
- Uganda
- Yemen





# Transparency in implementation

## Progress made:

- All but 4 of the 144 States Parties have complied with their initial transparency reporting obligation.\*
- The overall rate of transparency reporting – initial reports and annual reports required in a particular year – continues to climb.

## Challenges that remain:

- Initial transparency reports are still required from Bhutan\*, Cape Verde, Equatorial Guinea, Ethiopia\*, Guyana, Latvia\*, and Sao Tome and Principe.

\* The deadlines for the submission of initial transparency reports on the part of Bhutan, Ethiopia and Latvia have not yet occurred.





# Ensuring compliance

## Progress made:

- **60 States Parties have reported that they have adopted legislation to prevent and suppress prohibited acts or consider existing laws sufficient to give effect to the Convention.**

## Challenges that remain:

- **30 States Parties have reported that they are in the process of adopting legislation to prevent.**
- **56 States Parties have not yet reported that they have taken any legislative measures to prevent and suppress prohibited activities.**





# Cooperation and assistance

## Progress made:

- From all major sources, it is possible to account for more than US\$ 2.7 billion having been generated since 1997 for activities consistent with the Convention's aims.
- 25 mine-affected States Parties generated almost US\$ 300 million from national sources to address their own mine problems.
- Global funding levels have remained relatively constant – a remarkable fact given that public awareness of the landmine problem was at its peak in 1997.

## Challenges that remain:

- A renewed donor commitment is required during the period 2005-2009.
- It is equally important that mine-affected States Parties themselves take ownership over Convention implementation by making national resource commitments.
- More mine-affected States Parties should access World Bank loans and post-conflict grants.
- Assistance and cooperation is about more than just money: It's also about the efficient and effective use of scarce resources.





# Sixth Meeting of the States Parties

## Legal basis – Article 11 – States Parties may consider...

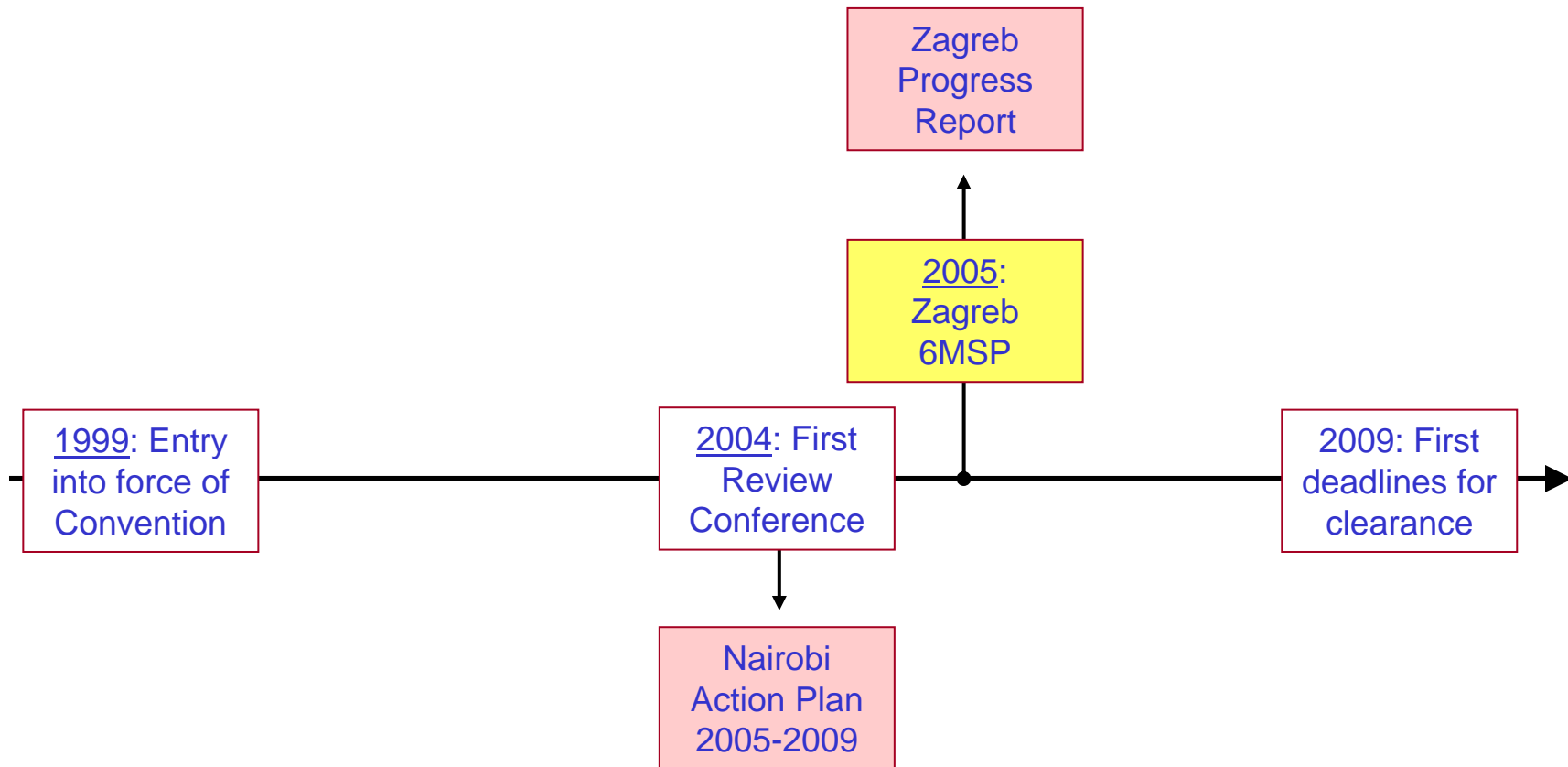
- ...the operation and status of the Convention.
- ...matters arising from transparency reports.
- ...international cooperation and assistance.
- ...the development of technologies to clear anti-personnel mines.
- ...submissions of States Parties under the Convention's compliance clarification provisions.
- ...submissions of States Parties according to Article 5.\*

**\*This refers to extensions on deadlines to clear mined areas. However, only 6 years after entry into force of the Convention, this provision likely will not be applicable.**





# Sixth Meeting of the States Parties





# Sixth Meeting of the States Parties

## Zagreb Progress Report

- The Nairobi Action Plan, with its 70 specific action points, lays out a comprehensive framework for the period 2005-2009 for achieving major progress towards ending, for all people for all time, the suffering caused by anti-personnel mines.
- The Zagreb Progress Report, organized in the same manner as the Nairobi Action Plan, is intended to reflect progress made between 4 December 2004 and 2 December 2005 in the pursuit of the aims of the Nairobi Action Plan.
- On this basis of this progress, the Zagreb Progress Report also is intended to highlight priorities for the States Parties and Croatian Presidency of the Convention during the period 2005-2006.
- The Zagreb Progress Report will be the basis for the 6MSP programme, with States Parties and organizations providing updates on what they have done (e.g., nationally, regionally, internationally) in 2005 and what they will do to apply the Nairobi Action Plan and hence implement the Convention.





# Sixth Meeting of the States Parties

	Sat. 26 Nov.	Sun. 27 Nov.	Mon. 28 Nov.	Tues. 29 Nov.	Tues. 30 Nov.	Thurs. 1 Dec.	Fri. 2 Dec.
<b>M O R N I N G</b>	Demining field visit		<ul style="list-style-type: none"> <li>•Meeting opens</li> <li>•President elected</li> <li>•Procedural matters</li> <li>•General exchange of views</li> </ul>	<ul style="list-style-type: none"> <li>•Consideration of the general status and operation of the Convention</li> <li>-Universalizing the Convention</li> <li>- Stockpile destruction</li> </ul>	<ul style="list-style-type: none"> <li>•Consideration of the general status and operation of the Convention</li> <li>-Mine clearance</li> </ul>	<ul style="list-style-type: none"> <li>•Consideration of the general status and operation of the Convention</li> <li>- Victim assistance</li> </ul>	<ul style="list-style-type: none"> <li>•Consideration of the general status and operation of the Convention</li> <li>-Transparency</li> <li>-Preventing prohibited acts</li> <li>-Imp. support</li> </ul>
<b>A F T E R N O O N</b>			<ul style="list-style-type: none"> <li>•General exchange of views</li> </ul>	<ul style="list-style-type: none"> <li>•Consideration of the general status and operation of the Convention</li> <li>-Stockpile destruction</li> <li>- Mine clearance</li> </ul>	<ul style="list-style-type: none"> <li>•Consideration of the general status and operation of the Convention</li> <li>-Mine clearance</li> <li>- Victim assistance</li> </ul>	<ul style="list-style-type: none"> <li>•Consideration of the general status and operation of the Convention</li> <li>-Victim assistance</li> <li>-Cooperation and assistance</li> </ul>	<ul style="list-style-type: none"> <li>•Consideration of the final report</li> <li>•Closure of the 6MSP</li> </ul>
<b>E V E N I N G</b>		Opening Ceremony		Reception hosted by GICHD			





# Sixth Meeting of the States Parties

## Who takes part?

- Participants: All 146 States Parties may attend as participants.
- Observers: “States not parties to this Convention, as well as the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations may be invited to attend these meetings as observers.”
- Media: “The Meeting of the States Parties shall be held in public unless the Meeting decides otherwise.”
- In total, approximately 600 delegates are expected representing over 100 States and dozens of organizations.





# Sixth Meeting of the States Parties

## Observations:

- The Zagreb 6MSP will be the first formal assessment of the application of the *Nairobi Action Plan*, which was adopted at a high political level in Nairobi in December 2004.
- The *Zagreb Progress Report*, containing this assessment, will be the centre-piece of the outcomes of the 6MSP.
- The Zagreb 6MSP will be the first time that the international community will have gathered in South Eastern Europe to discuss the global landmine problem and what is being done about it.
- Every State in South Eastern Europe has embraced the Convention, agreeing to never again use or produce anti-personnel mines and to clear mines.
- While assistance may be required to fulfill obligations, it is individual State responsibility that will result in a conclusive end to the suffering caused by anti-personnel mines. Croatia illustrates this point well.





# Sixth Meeting of the States Parties



## Questions?



[www.6msp.org](http://www.6msp.org)



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