

# **Fulfilling the aims of the Nairobi Action Plan: The Zagreb Progress Report**

**Draft as of 12 September 2005**

## **Introduction:**

1. On December 3, 2004 at the First Review Conference of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (hereinafter “the Convention”) the States Parties adopted the *Nairobi Action Plan 2005-2009*. In doing so, the States Parties “reaffirmed their unqualified commitment to the full and effective promotion and implementation of the Convention,” and their determination “to secure achievements to date, to sustain and strengthen the effectiveness of cooperation under the Convention, and to spare no effort to meet (their) challenges in universalizing the Convention, destroying stockpiled anti-personnel mines, clearing mined areas and assisting the victims.”<sup>1</sup>

2. 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. In doing so, it underscores the supremacy of the Convention and provides the States Parties with guidance in fulfilling their Convention obligations. To ensure the effectiveness of the *Nairobi Action Plan* as a means of guidance, the States Parties acknowledge the need to regularly monitor progress in the pursuit of the aims of the *Nairobi Action Plan* and to identify challenges that remain. Hence, pursuant to ideas proposed by the Austrian President of the First Review Conference and Croatia in its capacity as designated presidency of the Sixth Meeting of the States Parties, the States Parties – in their customarily inclusive and transparent manner – have developed the *Zagreb Progress Report*.

3. The purpose of the *Zagreb Progress Report* is to support the application of the *Nairobi Action Plan* by measuring progress made during the period 3 December 2004 to 2 December 2005. While all 70 points in the *Nairobi Action Plan* remain equally important and should be acted upon, the *Zagreb Progress Report* aims to highlight priority areas of work for the States Parties, the Co-Chairs and the Convention’s President in the period between the Sixth and the Seventh Meetings of the States Parties. It could be considered as the first in a series of annual progress reports prepared by the States Parties in advance of the 2009 Second Review Conference.

## **I. Universalizing the Convention**

### *Status at the close of the First Review Conference*

4. At the close of the First Review Conference, 143 States had deposited instruments of ratification, acceptance, approval or accession with the United Nations Secretary-General. Moreover, according to the International Campaign to Ban Landmines (ICBL), two-thirds of the States that had produced anti-personnel mines prior to the opening for signature of the Convention had become parties to the Convention, accepting to never again produce anti-

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<sup>1</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III) Introduction.

personnel mines. An additional three States not parties – Finland, Israel and Poland – had ceased production, and several others had not produced anti-personnel mines for several years, including Egypt, the Republic of Korea and the United States of America. In addition, the International Campaign to Ban Landmines (ICBL) had indicated that the legal global trade in anti-personnel mines had effectively come to a halt and that the use of anti-personnel mines was limited to very few States not parties, indicating a widespread acceptance of the Convention's norm of non-use. However, the First Review Conference also recorded that, according to the ICBL, since the Convention entered into force, 11 States not parties have used anti-personnel mines and that 15 States not parties continue to produce anti-personnel mines or have not produced mines for some time but retain the capacity to do so.<sup>2</sup>

5. Despite great progress towards universal adherence, as of 3 December 2004, 51 States had not yet ratified or acceded to the Convention, including 8 of the Convention's signatories: Brunei Darussalam, the Cook Islands, Haiti, Indonesia, the Marshall Islands, Poland, Ukraine and Vanuatu. The rate of adherence was particularly low in Asia, the Middle East and amongst the members of the Commonwealth of Independent States (CIS).

6. The First Review Conference recorded that challenges to universalization included the following: that while a compelling case has been made regarding how the terrible humanitarian consequences that result from anti-personnel mine use greatly outweigh their limited military utility, some States not parties continue to claim that anti-personnel mines are necessary; that others have linked the possibility of accession to the Convention to the resolution of a territorial, regional or internal dispute or conflict; that one State not party, Ukraine, had indicated that assistance for the destruction of its large stockpile of anti-personnel mines must be in place before it would be in a position to join the Convention; that while some States have joined the Convention notwithstanding the fact that armed non-State actors engage in acts prohibited by the Convention in their sovereign territory, one State not party, Sri Lanka, has suggested that accession to the Convention may be linked to an end to the use of anti-personnel mines by an armed non-State actor in its sovereign territory; that some States with no objections to the Convention remain outside it simply because ratification or accession to it is one of many competing priorities for scarce administrative resources; and, that accession to the Convention may not be possible on the part of States that do not have functioning or recognized government in place. The First Review Conference also noted that “while universalization of the Convention itself means adherence to it by all States, universal acceptance of the Convention's norms is impeded by armed non-State actors that continue to use, stockpile, and produce anti-personnel mines.”<sup>3</sup>

#### *Nairobi Action Plan*

7. To assure progress in overcoming these challenges, in the *Nairobi Action Plan* the States Parties agreed to: call on those States that have not yet done so to accede to the Convention as soon as possible; persistently encourage those signatories of the Convention that have not yet done so to ratify it as soon as possible; attach particular priority to States not parties that continue to use, produce, or possess large stockpiles of anti-personnel mines, or otherwise warrant special concern; accord particular importance to promoting adherence in regions where the level of acceptance of the Convention remains low; seize every appropriate opportunity to promote

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<sup>2</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), paragraphs 6-8 and 12.

<sup>3</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), paragraphs 14-18.

adherence to the Convention in bilateral contacts, military-to-military dialogue, peace processes, national parliaments, and the media; and, actively promote adherence to the Convention in all relevant multilateral fora, including the UN Security Council, UN General Assembly, assemblies of regional organizations and relevant disarmament bodies.<sup>4</sup> As well, the States Parties accepted that they will “continue promoting universal observance of the Convention’s norms, by condemning, and taking appropriate steps to end the use, stockpiling, production and transfer of anti-personnel mines by armed non-state actors.”<sup>5</sup>

*Actions taken and progress made*

8. Since the First Review Conference, a number of universalization initiatives have been undertaken by States Parties, regional organizations, the United Nations, the International Committee of the Red Cross (ICRC), the ICBL and others in a manner that is consistent with the States Parties’ commitment to “encourage and support involvement and active cooperation in these universalization efforts by all relevant partners.”<sup>6</sup> On 1 March 2005, the President of the First Review Conference wrote to all States not parties, urging them to ratify or accede to the Convention. He reiterated this appeal in his 3 March 2005 statement to the Conference on Disarmament and in doing so he was joined by the representatives of 10 other States Parties. On 5-6 May 2005 Canada co-sponsored the *Seminar on Removing Landmines* in Tripoli with a view to raising understanding of the Convention by Libya. On 7 June 2005 the Organization of American States (OAS) adopted a resolution which reaffirmed “the goals of the global elimination of anti-personnel mines and the conversion of the Americas into an anti-personnel-mine-free zone” and which urged member States of the OAS which have not yet done so to ratify or consider acceding to the Convention as soon as possible.<sup>7</sup> On 16 June 2005, the European Parliament convened a *Landmines Information Day* to promote progress towards a mine-free world and on 7 July it adopted a resolution which in part called on all States that have not yet done so to ratify or accede to the Convention without delay.<sup>8</sup>

9. A number of States Parties have acted in accordance with their commitment to “seize every appropriate opportunity to promote adherence to the Convention,” thus indicating that universalization is a matter that is relevant for all States Parties.<sup>9</sup> In addition, the ICBL continued vigorous promotion of the Convention, which included visits to Azerbaijan, Bahrain, China, Georgia, Indonesia, the Libyan Arab Jamahiriya, Mongolia and Singapore. As well, the ICRC continued to encourage adherence by States not parties in the context of its bilateral contacts with those States, national and regional meetings aimed at promoting adherence to and implementation of international humanitarian law treaties, and in other international fora. [Moreover, in October 2005 all components of the International Movement of the Red Cross and Red Crescent were called upon to encourage all States to adhere to the Convention.]<sup>10</sup>

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<sup>4</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III) Actions #1 to #6.

<sup>5</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III) Action #7.

<sup>6</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III) action #8.

<sup>7</sup> Organization of American States General Assembly resolution # AG/RES. 2142 (XXXV-O/05), *The Americas as an Anti-Personnel-Land-Mine-Free Zone*.

<sup>8</sup> European Parliament resolution # P6\_TA-PROV(2005)0298, *A world without landmines*.

<sup>9</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III) Action #5.

<sup>10</sup> NOTE TO DRAFTERS: Should the relevant resolution be adopted, include a reference to it.

10. In keeping with the Nairobi Action Plan's emphasis on regions where the level of adherence to the Convention remains low,<sup>11</sup> the Coordinator of the Universalization Contact Group sought to identify regional facilitators in Asia, the Middle East and amongst the member States of the CIS. These facilitators engage States Parties from their respective regions on the margins of Convention meetings to discuss ways in which they will promote universalization among States not parties within their regions.

11. Important progress has been made in increasing adherence to the Convention since the First Review Conference. On 17 December 2004, **Ethiopia** deposited its instrument of ratification, on 1 July 2005 **Latvia** deposited its instrument of accession and on 18 August 2005 **Bhutan** deposited its instrument of accession. There are now [146] States which have deposited instruments of ratification, acceptance, approval or accession with the Convention having entered into force for 144 of these States.<sup>12</sup> A list of these States can be found in Annex I.

12. Several other States not parties have completed or have made significant progress in their internal processes towards ratification or accession: **Ukraine's** concerns about requiring resources for stockpile destruction appear to have been addressed thanks to the European Union and thus it has announced that it in May 2005 it completed its internal procedures for the ratification of the Convention. **Indonesia** has submitted the Convention for Presidential approval, which will involve the Ministry of Foreign Affairs drafting legislation for approval by the Ministry of Defence and onward transmission to the First Commission of the Indonesian Parliament. **Vanuatu** reported that it completed its domestic ratification process in June 2005. In addition, the Executive Branch of the **Federated States of Micronesia** completed its review of the Convention and intends to submit it to its national congress for internal ratification in 2005.

13. The *Nairobi Action Plan* makes mention of encouraging States not parties to abide by the Convention's provisions pending their adherence to it.<sup>13</sup> Accordingly, while some States not parties proceed in considering acceptance of the Convention, they have been encouraged to adopt interim measures that promote broader acceptance of the norm of the Convention, or demonstrate their commitment to humanitarian principles of it. Such interim measures can include: moratoria on the use, production and transfer of anti-personnel mines; voluntary destruction of stockpiled anti-personnel mines; mine clearance operations; the submission of voluntary transparency reports, according to Article 7 of the Convention; voluntary compliance with other Articles of the Convention; and, mine action projects jointly undertaken as confidence-building measures. Since the First Review Conference, Poland adopted such an interim measure by again submitting a voluntary transparency report on anti-personnel mines in accordance with the provisions of Article 7 of the Convention. Sri Lanka provided, on a voluntary basis, some of the information required in Article 7, although it did not submit information on stockpiled anti-personnel mines.

14. According to the ICBL, since the First Review Conference [XX] States not parties (XXXX, XXXX and XXXX) have used anti-personnel mines. In addition, the ICBL has alleged that the United States, which has not produced anti-personnel mines since 1997, is poised to resume production.

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<sup>11</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III) Action #4.

<sup>12</sup> The Convention enters into force for Latvia on 1 January 2006 and for Bhutan on 1 February 2006.

<sup>13</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III) Action #5.

15. On 7 June 2005, the General Assembly of the Organization of American States condemned the use, stockpiling, production and transfer of anti-personnel mines by armed non-State actors and reaffirmed that progress toward a mine-free world will be facilitated if these actors observe the international norm established by the Convention.<sup>14</sup> On 7 July 2005, the European Parliament called on armed non-State actors to sign the Geneva Call's *Deed of Commitment for Adherence to a Total Ban on Anti Personnel Mines and for Cooperation in Mine Action*.<sup>15</sup> With respect to the *Deed of Commitment*, since the First Review Conference, one additional armed non-State actor – in Somalia – renounced the use of anti-personnel mines by signing the document. In addition, former armed non-State actors that signed the *Deed of Commitment* and which are now part of governments have played a leading role in the acceptance and implementation of the Convention by Burundi and Sudan, and are doing the same in Somalia. Challenges remain, however, in that some key armed non-State actors have been reluctant to renounce the use of anti-personnel mines and difficulties persist in monitoring compliance with the *Deed of Commitment* and in mobilisation the resources necessary to implement the *Deed of Commitment*.

*Priorities for the period leading to the Seventh Meeting of the States Parties*

16. Given the progress made in 2005, in the period leading to the next Meeting of the States Parties priorities should be as follows:

- **A more specific effort should be directed towards encouraging progress by those States not parties which have indicated that they could ratify or accede to the Convention in the near-term. These include: Bahrain, Brunei Darussalam, Haiti, Indonesia, Iraq, Kuwait, the Libyan Arab Jamahiriya, the Federated States of Micronesia, Oman, Poland, Somalia, the United Arab Emirates and Vanuatu.**
- **All States Parties and those that share their aims should continue and increase universalization efforts that place a priority on those States not parties that produce, use, transfer and maintain large stockpiles of anti-personnel mines.**

**II. Destroying stockpiled anti-personnel mines**

*Status at the close of the First Review Conference*

17. At the close of the First Review Conference 16 States Parties had still to achieve their obligation to destroy their stockpiled mines. While the number of States Parties for which stockpile destruction was relevant had been reduced to a small number, it was noted that several challenges remained, including that: the numbers of mines held by a few individual States Parties was high; the destruction of the PFM1 mine remained technically challenging; some States Parties do not possess the financial means to destroy their stockpiles of anti-personnel mines; in some post-conflict or otherwise complex situations it may be difficult to find and account for all stockpiled anti-personnel mines that are under the jurisdiction or control of a State Party; and, a

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<sup>14</sup> Organization of American States General Assembly resolution # AG/RES. 2142 (XXXV-O/05), *The Americas as an Anti-Personnel-Land-Mine-Free Zone*.

<sup>15</sup> European Parliament resolution # P6\_TA-PROV(2005)0298, *A world without landmines*.

small number of the States Parties with Article 4 obligations do not or may not have control over their entire sovereign territories.<sup>16</sup>

#### *Nairobi Action Plan*

18. To overcome these challenges, in the *Nairobi Action Plan* it was agreed that the States Parties yet to complete their destruction programmes will: establish the type, quantity and, if possible, lot numbers of all stockpiled anti-personnel mines owned or possessed, and report this information as required; establish appropriate national and local capacities; strive to complete their destruction programmes if possible in advance of their four-year deadlines; and, make their problems, plans progress and priorities for assistance known in a timely manner.<sup>17</sup>

19. In the *Nairobi Action Plan*, it was also agreed that States Parties in a position to do so will act upon their obligations to promptly assist States Parties with clearly demonstrated needs for support, and, support the investigation and further development of technical solutions to overcome the particular challenges associated with destroying PFM1 mines. As well, it was agreed that all States Parties will: when previously unknown stockpiles are discovered after stockpile destruction deadlines have passed, report such discoveries in accordance with their obligations under Article 7, take advantage of other informal means to share such information and destroy these mines as a matter of urgent priority; and, enhance or develop effective responses, including regional and sub regional responses, to meet requirements for technical, material and financial assistance for stockpile destruction and invite the cooperation of relevant regional and technical organizations in this regard.<sup>18</sup>

#### *Actions taken and progress made*

20. At the June 2005 meeting of the Standing Committee on Stockpile Destruction, the Co-Chairs announced a goal that, by the Sixth Meeting of the States Parties, stockpile destruction would remain an obligation for at most seven States Parties (Afghanistan, Belarus, Ethiopia, Greece, Serbia and Montenegro, Sudan and Turkey) and challenged the remaining seven States Parties (Algeria, Angola, Burundi, Cyprus, the Democratic Republic of Congo, Guinea-Bissau, Guyana) to complete destruction before the next Meeting of States Parties. In part due to the Standing Committee, since the First Review Conference significant [and, in cases such as Algeria, accelerated] progress has been made.

21. Of the 16 States Parties which at the close of the Review Conference had not yet completed the destruction of mines, [5] have since reported that their stockpile destruction programs are complete: [Algeria], Bangladesh, [Guinea Bissau], Mauritania, and Uruguay. Since the First Review Conference, three additional States – Bhutan, Ethiopia and Latvia – joined the Convention and have accepted the obligation to destroy their stockpiles. One of these – Bhutan – has indicated that it holds no stockpiles. Hence, the number of States Parties for which the obligation to destroy stockpiled anti-personnel mines remains relevant has been narrowed to include [13] States: [Afghanistan, Angola, Belarus, Burundi, Cyprus, the Democratic Republic of the Congo, Ethiopia, Greece, Guyana, Latvia, Serbia and Montenegro, Sudan and Turkey.]

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<sup>16</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), paragraphs 26-30.

<sup>17</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III) Actions #9 - #12.

<sup>18</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III) Actions #13 - #16.

Timelines for these States Parties to complete stockpile destruction in accordance with Article 4 is contained in Annex II.

22. As noted above, the *Nairobi Action Plan* calls upon States Parties in the process of destroying stockpiled anti-personnel mines to report, as required, on the type, quantity and, if possible, lot numbers of all stockpiled anti-personnel mines owned or possessed.<sup>19</sup> Of the remaining [13] States Parties with the obligation to destroy their stockpiles, all have reported such information since the First Review Conference with the exception of Afghanistan, [Ethiopia], and Guyana. With respect to Afghanistan, it should be noted that it complied in 2005 with its obligation to provide a transparency report, noting, with respect to stockpiled anti-personnel mines, that it may need assistance in determining quantities and types of mines held.

23. In accordance with the commitment made by States Parties to establish capacities to destroy their stocks,<sup>20</sup> of the 13 remaining States Parties at least 7 (Afghanistan, Angola, Belarus, Cyprus, Greece, Serbia and Montenegro and Turkey) have indicated that they have made available or are acquiring the necessary resources and plans to destroy their stockpiles.

24. Pursuant to the commitment made to support the investigation and further development of technical solutions to overcome the particular challenges associated with destroying PFM mines,<sup>21</sup> much more is now known about this type of mine and solutions to its destruction are in hand. Having said that it should also be noted that particular care needs to be taken to address the technical issues associated with the destruction of artillery delivered anti-personnel mines (ADAM) which contains or may contain depleted uranium. This is of interest to of least one State Party.

25. During the 2005 Intersessional Work Programme, it was highlighted that the States Parties must consider the subject of multi-function fuses and how inventories of this particular fuse could possibly be used to convert command detonated munitions to victim activated mines. At least one State Party holds this type of fuse in its inventory.

*Priorities for the period leading to the Seventh Meeting of the States Parties*

26. Given the progress made in 2005, in the period leading to the next Meeting of the States Parties priorities should be as follows:

- **Efforts should continue to ensure that States Parties continue to achieve their Article 4 obligations in a timely manner and that assistance is made available where there is a clear need.**
- **Given that many of the [13] States Parties for which stockpile destruction remains relevant lack necessary capacities, due attention must be given to continuing to overcome challenges identified in the Nairobi Action Plan, including that some States Parties do not possess the financial means to destroy their stockpiles of anti-personnel mines and that in some post-conflict or otherwise complex situations it may be difficult**

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<sup>19</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III) Action #9.

<sup>20</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III) Action #10.

<sup>21</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III) Action #14.

**to find and account for all stockpiled anti-personnel mines that are under the jurisdiction or control of a State Party.**

- **Collective efforts should continue to identify and enlarge the list of potential donors who could help countries in need of financial, material and technical assistance for completing their destruction programs.**
- **Success and / or progress in pursuing the aims of the Nairobi Action Plan as they pertain to stockpiled destruction should continue to be monitored, measured and discussed, particularly during the Intersessional Work Programme, with the experience of those States Parties that have successfully completed their destruction programmes or are in the process of doing so should continue to be shared.**
- **Steps should be taken to understand and resolve the issues associated with ADAM and multi-function fuses.**
- **Efforts should be made to raise awareness of the need to establish and implement stockpile destruction programmes that are consistent with good practices – including good safety and environmental practices, such as those outlined in the International Mine Action Standards.**
- **Appropriate actions should be taken to ensure that those States Parties that have not reported their stockpile status in their Article 7 Transparency Reports do so in a timely manner.**

### **III. Clearing mined areas**

#### *Status at the close of the First Review Conference*

27. In accordance with Article 5 of the Convention, States Parties must “make every effort to identify all areas under (their) jurisdiction or control in which anti-personnel mines are known or suspected to be emplaced” and undertake “to destroy or ensure the destruction of all anti-personnel mines in mined areas under (their) jurisdiction or control, as soon as possible but not later than ten years after the entry into force of (the) Convention for (a particular) State Party.” The term “mined area” is defined in Article 2 of the Convention as “an area which is dangerous due to the presence or suspected presence of mines.” The Convention does not contain language that would require each State Party to search every square metre of its territory to find mines. The Convention requires, however, the destruction of all anti-personnel mines in mined areas which a State Party has made reasonable effort to identify. It should be noted that while terms like “mine-free,” “impact-free,” and “mine-safe” are sometimes used, such terms do not exist in the text of the Convention and are not synonymous with Convention obligations.

28. Clearance of all mined areas in accordance with Article 5 is part of the Convention’s overall comprehensive approach to ending the suffering and casualties caused by anti-personnel mines – “for all people, for all time.”<sup>22</sup> Anti-personnel mines, and the clearance of them, have and / or could have a humanitarian impact, an impact on development, an impact on the disarmament goal of the Convention and an impact on solidifying peace and building confidence. The totality of the impacts caused by anti-personnel mines should be addressed in the context of the Convention. As of 3 December 2004, 49 States Parties had reported areas

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<sup>22</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III), Introduction.

under their jurisdiction or control that contain, or are suspected to contain, anti-personnel mines. Three of these States Parties – Costa Rica, Djibouti and Honduras – had indicated that they have completed implementation of Article 5.

29. With respect to the **identification of mined areas**, the First Review Conference both recorded significant methodological, organizational and operational advances, and, emphasized that “States Parties that have not yet done so need to act with urgency to ensure that every effort is made to identify all areas under their jurisdiction or control in which anti-personnel mines are known or suspected to be emplaced.”<sup>23</sup>

30. With respect to **national planning and programme development**, on the one hand the First Review Conference noted that “many States Parties have proceeded in the development and implementation of national programmes to fulfil Article 5 obligations,” assisted in part by the development of the Information Management System for Mine Action (IMSMA) and the International Mine Action Standards (IMAS).<sup>24</sup> On the other hand, the First Review Conference was able to note little with respect to the national plans and demining programmes of several States Parties.<sup>25</sup>

31. With respect to **marking and protecting mined areas**, the First Review Conference recorded that implementation of relevant obligations had been aided by relevant International Mine Action Standards. However, challenges noted included that fencing off large swathes of territory and maintaining fencing and markings are expensive propositions, that monitoring requires precious human resources, that communities in resource-deprived areas have often procured the fencing used for their own day-to-day purposes and that ongoing instability in areas suspected of being mined and the absence of operational mine action structures affects implementation.<sup>26</sup>

32. With respect to **mine risk education (MRE)**, the First Review Conference noted that this field has become more standardized and professional. However, challenges were also recorded, including that many States Parties do not have accurate data on populations at risk and that many States Parties need to integrate MRE programmes into broader relief and development activities and education systems.<sup>27</sup>

33. With respect to **mine action technologies**, the First Review Conference recorded that a variety of means that have emerged for States Parties to exercise their right, under Article 6(2), “to participate in the fullest possible exchange of equipment, material and scientific and technological information concerning the implementation of (the) Convention”, and to fulfil their responsibility to facilitate such an exchange. In addition, the following challenges were recorded: the need for additional investments for close-in detection and area reduction; the need to focus on country or region-specific solutions; the need to maintain an appropriate level of technology in mine-affected States Parties, ensuring that it is affordable, sustainable and adaptable to local

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<sup>23</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), paragraphs 37-40.

<sup>24</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), paragraphs 42, 43 and 54. The IMSMA has been developed by the Geneva International Centre for Humanitarian Demining (GICHD). The GICHD also manages the development and updating of the IMAS on behalf of the UN.

<sup>25</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), Annex IV.

<sup>26</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), paragraphs 45 and 47.

<sup>27</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), paragraphs 49 and 52.

conditions; the need to ensure that developing new technologies does not overshadow productivity increases, which could be achieved with supplying existing technology; and, the need to further strengthen the relationship between end users of technology and those developing it.<sup>28</sup>

### *Nairobi Action Plan*

34. At the First Review Conference, it was agreed that successfully meeting the deadlines for clearing mined areas according to Article 5 of the Convention “will be the most significant challenge to be addressed in the coming five years and will require intensive efforts by mine-affected States Parties and those in a position to assist them.”<sup>29</sup>

35. To address this challenge, in the *Nairobi Action Plan*, the States Parties agreed to “intensify and accelerate efforts to ensure the most effective and most expeditious possible fulfilment of Article 5 (1) mine clearance obligations in the period 2005-2009” and to “strive to ensure that few, if any, States Parties will feel compelled to request an extension in accordance with the procedure set out in Article 5, paragraphs 3-6 of the Convention.”<sup>30</sup> In addition, it was agreed that the States Parties that have reported mined areas under their jurisdiction or control, where they have not yet done so, will do their utmost to urgently identify all areas containing anti-personnel mines, urgently develop and implement national plans, and make their problems, plans, progress and priorities for assistance known.<sup>31</sup> As well, the States Parties agreed to “monitor and actively promote the achievement of mine clearance goals and the identification of assistance needs.”<sup>32</sup>

36. In the *Nairobi Action Plan* it was agreed that the States Parties that have reported mined areas under their jurisdiction or control, where they have not yet done so, will do their utmost to: prioritize clearance of areas with highest human impact, provide mine risk education and increase efforts to perimeter-mark, monitor and protect mined areas awaiting clearance in order to ensure the effective exclusion by civilians, as required by Article 5 (2); and, ensure that mine risk education programmes are made available in all communities at risk, integrating such programmes into education systems and broader relief and development activities, taking into consideration age, gender, social, economic, political and geographical factors, and ensuring consistency with relevant International Mine Action Standards, as well as national mine action standards.<sup>33</sup>

37. The States Parties agreed in the *Nairobi Action Plan* to strengthen efforts to enable mine-affected States Parties to participate in the fullest possible exchange of equipment, material and scientific and technological information, in part to further close the gap between end users of technology and those developing it; to share information on – and further develop and advance – mine clearance techniques, technologies and procedures; and, while work proceeds on

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<sup>28</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), paragraphs 57 and 61.

<sup>29</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III), paragraph 4.

<sup>30</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III), Actions #17 and #27.

<sup>31</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III), Actions #18, #19 and #22.

<sup>32</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III), Action #28.

<sup>33</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III), Actions #20 and 21.

developing new technologies, to seek to ensure an adequate supply and most efficient use of existing technologies.<sup>34</sup>

38. The *Nairobi Action Plan* also indicated a commitment on the part of the States Parties to “ensure and increase the effectiveness and efficiency of their efforts” in clearing mined areas and to “continue to support, as appropriate, mine action to assist affected populations in areas under the control of armed non-State actors, particularly in areas under the control of actors which have agreed to abide by the Convention’s norms.”<sup>35</sup>

#### *Actions taken and progress made*

39. Since the First Review Conference, Ethiopia – a State with areas under its jurisdiction or control that contain anti-personnel mines – ratified the Convention and Suriname reported that it had fulfilled its obligations under Article 5. Hence, fulfilling obligations under Article 5 remains relevant for [46] States Parties. Timelines for these States Parties to complete clearance in accordance with Article 5 is contained in Annex III.

40. Regarding “(monitoring) and actively (promoting) the achievement of mine clearance goals and the identification of assistance needs,”<sup>36</sup> the Co-Chairs of the Standing Committee on Mine Clearance, Mine Risk Education and Mine Action Technologies set as their main objective for the Standing Committee to serve as a catalyst to “intensify and accelerate efforts” to fulfil Article 5 obligations. Each of the States Parties which has reported areas containing anti-personnel mines was invited to share information at the June meeting of the Standing Committee with 36 of these States Parties doing so. Based on presentations made by States Parties, reports submitted by them in accordance with Article 7, and other information that has been made available, it is possible to record the various progress and remaining challenges.

41. Since the First Review Conference, *landmine impact surveys* – a means of defining the landmine problem in terms of location and socio-economic impacts experienced by affected communities – have been completed in Afghanistan and have been underway in Angola and Ethiopia. In addition, reporting on identified mined areas should be facilitated by the IMSMA having been made available to mine action programmes 29 relevant States Parties. However, more must be done by several States Parties to identify mined areas under their jurisdiction or control and to report this information as required.

42. Of the 46 States Parties which must still fulfil obligations under Article 5 of the Convention, [XX] have reported that they have a plan to fulfil clearance obligations in a manner that is consistent with their 10-year deadlines to do so. This includes [YY] of the 22 States Parties with deadlines for clearance in 2009 have indicated that they have plans to meet their deadlines. A total of [ZZ] States Parties have reported that they have national demining plans which include aims that either fall short of the Convention’s obligations or are inconsistent with these States Parties respective 10-year deadlines. A total of [AA] States Parties have not provided information indicating that they have national demining plans in place. Given the number of years that have passed since entry into force, more must be done by several States Parties to develop national demining plans and demining programmes so that they will meet their

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<sup>34</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III), Actions #25 and #26.

<sup>35</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III), Actions #24 and #46.

<sup>36</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III), Action #28.

deadlines. In terms of the development and implementation of national plans and demining programmes, a summary of the status of progress reported over the past year can be found in Annex IV.

43. Since the First Review Conference, the following [XX] States Parties have reported on measures taken to “ensure as soon as possible that all anti-personnel mines in mined areas under (their) jurisdiction or control 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.” [INSERT LIST]. In addition, the following [XX] States Parties have reported on “the measures taken to provide an immediate and effective warning to the population in relation to all areas identified under paragraph 2 of Article 5:” [INSERT LIST].

44. According to the ICBL, important quantitative and qualitative gains have been made in risk reduction activities with more individuals receiving mine risk education (MRE), with 11 States Parties (Afghanistan, Angola, Bosnia and Herzegovina, Cambodia, Croatia, Eritrea, Ethiopia, Mozambique, Nicaragua, Sudan and Uganda) having increased the integration of MRE into broader mine action activities, and with 7 States Parties (Afghanistan, Bosnia and Herzegovina, Cambodia, Eritrea, Guinea-Bissau, Mozambique, and Uganda) now having integrated MRE into school curricula. In addition, thanks to a consultative effort led by the ICBL and UNICEF, International Mine Action Standards (IMAS) for MRE have now been completed and UNICEF, with the support of the Geneva International Centre for Humanitarian Demining (GICHD) has commenced work on comprehensive guidelines to support the implementation of these IMAS.

45. In follow-up to the relevant actions agreed to at the First Review Conference, Belgium continued in 2005 to convene an informal group of mine action technologies experts. This group of experts highlighted that a great deal of testing of existing equipment has been undertaken, particularly on the part of the International Test and Evaluation Programme (ITEP). This has included tests on more than 20 vegetation cutters and flails, 30 metal detectors, 2 dual-sensor mine detectors, protective equipment, ground penetrating radar and vapour detectors. In addition with respect to mine action technologies, on the basis of presentations made by Japan and the GICHD, on 5 July 2005 the New York-based Mine Action Support Group held detailed discussions on advances in the field.

46. With respect to “(ensuring) and (increasing) the effectiveness and efficiency of their efforts”<sup>37</sup> in clearing mined areas, since the First Review Conference, the IMAS Review Board met, making amendments to 32 International Mine Action Standards.

47. With respect to the commitment “continue to support, as appropriate, mine action to assist affected populations in areas under the control of armed non-State actors, particularly in areas under the control of actors which have agreed to abide by the Convention’s norms,”<sup>38</sup> on 15 June 2005 Switzerland organised an event entitled *the role of States in moving forward with the implementation of Action 46 of the Nairobi Action Plan*. At this event, Switzerland presented a paper that it had commissioned to stimulate discussion regarding whether engaging armed groups with a view to implementing *Action 46* is feasible and whether accountability frameworks to do so were in existence or should be sought. In addition with respect to *Action 46*, the Geneva

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<sup>37</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III), Action #24.

<sup>38</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III), Action #46.

Call reported that progress has been made by armed non-state actors within India, the Philippines, Somalia and Sudan in their application of the mine action responsibilities contained in the Geneva Call's *Deed of Commitment for Adherence to a Total Ban on Anti Personnel Mines and for Cooperation in Mine Action*.

*Priorities for the period leading to the Seventh Meeting of the States Parties*

48. Given the progress made in 2005, in the period leading to the next Meeting of the States Parties priorities should be as follows:

- **Each State Party which has not yet identified all areas under their jurisdiction or control in which anti-personnel mines are known or are suspected to be emplaced should identify such areas as soon as possible and report this information as required.**
- **Each State Party which has reported areas containing anti-personnel mines but which has not yet established a plan to clear these areas by its deadline should establish such a plan as soon as possible and share information on its plan and progress in implementing it, using mechanisms such as Article 7 reporting and the Intersessional Work Programme.**
- **Each actor which has professed its support for the Convention and which is assisting States Parties in developing a national plan to implement Article 5 should ensure that advice and assistance provided is consistent with and not contradict or fall short of the obligations that States Parties have accepted under Article 5 of the Convention.**
- **With a view to ensuring that few, if any, States Parties will feel compelled to request an extension in accordance with the procedure set out in Article 5, paragraphs 3-6 of the Convention, each State Party which has reported areas containing anti-personnel mines should make or acquire the financial and technical means available to clear mined areas, identify ways to address any circumstances which may impede its ability to conduct clearance, and share information on these matters using mechanisms such as Article 7 reporting and the Intersessional Work Programme.**
- **In cases where mine action is largely managed and conducted by foreign non-governmental organizations and / or international organizations, national ownership and local capacity development – which are more cost-effective and sustainable – should be accelerated through means such as the use of regular army units or demobilized combatants in demining.**
- **Given the advances made in the field of mine risk education, a priority should be placed on applying the International Mine Action Standards for MRE, particularly by ensuring that all clearance operations have a community liaison component as stipulated by these standards.**
- **Given the Nairobi Action Plan's emphasis on ensuring an adequate supply and most efficient use of existing technologies, a priority in 2006 should be for donors and end-users to further integrate available technologies into clearance operations.**

#### **IV. Assisting the victims**

##### *Status at the close of the First Review Conference*

49. The First Review Conference recorded that significant conceptual gains had been made during the period 1999-2004 with respect to the fulfilment of the States Parties' obligation to provide assistance for the care and rehabilitation, and social and economic reintegration of mine victims. One of the major advances made by the States Parties was to better understand the elements that comprise victim assistance.<sup>39</sup> While progress had been made in each area, significant challenges remained.

50. With respect to **understanding the extent of the challenge faced**, it was noted that many mine-affected States Parties still know little about the prevalence of new victims, the numbers of survivors or their specific needs and that in many cases where data collection does occur national ownership over this matter not yet been achieved. Hence it was recorded that many States Parties faced the challenge of enhancing their mine victim data collection capacities, integrating such systems into existing health information systems and ensuring full access to information.<sup>40</sup>

51. With respect to **emergency and continuing medical care**, it was noted that for many mine-affected countries: there is a lack of trained staff, medicines, equipment and infrastructure to adequately respond to mine and other trauma injuries; the application of existing guidelines remains a challenge; there is a need to ensure that healthcare workers and lay-people in mine-affected areas are trained in emergency first-aid and that trauma surgeons and nurses receive appropriate training; there is a need to enhance medical facilities, at a minimum, to meet basic standards; and, problems are posed by the proximity of services to mined areas and difficulties in transporting to these facilities those who require care.<sup>41</sup>

52. With respect to **physical rehabilitation**, it was noted that major challenges for many States Parties are to: increase, expand access to and ensure the sustainability of national capacities; increase the number of trained specialists; provide rehabilitation services in mine-affected communities, ensuring that landmine victims have access to transportation to these services; and, engage all relevant actors to ensure effective coordination in advancing the quality of care and increasing the numbers of individuals assisted.<sup>42</sup>

53. With respect to **psychological support social rehabilitation**, it was noted that a challenge for many States Parties is to increase national and local capacity, engaging all relevant actors and taking full advantage of the fact that landmine survivors themselves are resources who can act as constructive partners in programmes.<sup>43</sup>

54. Concerning **economic reintegration**, it was noted that a challenge for many States Parties is to build and develop sustainable economic activities in mine-affected areas that would benefit not only those individuals directly impacted by mines and UXO but their communities. It

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<sup>39</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), paragraph 69.

<sup>40</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), paragraph 71.

<sup>41</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), paragraphs 72 and 73.

<sup>42</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), paragraph 75.

<sup>43</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), paragraph 76.

was also noted that this challenge is profound given that economic reintegration of survivors must be seen in the broader context of economic development.<sup>44</sup>

55. Concerning the **establishment, enforcement and implementation of relevant laws and public policies**, it was noted that it remains challenging for many States Parties: to fully implement the provisions of existing legislation; to provide pensions that are adequate to maintain a reasonable standard of living; to ensure accessibility to public and private infrastructure; and, to further develop and implement plans to address the needs and rights of mine victims, and more generally to improve rehabilitation and socio-economic reintegration services for all persons with disabilities.<sup>45</sup>

56. The First Review Conference also highlighted that victim assistance responsibilities are most pertinent for – and hence these challenges are most profound in – 23 States Parties in which these States Parties themselves have indicated there likely are hundreds, thousands or tens-of-thousands of landmine survivors: Afghanistan, Albania, Angola, Bosnia and Herzegovina, Burundi, Cambodia, Chad, Colombia, Croatia, the Democratic Republic of the Congo, El Salvador, Eritrea, Guinea-Bissau, Mozambique, Nicaragua, Peru, Senegal, Serbia and Montenegro, Sudan, Tajikistan, Thailand, Uganda and Yemen.<sup>46</sup> With the ratification of the Convention by Ethiopia on 17 December 2004, this number now stands at 24.

#### *Nairobi Action Plan*

57. The *Nairobi Action Plan* provides an excellent and comprehensive basis for action to assure progress in overcoming these challenges. In it, specific actions were agreed to indicating that States Parties, particularly those with the greatest numbers of mine victims, will do their utmost to: develop or enhance national mine victim data collection capacities; establish and enhance health-care services needed to respond to the needs of mine victims; increase national physical rehabilitation capacity; actively support the socio-economic reintegration of mine victims; ensure that national legal and policy frameworks effectively address the needs and fundamental human rights of mine victims; and, ensure that, in all victim assistance efforts, emphasis is given to age and gender considerations and to mine victims who are subject to multiple forms of discrimination.<sup>47</sup> These actions constitute the basis for the States Parties' response in a concrete, measurable and meaningful way to the "vital promise for hundreds of thousand of mine victims around the world, as well as for their families and communities."<sup>48</sup>

58. Ensuring that the 24 States Parties that have reported the responsibility for significant numbers of landmine survivors will be in a position to meet their objectives by 2009 will, in many cases, require outside assistance. This was recognized in the *Nairobi Action Plan*, which recorded the commitment that "States Parties in a position to do so will act upon their obligation under Article 6(3) to promptly assist those States Parties with clearly demonstrated needs for external support for care, rehabilitation and reintegration of mine victims, responding to

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<sup>44</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), paragraph 77.

<sup>45</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), paragraphs 78 and 79.

<sup>46</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), paragraph 85.

<sup>47</sup> *Nairobi Action Plan* (APLC/CONF/2004/5) Actions #29 to #35.

<sup>48</sup> *Nairobi Action Plan* (APLC/CONF/2004/5) paragraph 5.

priorities for assistance as articulated by those States Parties in need and ensuring continuity and sustainability of resource commitments.”<sup>49</sup>

59. In the *Nairobi Action Plan*, the States Parties also agreed to “ensure effective integration of mine victims in the work of the Convention” and to “ensure an effective contribution in all relevant deliberations by health, rehabilitation and social services professionals.”<sup>50</sup>

#### *Actions taken and progress made*

60. At the First Review Conference, it was noted that “while not forgetting the responsibilities to landmine victims wherever they may be, a greater emphasis must be placed on the fulfilment of the responsibilities to landmine victims by (the now 24 State Parties of the Convention which have indicated that they hold the responsibility to provide for the well-being of significant numbers of landmine survivors).”<sup>51</sup> However, maximizing the *Nairobi Action Plan* as a basis for action on victim assistance requires a better understanding of what can or should be achieved by December 2009 by / in these 24 States. That is, until what is desired is measurable and time-bound, and, until there are plans to achieve what is desired, success or failure will constantly be an undefined and / or a changeable target.

61. It should be noted that what can or should be achieved by when and how will be different for each of these 24 States Parties with respect to each of the areas of victim assistance, given diversities in terms of numbers / characteristics of survivors, capacity, geography, etc. As the ultimate responsibility of meeting the needs of survivors rests with each of these States, they themselves must define what can or should be achieved (in concrete and measurable terms) and how.

62. Assisting these States Parties in establishing objectives was a major priority of the Co-Chairs of the Standing Committee on Victim Assistance and Socio-Economic Reintegration in 2005. The Co-Chairs distributed a comprehensive questionnaire to the 24 pertinent States Parties to support these States Parties in their articulation of (a) specific, measurable and realistic victim assistance objectives by 2009; (b) plans to achieve these objectives; and (c) means to implement these plans. To further support the efforts of these 24 States Parties in developing concrete and measurable objectives for victim assistance, the Co-Chairs convened workshops in Latin America and in Africa, pursued a number of country-specific assistance strategies and provided a forum for States Parties to present their initial responses to the questionnaire at the June 2005 meeting of the Standing Committee.

63. The questionnaire, which is not an end-product but rather an initial step in long-term planning and implementation as it concerns victim assistance, has been welcomed and used by most of the 24 State Parties in question. Many of these States Parties have now developed victim assistance objectives for 2009, which are summarized in Annex V. Hence, there is now a much clearer road map regarding what needs to be done between 2005 and the Second Review Conference and how success pertaining to victim assistance will be measured in 2009.

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<sup>49</sup> *Nairobi Action Plan* (APLC/CONF/2004/5) Action #36.

<sup>50</sup> *Nairobi Action Plan* (APLC/CONF/2004/5) Actions #38 and #39.

<sup>51</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), paragraph 86.

64. Providing support that will benefit landmine survivors can take many forms. With respect to some of these forms, particularly an integrated approach in which development cooperation aims to guarantee the rights of all persons with disabilities, including landmine survivors, tracking or measuring the benefits that flow specifically to landmine survivors and the impact of assistance can be problematic.

65. With respect to ensuring “effective integration of mine victims in the work of the Convention” and “an effective contribution in all relevant deliberations by health, rehabilitation and social services professionals,”<sup>52</sup> the President of the First Review Conference and the Director of the GICHD undertook to remind the States Parties and all other relevant actors of these commitments through their letter of invitation to the June 2005 meetings of the Standing Committees. Many States Parties and relevant organizations responded by including such individuals on their delegations to the June meetings.

66. The thematic areas that make up what the States Parties understand *victim assistance* to be are complex. With a view to advancing understanding of some of these complexities, since the First Review Conference, the Co-Chairs of the Standing Committee on Victim Assistance placed priority on exploring two areas in particular – emergency medical care and socio-economic reintegration. For its part, the ICBL and its member organizations assisted in advancing understanding by producing the compilation, *101 Great Ideas for the Socio-Economic Reintegration of Mine Survivors*, and the study, *National Legal Frameworks Relating to Persons with Disabilities in Heavily Mine-Affected Countries*.

*Priorities for the period leading to the Seventh Meeting of the States Parties*

67. Given the progress made in 2005, in the period leading to the next Meeting of the States Parties priorities should be as follows:

- **While objectives may have been established by many of the 24 States Parties that have reporting the responsibility for significant numbers of survivors, it is essential that these States Parties proceed with the more complex task of developing comprehensive national plans to guide the fulfilment of these objectives.**
- **In keeping with the commitment made in the *Nairobi Action Plan* to “monitor and promote progress in the achievement of victim assistance goals,” a priority must be, to place a focus on what steps are being taken to achieve the national objectives set by the 24 most affected States Parties and what progress is being made.<sup>53</sup>**
- **Given that the objectives established by the 24 most affected States Parties provide a clearer picture of their priorities for assistance, an emphasis could be placed on an enriched exchange of information on ways in which States Parties in a position to do so are fulfilling their obligations under Article 6(3).**

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<sup>52</sup> See *Nairobi Action Plan* (APLC/CONF/2004/5) actions #38 and #39.

<sup>53</sup> *Nairobi Action Plan* (APLC/CONF/2004/5) Action #37. States Parties may benefit from the important baseline information which was compiled in 2005 by the ICBL and its member organizations in the publication, *Landmine Victim Assistance in 2004: Overview of the Situation in 24 States Parties*.

- **In 2006 and beyond, a priority should be placed on exploring in greater detail those areas of victim assistance which were not covered in great detail in 2005.**
- **All relevant actors should continue to emphasize the importance of participation in the work of the Convention by landmine survivors and relevant health, rehabilitation and social services professionals.**

## **V. Other matters essential for achieving the Convention's aims**

### **A. Cooperation and assistance**

NOTE: WORK ON THIS SECTION IS STILL IN PROGRESS

### **B. Transparency and the exchange of information**

68. In the Nairobi Action Plan, the States Parties noted that “transparency and the open exchange of information have been essential pillars on which the Convention’s practices, procedures and tradition of partnership have been built, through both formal means and informal means,” and, “(recognized) that transparency and effective information exchange will be equally crucial to fulfilling their obligations during the period 2005-2009.”<sup>54</sup>

69. At the close of the First Review Conference, of the then 141 States Parties that were required to submit an initial transparency report in accordance with Article 7.1, all but 4 had done so.<sup>55</sup> In addition, of the States Parties that were obliged to furnish updated information in 2004 accordance with Article 7.2, all had done so with the exception of 24 States Parties. The overall reporting rate in the year of the First Review Conference exceeded 78 percent.

70. Notwithstanding a high rate of compliance, the States Parties noted at the First Review Conference that it will be a challenge to ensure that the States Parties continue to comply with their annual reporting obligations. They underlined that compliance will be particularly important for States Parties that are in the process of destroying stockpiled mines in accordance with Article 4, those that are in the process of clearing mined areas in accordance with Article 5, those that have decided to retain anti-personnel mines in accordance in accordance with Article 3, those undertaking measures in accordance with Article 9.<sup>56</sup>

71. Hence, in the *Nairobi Action Plan*, the States Parties agreed that they will “fulfil their obligations to annually update Article 7 transparency reports.” In addition, they agreed to “maximise reporting as a tool to assist in implementation, particularly in cases where States Parties must still destroy stockpiled mines, clear mined areas, assist mine victims or take legal or other measures referred to in Article 9.” As well, with respect to those States Parties which have not yet complied with Article 7.1 of the Convention, the States Parties agreed to “urge (these States Parties) to fulfil their obligation to provide initial transparency reports under Article 7

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<sup>54</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III) paragraph 7.

<sup>55</sup> The Final Report of the First Review Conference indicates that Saint Lucia had not submitted an initial report by the close of the Conference. This was an error as Saint Lucia submitted its initial report on 16 November 2004.

<sup>56</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), paragraph 117.

without further delay and request that the UN Secretary-General, as the recipient of these reports, call upon these States Parties to provide their reports.”<sup>57</sup>

72. As 2 December 2005, a total of 144 of the [146] States which have ratified or acceded to the Convention were required to submit an initial report in accordance with Article 7.1. Since the First Review Conference, initial reports were submitted by [Estonia and Papua New Guinea]<sup>58</sup>. Hence, all States Parties have now complied with their Article 7.1 obligations with the exception of the same four States Parties which had not yet provided an initial report in time for the First Review Conference: [Cape Verde, Equatorial Guinea, Guyana, and Sao Tome and Principe].<sup>59</sup>

73. In terms of compliance with Article 7.2 of the Convention, of the States Parties which were required in 2005 to provide updated information covering the last calendar year, each has done so with the exception of the following [49] States Parties: [Algeria, Andorra, Antigua and Barbuda, Barbados, Belize, Benin, Bolivia, Botswana, Cameroon, Central African Republic, Chad, Comoros, Dominican Republic, Ecuador, Eritrea, Fiji, Gabon, Gambia, Ghana, Grenada, Guinea, Honduras, Kenya, Kiribati, Lesotho, Liberia, Madagascar, Maldives, Nauru, Nigeria, Niue, Panama, Papua New Guinea, Paraguay, Qatar, Saint Lucia, Saint Vincent and the Grenadines, Samoa, Serbia and Montenegro, Sierra Leone, Solomon Islands, St. Kitts and Nevis, Sudan, Swaziland, Timor Leste, Togo, Trinidad and Tobago, Uganda and Uruguay]. As of 2 December 2005, the overall reporting rate in 2005 stood at [63] percent.

74. As noted, the First Review Conference emphasised that reporting in accordance with Article 7 is particularly important for States Parties which are in the process of fulfilling key obligations or which have retained anti-personnel mines for reasons permitted under Article 3 of the Convention. In this regard, the following was the status as of 2 December 2005:

- Of the 16 States Parties which, as of the close of the First Review Conference, still had to destroy stockpiled mines in accordance with Article 4, each provided a transparency report in 2005 covering the previous calendar year with the exception of the following: [Algeria, Ethiopia, Guyana, Serbia and Montenegro and Sudan].
- Of the 49 States Parties which, as of the close of the First Review Conference, still had to clear mined areas in accordance with Article 5, each provided a transparency report in 2005 covering the previous calendar year with the exception of the following: [Algeria, Chad, Ecuador, Eritrea, Ethiopia, Serbia and Montenegro, Sudan, Swaziland and Uganda].
- Of the 89 States Parties which, as of the close of the First Review Conference, had not yet reported either that they had adopted legislation in the context of Article 9 obligations or that they considered existing laws to be sufficient to give effect to the Convention, each provided a transparency report in 2005 covering the previous calendar year with the exception of the following: [Algeria, Andorra, Antigua and Barbuda, Barbados, Benin, Botswana, Cameroon, Cape Verde, Central African Republic, Chad, Comoros, Dominican Republic, Ecuador, Equatorial Guinea, Eritrea, Ethiopia, Fiji, Gabon, Gambia, Ghana, Grenada, Guinea, Guyana,

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<sup>57</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III) Actions #51 and #52.

<sup>58</sup> NOTE TO DRAFTERS: Ethiopia's initial report is due no later than 28 November 2005.

<sup>59</sup> Latvia is required to submit an initial transparency report as soon as practicable and in any event not later than 30 June 2006. Bhutan is required to submit an initial transparency report as soon as practicable and in any event not later than ----.

Kenya, Kiribati, Liberia, Madagascar, Maldives, Nauru, Nigeria, Niue, Panama, Papua New Guinea, Paraguay, Qatar, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sao Tome and Principe, Serbia and Montenegro, Sierra Leone, Solomon Islands, Sudan, Swaziland, Timor-Leste, Togo and Uruguay].

- Of the 74 States Parties which, as of the close of the First Review Conference, had reported that they had retained mines for reasons permitted under Article 3, each provided updated information on this matter with the exception of the following: [Algeria, Botswana, Cameroon, Ecuador, Eritrea, Honduras, Kenya, Nigeria, Serbia and Montenegro, Sudan, Togo, Uganda and Uruguay]. An update on the numbers of mines retained and transferred for permitted reasons by all States Parties is contained in Annex VI.

75. Also with respect to mines retained under Article 3, the First Review Conference noted that some States Parties on a voluntary basis have provided information on the intended purpose and actual use of mines retained under Article 3.<sup>60</sup> In the Nairobi Action Plan, this level of transparency was further encouraged. That is, it was agreed that all States Parties will “in situations where States Parties have retained mines in accordance with the exceptions in Article 3, provide information on the plans requiring the retention of mines for the development of and training in mine detection, mine clearance, or mine destruction techniques and report on the actual use of retained mines and the results of such use.”<sup>61</sup>

76. The Co-Chairs of the Standing Committee on the General Status and Operation of the Convention took an active interest in promoting the pursuit of the aims of the above-mentioned action. At the 13 / 17 June 2005 meeting of the Standing Committee, the Co-Chairs provided a forum for States Parties to volunteer relevant information and, in advance of this meeting, they invited States Parties that have retained mines under Article 3 to make use of this forum.<sup>62</sup> A total of 12 States Parties took advantage of this opportunity to share information at the Standing Committee’s meeting. Some States Parties also used their annual transparency reports as vehicles to volunteer information. An overview of additional information provided is contained in Annex VI. In addition, two States Parties – Argentina and Chile – proposed that the transparency reporting format be amended to better enable States Parties to provide information.

77. The First Review Conference recalled that in 2000 the States Parties adopted *Form J* to provide States Parties with an opportunity to report voluntarily on matters pertaining to compliance and implementation not covered by the formal reporting requirements contained in Article 7, particularly information on assistance for the care and rehabilitation, and social and economic reintegration, of mine victims.<sup>63</sup> The Nairobi Action Plan encouraged the use of this information sharing mechanism in that it was agreed that “all States Parties will take full

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<sup>60</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), paragraph 109.

<sup>61</sup> *Nairobi Action Plan* (APLC/CONF/2004/5) Action #54.

<sup>62</sup> The Co-Chairs suggested that States Parties may wish to volunteer three main pieces of information: (i) The purposes for which retained mines have been used and the results of this use, including for example: the mine detection, clearance or destruction techniques that have been / are being developed; the mine detection, clearance or destruction training that has been carried out; and, the number of personnel trained and to what standard. (ii) Plans for the further development of mine detection, clearance or detection techniques and further training which would result in the use of mines retained under Article 3. (iii) The number and types of mines that a State Party anticipates using in coming years for the development of and training in mine detection, mine clearance, or mine destruction techniques.

<sup>63</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), paragraph 112.

advantage of the flexibility of the Article 7 reporting process, including through the reporting format's *Form J*.”<sup>64</sup> Since the First Review Conference, the following [39] States Parties have made use of this voluntary means of reporting: [Afghanistan, Albania, Angola, Austria, Belarus, Belgium, Bosnia and Herzegovina, Burundi, Cambodia, Canada, Chile, Costa Rica, Cyprus, Democratic Republic of the Congo, Denmark, Estonia, France, Germany, Guinea Bissau, Ireland, Italy, Japan, Lithuania, Malawi, Malta, Mozambique, Netherlands, New Zealand, Norway, Peru, Rwanda, Slovakia, South Africa, Spain, Sweden, Tajikistan, Thailand, Turkey and Zimbabwe.]

78. At the First Review Conference, the States Parties noted that since the Convention's entry into force they have shared information and exchanged views on the application of many of the Articles of the Convention and that they agree that they will, during the period 2005 to 2009, “exchange views and share their experiences in a cooperative and informal manner on the practical implementation of the various provisions of the Convention, including Articles 1, 2 and 3, to continue to promote effective and consistent application of these provisions.”<sup>65</sup> To facilitate such an exchange of views and sharing of experiences, the Co-Chairs of the Standing Committee on the General Status and Operation of the Convention incorporated this matter into the agenda for the Standing Committee's 13 / 17 June 2005 meeting.

79. At the First Review Conference, the States Parties recognized the value of extending to States not parties the concept of volunteering pertinent information. In the Nairobi Action Plan, it was agreed that “all States Parties will encourage States not parties, particularly those that have professed support for the object and purpose of the Convention, to provide voluntary transparency reports and to participate in the work of the Convention.”<sup>66</sup> Since the First Review Conference, Latvia and Poland provided voluntary transparency reports, sharing information on all pertinent matters mentioned in Article 7.<sup>67</sup> Sri Lanka also provided some information referred to in Article 7, although significantly it refrained from offering transparency on matters such as stockpiled anti-personnel mines, which is a requirement of States Parties.

80. Most types of information contained in reports submitted in accordance with Article 7 have been referred to elsewhere in this review. Two areas not covered include information on the conversion or decommissioning of anti-personnel mine production facilities, and, on the technical characteristics of mines at one time produced or currently held by States Parties. The First Review Conference recorded that between, 1999 and 2004, 22 States Parties had reported on the conversion or decommissioning of anti-personnel mine production facilities.<sup>68</sup> Since the First Review Conference, the following [1] additional State Party has reported on this matter [Zimbabwe]. With respect to the technical characteristics of anti-personnel mines produced or currently held, the Final Report of the First Review Conference recorded that between, 1999 and

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<sup>64</sup> *Nairobi Action Plan* (APLC/CONF/2004/5) Action #53.

<sup>65</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), paragraph 115.

<sup>66</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III) Action #57.

<sup>67</sup> Since submitting a report on a voluntary basis, Latvia acceded to the Convention.

<sup>68</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), paragraph 110: Albania, Argentina, Bosnia and Herzegovina, Brazil, Bulgaria, Canada, Chile, Colombia, the Czech Republic, Denmark, France, Hungary, Italy, Japan, Peru, Portugal, Romania, South Africa, Spain, Sweden, Uganda and the United Kingdom of Great Britain and Northern Ireland.

2004, 66 States Parties provided pertinent information.<sup>69</sup> Since the First Review Conference, the following [2] additional States Parties have reported on this matter [Latvia and Venezuela].<sup>70</sup>

81. The informal Article 7 Contact Group has played a major role in raising the profile of transparency reporting obligations and in serving as a point of contact for requests for assistance. On 1 March 2005 – on the sixth anniversary of the Convention’s entry into force – the Coordinator of the Contact Group and the President of the First Review Conference wrote to all States Parties to remind the States Parties of their obligations, particularly the 30 April deadline to provide updated information covering the previous calendar year. In addition, the Contact Group met to discuss cooperative strategies and exchange of information on a regular basis. As well, the Contact Group Coordinator has suggested placing an emphasis on quality reporting.

82. The Nairobi Action Plan also recognized the value of other informal means to exchange information in that the States Parties agreed that they will “encourage individual States Parties, regional or other organizations to arrange on a voluntary basis regional and thematic conferences and workshops to advance the implementation of the Convention.”<sup>71</sup>

83. Given the record to date in the pursuit of the aims of the Nairobi Action Plan which concern transparency and the exchange of information, a priority attention in 2006 should be given to the following:

- **As it remains a concern that [4] States Parties have not yet provided an initial transparency report in accordance with Article 7.1, particularly given the need for these States Parties to confirm the presence or absence of stockpiled anti-personnel mines and mined areas, these States Parties should be urged to comply with their transparency obligations.**
- **All States Parties should continue to be reminded of, and comply with, their annual reporting obligations in accordance with Article 7.2, and in particular, those States Parties that are in the process of destroying stockpiled mines in accordance with Article 4, those that are in the process of clearing mined areas in accordance with Article 5, those that have decided to retain anti-personnel mines in accordance in accordance with Article 3, those undertaking measures in accordance with Article 9.**
- **Voluntary means to share information should continue to be encouraged and used, particularly by those States Parties that have retained or transferred anti-personnel mines for reasons permitted under Article 3 of the Convention.**

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<sup>69</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), paragraph 111: Afghanistan, Albania, Angola, Argentina, Australia, Bangladesh, Belarus, Belgium, Bosnia and Herzegovina, Brazil, Bulgaria, Burundi, Canada, Chad, Chile, Colombia, the Congo, Croatia, Cyprus, the Czech Republic, Denmark, Djibouti, Ecuador, Eritrea, France, Germany, Guinea-Bissau, Honduras, Hungary, Ireland, Italy, Japan, Jordan, Kenya, Lithuania, Luxembourg, Malaysia, Mali, Mauritania, Mauritius, Moldova, Mozambique, Nicaragua, the Niger, Nigeria, Peru, Portugal, Romania, Serbia and Montenegro, Slovakia, Slovenia, South Africa, Spain, Sudan, Sweden, Tajikistan, Thailand, The former Yugoslav Republic of Macedonia, Tunisia, Turkey, Uganda, the United Kingdom of Great Britain and Northern Ireland, Uruguay, Yemen, Zambia and Zimbabwe.

<sup>70</sup> The information provided by Latvia was in the context of a voluntary report submitted before it had acceded to the Convention.

<sup>71</sup> See *Nairobi Action Plan* (APLC/CONF/2004/5) action #58.

### **C. Preventing and suppressing prohibited activities, and facilitating compliance**

84. Regarding the prevention and suppression of prohibited activities and facilitating compliance, the States Parties noted at the First Review Conference that the primary responsibility for ensuring compliance with the Convention rests with each individual State Party establishing and applying, as necessary, measures outlined in Article 9.<sup>72</sup> This Article obliges each State Party to take all appropriate legal, administrative and other measures, including the imposition of penal sanctions, to prevent and suppress any activity prohibited to a State Party under the Convention undertaken by persons or on territory under its jurisdiction or control.

85. As of 3 December 2004, 37 States Parties had reported that they had adopted legislation in the context of Article 9 obligations.<sup>73</sup> In addition, 18 States Parties had reported that they consider existing laws to be sufficient to give effect to the Convention.<sup>74</sup> A further 32 States Parties had reported that they were in the process of adopting legislation to implement the Convention.<sup>75</sup>

86. On the basis of this status, particularly given that 57 States Parties had not yet reported that they had taken any legislative measures in accordance with Article 9, it was noted that a challenge for the period 2005 to 2009 is for all States Parties that have not yet done so to ensure that they have in place the legislative measures required by Article 9 and to report on such measures in accordance with Article 7.<sup>76</sup> In this context, it was agreed that all States Parties that had not yet done so will: develop and adopt legislative, administrative and other measures in accordance with Article 9 as soon as possible to fulfil their obligations under this Article thereby contributing to full compliance with the Convention and report annually on progress as required by Article 7; and, make their needs known to the ICRC or other relevant actors in instances when assistance is required to develop implementing legislation.

87. To advance progress in the pursuit of these aims, several States Parties have taken actions at the national level and reported on steps taken, as required, in reports submitted in accordance with Article 7 of the Convention. In addition, the Co-Chairs of the Standing Committee on the General Status and Operation of the Convention invited States Parties to volunteer information at the Standing Committee's 17 June 2005 meeting on their progress in developing and adopting legislative, administrative and other measures in accordance with Article 9, and, if relevant, to make their needs known if assistance is required. Moreover, the ICRC and the Implementation Support Unit of the GICHD continued to make it clear that they were ready to provide technical assistance should States Parties need it. The ICRC has reported that, since the First Review

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<sup>72</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), paragraph 120.

<sup>73</sup> Australia, Austria, Belgium, Belize, Brazil, Burkina Faso, Cambodia, Canada, Colombia, Costa Rica, the Czech Republic, France, Germany, Guatemala, Honduras, Hungary, Iceland, Italy, Japan, Liechtenstein, Luxembourg, Malaysia, Mali, Malta, Monaco, Mauritius, New Zealand, Nicaragua, Norway, South Africa, Spain, Sweden, Switzerland, Trinidad & Tobago, the United Kingdom of Great Britain and Northern Ireland, Zambia and Zimbabwe.

<sup>74</sup> Bulgaria, Croatia, Denmark, Guinea-Bissau, the Holy See, Ireland, Lesotho, Mexico, the Netherlands, Portugal, Romania, Samoa, Slovakia, Slovenia, Tajikistan, The former Yugoslav Republic of Macedonia, the United Republic of Tanzania and Tunisia.

<sup>75</sup> Albania, Argentina, Bangladesh, Benin, Bosnia and Herzegovina, Botswana, Cameroon, Chad, the Congo, Chile, the Democratic Republic of the Congo, Djibouti, El Salvador, Jamaica, Kenya, Malawi, Mauritania, Mozambique, the Niger, Panama, Paraguay, Peru, Philippines, Senegal, Serbia and Montenegro, Seychelles, Suriname, Swaziland, Thailand, Togo, Uganda, and Yemen.

<sup>76</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), paragraph 122.

Conference, it has provided assistance for the development of national implementing legislation to [XX] States Parties.

88. As a result of steps taken, since the First Review Conference: the following States Parties reported that they have adopted legislation in the context of Article 9 obligations: [El Salvador, Estonia, the Philippines and Yemen]; the following States Party reported that it considers existing laws to be sufficient to give effect to the Convention: [Moldova]; and, the following States Party reported that it is in the process of adopting legislation to implement the Convention [Côte d'Ivoire].

89. Whereas on 3 December 2004, 57 States Parties had not yet reported that they had taken any legislative measures in accordance with Article 9, this number had been reduced to [54] by the close of the Sixth Meeting of the States Parties, with an additional [30] States Parties indicating the legislative measures had not yet be completed.

- **While progress has been made, it remains a priority for the period leading up to the Seventh Meeting of the States Parties to ensure that the necessary legislative measures are taken and reported on by these [84] States Parties.**

90. Also with respect to measures outlined in Article 9, at the First Review Conference the States Parties acknowledged that it is a challenge during the period 2005-2009 for most States Parties to ensure that measures to prevent and suppress prohibited activities – in addition to legal measures – are taken and reported upon.<sup>77</sup> To address this challenge in part it was agreed that all States Parties that had not yet done so will integrate the Convention's prohibitions and requirements into their military doctrine as soon as possible.<sup>78</sup> This matter remains a priority, as few States Parties have reported doing so.

91. In addition to noting that they are individually responsible for ensuring compliance with the Convention, at the First Review Conference the States Parties noted that they are also collectively responsible for doing the same, using the means available to them in Article 8 of the Convention.<sup>79</sup> Since 3 December 2004, the States Parties remained committed to their agreement, as stated in Article 8, paragraph 1, "to work together in a spirit of cooperation to facilitate compliance by States Parties with their obligations under this Convention." In addition, it should be noted that since the First Review Conference, no State Party has submitted a request for clarification to a Meeting of the States Parties in accordance with Article 8, paragraph 2, or has proposed that a Special Meeting of the States Parties be convened in accordance with Article 8, paragraph 5.

92. Since the First Review Conference, the States Parties, in accordance with the *Nairobi Action Plan*, have remained committed, in instances when serious concerns about non-compliance cannot be resolved through measures adopted pursuant to Article 9, to seek clarification in a cooperative spirit in accordance with Article 8, and to call upon the UN Secretary-General to undertake the tasks foreseen in Article 8 as required. For its part, the UN Department for Disarmament Affairs has continued fulfilling the UN Secretary-General's responsibility to prepare and update a list of names, nationalities and other relevant data of

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<sup>77</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), paragraph 123.

<sup>78</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III) Action #61.

<sup>79</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), paragraph 119.

qualified experts designated for fact finding missions authorized in accordance with Article 8, paragraph 8.

93. At the First Review Conference, it was recorded that one State Party, Colombia, had indicated that it faced the challenge of armed non-state actors carrying out prohibited activities on its sovereign territory.<sup>80</sup> In accordance with relevant provisions of the Nairobi Action Plan, views have been expressed that armed non-state actors are required to comply with the Convention and that they will be called to account for violations of the Convention in accordance with measures taken under Article 9.

#### **D. Implementation Support**

94. The *Nairobi Action Plan* notes that “the effective functioning and full implementation of the Convention has been enhanced through the structures and mechanisms that exist in the Convention, that have been established pursuant to the decisions of the States Parties or that have emerged on an informal basis” and that the States Parties’ implementation mechanisms “will remain important during the period 2005-2009.”<sup>81</sup>

95. To this end, it was agreed that States Parties will: support the efforts of the Coordinating Committee; continue to make use of the support provided for by the GICHD in hosting the meetings of the Standing Committees, through the Implementation Support Unit (ISU), and by administering the Sponsorship Programme; continue to provide on a voluntary basis, in accordance with their agreement with the GICHD, the necessary financial resources for the operation of the ISU; continue to reaffirm the valuable role of the United Nations for providing support to Meetings of the States Parties; and, continue to utilize informal mechanisms such as the Contact Groups, which have emerged to meet specific needs.<sup>82</sup>

96. Since the First Review Conference, the Coordinating Committee met [XXXX] times to prepare for and assess the outcome of the Intersessional Work Programme and to coordinate matters relating to and flowing from the work of the Standing Committees with the work of the Meeting of the States Parties. The Coordinating Committee continued to operate in an open and transparent manner with summary reports of each meeting made available to all interested parties on the web site of the GICHD.

97. The June 2005 meetings of the Standing Committees featured the largest ever number of registered representatives of States Parties, States not parties and interested organizations. In addition, these meetings featured a continued trend towards more focused discussions on the implementation, by individual States Parties, of key provisions of the Convention and on assuring that cooperation and assistance in the context of the Convention would continue to function well. These meetings were again supported by the GICHD and active participation was enhanced by interpretation services which were provided courtesy of voluntary contributions made by the European Commission and Canada.

98. The Implementation Support Unit of the GICHD continued to assist States Parties in all possible aspects of implementing the Convention’s obligations and objectives. With the adoption

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<sup>80</sup> *Review of the operation and status of the Convention* (APLC/CONF/2004/5, Part II), paragraph 127.

<sup>81</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III) paragraph 9.

<sup>82</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III) Actions #65 to #69.

of the *Nairobi Action Plan*, clear direction was provided to the ISU regarding the States Parties' priorities. Since the First Review Conference, the President, the President-Designate, the Co-Chairs, the Contact Group Coordinators, the Sponsorship Programme donors group and individual States Parties proceeded with initiatives to pursue the aims of the Nairobi Action Plan. The ISU responded accordingly, providing necessary support. The ongoing operations of the ISU were assured by voluntary contributions which were made by the following States Parties since the First Review Conference: [Belgium, Canada, Chile, Germany, Hungary, Iceland, Italy, Luxembourg, Mexico, the Netherlands, Norway and Turkey].

99. The United Nations Department for Disarmament Affairs and Croatia, with the assistance of the Implementation Support Unit of the GICHD, proceeded in 2005 in making arrangements for the Sixth Meeting of the States Parties. In addition, the States Parties continued to make use of Contact Groups concerning universalization, Article 7 reporting and resource mobilization.

100. Also with respect to implementation support, in the *Nairobi Action Plan* it was agreed that "States Parties in a position to do so will on a voluntary basis contribute to the Sponsorship Programme thereby permitting widespread representation at meetings of the Convention, particularly by mine-affected developing States Parties, with the latter maximising this important investment by actively participating and sharing information on their problems, plans, progress and priorities for assistance."<sup>83</sup> Since the First Review Conference, there has been no increase in the number of donor States Parties. The group of donors includes: Australia, Austria, Belgium, Canada, Denmark, France, Germany, Ireland, Italy, the Netherlands, Norway, Sweden, Switzerland and the United Kingdom. The Sponsorship Programme remains an important instrument in ensuring States Parties' and States not parties' participation in the Convention meetings. It also remains important in enhancing the universalization. Renewed effort is needed, from all States Parties in a position to do so, to contribute to this Programme and ensure its continuing success.

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<sup>83</sup> *Nairobi Action Plan* (APLC/CONF/2004/5, Part III) Action #70.

**Annex I: States which have ratified or acceded to the Convention**

<b>State</b>	<b>Date of Formal Acceptance</b>	<b>Date of Entry-into-force</b>
<b>Afghanistan</b>	11 September 2002	1 March 2003
<b>Albania</b>	29 February 2000	1 August 2000
<b>Algeria</b>	9 October 2001	1 April 2002
<b>Andorra</b>	29 June 1998	1 March 1999
<b>Angola</b>	5 July 2002	1 January 2003
<b>Antigua and Barbuda</b>	3 May 1999	1 November 1999
<b>Argentina</b>	14 September 1999	1 March 2000
<b>Australia</b>	14 January 1999	1 July 1999
<b>Austria</b>	29 June 1998	1 March 1999
<b>Bahamas</b>	31 July 1998	1 March 1999
<b>Bangladesh</b>	6 September 2000	1 March 2001
<b>Barbados</b>	26 January 1999	1 July 1999
<b>Belarus</b>	3 September 2003	1 March 2004
<b>Belgium</b>	4 September 1998	1 March 1999
<b>Belize</b>	23 April 1998	1 March 1999
<b>Benin</b>	25 September 1998	1 March 1999
<b>Bhutan</b>	18 August 2005	1 February 2006
<b>Bolivia</b>	9 June 1998	1 March 1999
<b>Bosnia and Herzegovina</b>	8 September 1998	1 March 1999
<b>Botswana</b>	1 March 2000	1 September 2000
<b>Brazil</b>	30 April 1999	1 October 1999
<b>Bulgaria</b>	4 September 1998	1 March 1999
<b>Burkina Faso</b>	16 September 1998	1 March 1999
<b>Burundi</b>	22 October 2003	1 April 2004
<b>Cambodia</b>	28 July 1999	1 January 2000
<b>Cameroon</b>	19 September 2002	1 March 2003
<b>Canada</b>	3 December 1997	1 March 1999
<b>Cape Verde</b>	14 May 2001	1 November 2001
<b>Central African Republic</b>	8 November 2002	1 May 2003
<b>Chad</b>	6 May 1999	1 November 1999
<b>Chile</b>	10 September 2001	1 March 2002
<b>Colombia</b>	6 September 2000	1 March 2001
<b>Comoros</b>	19 September 2002	1 March 2003
<b>Congo (Brazzaville)</b>	4 May 2001	1 November 2001
<b>Costa Rica</b>	17 March 1999	1 September 1999
<b>Côte d' Ivoire</b>	30 June 2000	1 December 2000
<b>Croatia</b>	20 May 1998	1 March 1999
<b>Cyprus</b>	17 January 2003	1 July 2003
<b>Czech Republic</b>	26 October 1999	1 April 2000
<b>Democratic Republic of the Congo</b>	2 May 2002	1 November 2002
<b>Denmark</b>	8 June 1998	1 March 1999
<b>Djibouti</b>	18 May 1998	1 March 1999
<b>Dominica</b>	26 March 1999	1 September 1999
<b>Dominican Republic</b>	30 June 2000	1 December 2000
<b>Ecuador</b>	29 April 1999	1 October 1999
<b>El Salvador</b>	27 January 1999	1 July 1999
<b>Equatorial Guinea</b>	16 September 1998	1 March 1999

<b>State</b>	<b>Date of Formal Acceptance</b>	<b>Date of Entry-into-force</b>
<b>Eritrea</b>	27 August 2001	1 February 2002
<b>Estonia</b>	12 May 2004	1 November 2004
<b>Ethiopia</b>	17 December 2004	1 June 2005
<b>Fiji</b>	10 June 1998	1 March 1999
<b>France</b>	23 July 1998	1 March 1999
<b>Gabon</b>	8 September 2000	1 March 2001
<b>Gambia</b>	23 September 2002	1 March 2003
<b>Germany</b>	23 July 1998	1 March 1999
<b>Ghana</b>	30 June 2000	1 December 2000
<b>Greece</b>	25 September 2003	1 March 2004
<b>Grenada</b>	19 August 1998	1 March 1999
<b>Guatemala</b>	26 March 1999	1 September 1999
<b>Guinea</b>	8 October 1998	1 April 1999
<b>Guinea Bissau</b>	22 May 2001	1 November 2001
<b>Guyana</b>	5 August 2003	1 February 2004
<b>Holy See</b>	17 February 1998	1 March 1999
<b>Honduras</b>	24 September 1998	1 March 1999
<b>Hungary</b>	6 April 1998	1 March 1999
<b>Iceland</b>	5 May 1999	1 November 1999
<b>Ireland</b>	3 December 1997	1 March 1999
<b>Italy</b>	23 April 1999	1 October 1999
<b>Jamaica</b>	17 July 1998	1 March 1999
<b>Japan</b>	30 September 1998	1 March 1999
<b>Jordan</b>	13 November 1998	1 May 1999
<b>Kenya</b>	23 January 2001	1 July 2001
<b>Kiribati</b>	7 September 2000	1 March 2001
<b>Latvia</b>	1 July 2005	1 January 2006
<b>Lesotho</b>	2 December 1998	1 June 1999
<b>Liberia</b>	23 December 1999	1 June 2000
<b>Liechtenstein</b>	5 October 1999	1 April 2000
<b>Lithuania</b>	12 May 2003	1 November 2003
<b>Luxembourg</b>	14 June 1999	1 December 1999
<b>The Former Yugoslav Republic of Macedonia</b>	9 September 1998	1 March 1999
<b>Madagascar</b>	16 September 1999	1 March 2000
<b>Malawi</b>	13 August 1998	1 March 1999
<b>Malaysia</b>	22 April 1999	1 October 1999
<b>Maldives</b>	7 September 2000	1 March 2001
<b>Mali</b>	2 June 1998	1 March 1999
<b>Malta</b>	7 May 2001	1 November 2001
<b>Mauritania</b>	21 July 2000	1 January 2001
<b>Mauritius</b>	3 December 1997	1 March 1999
<b>Mexico</b>	9 June 1998	1 March 1999
<b>Moldova, Republic of</b>	8 September 2000	1 March 2001
<b>Monaco</b>	17 November 1998	1 May 1999
<b>Mozambique</b>	25 August 1998	1 March 1999
<b>Namibia</b>	21 September 1998	1 March 1999
<b>Nauru</b>	7 August 2000	1 February 2001
<b>Netherlands</b>	12 April 1999	1 October 1999

<b>State</b>	<b>Date of Formal Acceptance</b>	<b>Date of Entry-into-force</b>
<b>New Zealand</b>	27 January 1999	1 July 1999
<b>Nicaragua</b>	30 November 1998	1 May 1999
<b>Niger</b>	23 March 1999	1 September 1999
<b>Nigeria</b>	27 September 2001	1 March 2002
<b>Niue</b>	15 April 1998	1 March 1999
<b>Norway</b>	9 July 1998	1 March 1999
<b>Panama</b>	7 October 1998	1 April 1999
<b>Papua New Guinea</b>	28 June 2004	1 December 2004
<b>Paraguay</b>	13 November 1998	1 May 1999
<b>Peru</b>	17 June 1998	1 March 1999
<b>Philippines</b>	15 February 2000	1 August 2000
<b>Portugal</b>	19 February 1999	1 August 1999
<b>Qatar</b>	13 October 1998	1 April 1999
<b>Romania</b>	30 November 2000	1 May 2001
<b>Rwanda</b>	8 June 2000	1 December 2000
<b>Saint Kitts and Nevis</b>	2 December 1998	1 June 1999
<b>Saint Lucia</b>	13 April 1999	1 October 1999
<b>Saint Vincent and the Grenadines</b>	1 August 2001	1 February 2002
<b>Samoa</b>	23 July 1998	1 March 1999
<b>San Marino</b>	18 March 1998	1 March 1999
<b>Sao Tome and Principe</b>	31 March 2003	1 September 2003
<b>Senegal</b>	24 September 1998	1 March 1999
<b>Serbia and Montenegro</b>	18 September 2003	1 March 2004
<b>Seychelles</b>	2 June 2000	1 December 2000
<b>Sierra Leone</b>	25 April 2001	1 October 2001
<b>Slovakia</b>	25 February 1999	1 August 1999
<b>Slovenia</b>	27 October 1998	1 April 1999
<b>Solomon Islands</b>	26 January 1999	1 July 1999
<b>South Africa</b>	26 June 1998	1 March 1999
<b>Spain</b>	19 January 1999	1 July 1999
<b>Sudan</b>	13 October 2003	1 April 2004
<b>Suriname</b>	23 May 2002	1 November 2002
<b>Swaziland</b>	22 December 1998	1 June 1999
<b>Sweden</b>	30 November 1998	1 May 1999
<b>Switzerland</b>	24 March 1998	1 March 1999
<b>Tajikistan</b>	12 October 1999	1 April 2000
<b>Tanzania, United Republic of</b>	13 November 2000	1 May 2001
<b>Thailand</b>	27 November 1998	1 May 1999
<b>Timor-Leste</b>	7 May 2003	1 November 2003
<b>Togo</b>	9 March 2000	1 September 2000
<b>Trinidad and Tobago</b>	27 April 1998	1 March 1999
<b>Tunisia</b>	9 July 1999	1 January 2000
<b>Turkey</b>	25 September 2003	1 March 2004
<b>Turkmenistan</b>	19 January 1998	1 March 1999
<b>Uganda</b>	25 February 1999	1 August 1999
<b>United Kingdom</b>	31 July 1998	1 March 1999
<b>Uruguay</b>	7 June 2001	1 December 2001
<b>Venezuela</b>	14 April 1999	1 October 1999
<b>Yemen</b>	1 September 1998	1 March 1999

<b>State</b>	<b>Date of Formal Acceptance</b>	<b>Date of Entry-into-force</b>
<b>Zambia</b>	23 February 2001	1 August 2001
<b>Zimbabwe</b>	18 June 1998	1 March 1999



**Annex III: Deadlines for States Parties to destroy or ensure the destruction of anti-personnel mines in mined areas under their jurisdiction or control in accordance with Article 5**

	2009				2010				2011				2012				2013				2014				2015																																		
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N
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Bosnia and Herzegovina																																																											
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Eritrea																																																											
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France																																																											
Greece																																																											
Guatemala																																																											
Guinea Bissau																																																											
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United Kingdom																																																											
Venezuela																																																											
Yemen																																																											
Zambia																																																											
Zimbabwe																																																											

**Annex IV:**

**Summary of the information provided by the States Parties on the fulfillment of Article 5 obligations**

<b>State Party</b>	<b>Status as of the First Review Conference</b>	<b>Progress since the First Review Conference</b>
Afghanistan		
Albania		
Algeria		
Angola		
Argentina		
Bosnia and Herzegovina		
Burundi		
Cambodia		
Chad		
Chile		
Colombia		
Congo, Republic of		
Croatia		
Cyprus		
Democratic Republic of the Congo		
Denmark		
Ecuador		
Eritrea		
Ethiopia		
France		
Greece		
Guatemala		
Guinea Bissau		
Jordan		

<b>State Party</b>	<b>Status as of the First Review Conference</b>	<b>Progress since the First Review Conference</b>
The Former Yugoslav Republic of Macedonia		
Malawi		
Mauritania		
Mozambique		
Nicaragua		
Niger		
Peru		
Rwanda		
Senegal		
Serbia and Montenegro		
Sudan		
Suriname		
Swaziland		
Tajikistan		
Thailand		
Tunisia		
Turkey		
Uganda		
United Kingdom		
Venezuela		
Yemen		
Zambia		
Zimbabwe		

**Annex V:**

**Victim assistance objectives of the States Parties that have reported the responsibility for significant numbers of landmine survivors**

<b>State Party</b>	<b>Status</b>	<b>Objectives for 2009</b>
Afghanistan		<i>understanding the extent of the challenge faced</i>
		<i>emergency and continuing medical care</i>
		<i>physical rehabilitation</i>
		<i>psychological support social rehabilitation</i>
		<i>economic reintegration</i>
		<i>the establishment, enforcement and implementation of relevant laws and public policies</i>
Albania		
Angola		
Bosnia and Herzegovina		
Burundi		
Cambodia		
Chad		
Colombia		

Croatia		
Democratic Republic of the Congo		
El Salvador		
Eritrea		
Ethiopia		
Guinea-Bissau		
Mozambique		
Nicaragua		
Peru		
Senegal		
Serbia and Montenegro		
Sudan		
Tajikistan		
Thailand		
Uganda		
Yemen		

**Annex VI: Anti-personnel mines reported retained or transferred by the States Parties for reasons permitted under Article 3, and, a summary of additional information provided by these States Parties**

**Table 1: Anti-personnel mines reported retained in accordance with Article 3<sup>84</sup>**

State Party	Mines reported retained		Additional information volunteered by the State Party
	2004	2005	
Afghanistan <sup>85</sup>		1,076	
Algeria <sup>86</sup>			
Angola	1,390	1,390	
Argentina	1,772	1,680	Argentina reported that 92 Type SB 33 mines were used on 15-16 November 2004 to train army engineers in explosive ordnance disposal (EOD). It also reported on development and training projects which are underway and which include the development of a remote-controlled vehicle for the detection and destruction of mines and the use of mines for destroying unexploded ordnance. In addition, Argentina reported that it estimates that mines will be used as follows in coming years: between 2005 and 2011, approximately 90 to 100 Type SB 33 and Type FMK-1 mines per year will be used to train Argentine army engineers; in 2005 and 2006, approximately 150 Type Expal P4B, 50 Type MFK1 and 50 Libyan anti-personnel mines will be used for the development and testing of the remote-controlled detection / destruction vehicle; in 2005 approximately 150 Type FMK1 and 150 Type Expal P4B mines will be used for the destruction of unexploded ordnance; and, between 2005 and 2010 approximately 40 Type Expal P4B, Type MFK1 and Libyan anti-personnel mines per year will be used in basic and advanced humanitarian demining courses, and, for EOD and demining training and for peace keeping forces.

<sup>84</sup> This table contains only those States Parties which have not, in 2005 or previously, reported zero as the number of anti-personnel mines retained in accordance with Article 3. States Parties not included in this table are: Albania, Andorra, Antigua and Barbuda, Austria, Bahamas, Barbados, Belize, Benin, Bolivia, Cambodia, Central African Republic, Chad, Comoros, Costa Rica, Côte d'Ivoire, Dominica, Dominican Republic, Estonia, Fiji, Gabon, Gambia, Ghana, Grenada, Guatemala, Guinea, the Holy See, Iceland, Jamaica, Kiribati, Lesotho, Liberia, Liechtenstein, Madagascar, Malaysia, Maldives, Malta, Mauritius, Mexico, Monaco, Nauru, New Zealand, Niue, Norway, Panama, Papua New Guinea, Paraguay, the Philippines, Qatar, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Samoa, San Marino, Senegal, Seychelles, Sierra Leone, Solomon Islands, Swaziland, Switzerland, Timor-Leste, Trinidad and Tobago, and Turkmenistan.

<sup>85</sup> In 2004 Afghanistan indicated that it retained 370 inert mines. In 2005 Afghanistan indicated that it has yet to develop a formal policy on the number of mines retained for development and training purposes and that on a case-by-case basis it approves the number and type of anti-personnel mines retained by UNMACA on behalf of the MAPA.

<sup>86</sup> In 2003 Algeria reported that it had retained 15,030 mines. No additional information has been provided since 2003.

State Party	Mines reported retained		Additional information volunteered by the State Party
	2004	2005	
Australia	7,465	7,395	Australia reported that stock levels will be regularly reviewed and assessed, that only a realistic training quantity is held, and that stocks in excess of this figure will be destroyed on an ongoing basis. In addition, Australia stated that training is conducted by the School of Military Engineers.
Bangladesh	15,000	15,000	Bangladesh informed the Standing Committee on the General Status and Operation of the Convention that mines were retained for training purposes, especially for officers and soldiers preparing for UN peacekeeping missions.
Belarus	7,530	6,030	
Belgium	4,443	4,176	Belgium reported that in 2004, at the Engineering School, 88 mines were used to educate Officers, NCOs and privates as EOD personnel and that 179 mines were used for the training of Engineer Combat Units in demining and mine awareness.
Bosnia and Herzegovina <sup>87</sup>	2,652	2,755	
Botswana <sup>88</sup>			
Brazil <sup>89</sup>	16,545	16,125	Brazil reported that retained mines are for training to allow the Brazilian Armed Forces to participate adequately in international demining activities. It also indicated that, in 2004, 866 Type NM M409 mines and 9 Type NM T-AB-1 mines had been used for training purposes.
Bulgaria	3,688	3,676	
Burkina Faso <sup>90</sup>			
Burundi <sup>91</sup>			
Cameroon <sup>92</sup>			

<sup>87</sup> In 2004, Bosnia and Herzegovina indicated that 439 of the mines reported under Article 3 were fuse-less. In 2005, it indicated that 433 of the mines reported under Article 3 were fuse-less and that the total of Article 3 mines was higher than previously reported because the number included the mines kept by demining companies which had not been previously reported .

<sup>88</sup> In its report submitted in 2001, Botswana indicated that a “small quantity” of mines would be retained. No updated information has since been provided.

<sup>89</sup> In its report submitted in 2001, Brazil indicated that all mines retained would be destroyed in training activities during a period of 10 years after the entry into force of the Convention for Brazil, that is by October 2009.

<sup>90</sup> In its reports submitted in 2004 and 2005 Burkina Faso indicated that “nothing yet” was retained.

<sup>91</sup> In its reports submitted in 2004 and 2005, Burundi indicated that the decision concerning mines retained is pending.

<sup>92</sup> In a report submitted prior to ratifying the Convention in 2001, Cameroon reported the same 500 mines under Article 4 and Article 3. No report has since been provided.

State Party	Mines reported retained		Additional information volunteered by the State Party
	2004	2005	
Canada	1928	1907	Canada informed the Standing Committee on the General Status and Operation of the Convention that since entry into force it had used 180 Type M-14 mines for research and training, noting the value of this mine for these purposes being its low metal content and that it is found in many mine-affected countries. In addition, Canada informed the Standing Committee that 8 Type PMR-2A mines were used to test and evaluate personal protective equipment given that the fragment velocity and size of this mine is quite different from other mines and because it too is found in many mine-affected countries. As well, Canada indicated that 102 Type PMA-2 mines were used to test and evaluate metal detectors and instrumented prodders as this mine represents a difficult target for detection and to test and evaluate protective equipment. Furthermore, Canada indicated that since the First Review Conference it had used 6 Type PMA-2, 3 Type PP-M1-NA1, 6 Type PMN-2, 3 Type PMR 2A and 3 Type M14 mines in support of the Canadian portion of the International Test and Evaluation Programme (ITEP) project to test mine detectors and mechanical demining vehicles and for research on the blast effects of the human body.
Cape Verde <sup>93</sup>			
Chile	6245	5895	Chile reported that in 2004 348 mines were used by the Chilean army and 2 by the Chilean navy in 2004 retains mines were for EOD training and evaluation of deminers.
Colombia	986	886	
Congo, Republic of	372	372	
Croatia	6478	6400	Croatia informed the Standing Committee on the General Status and Operation of the Convention that the main purpose in retaining mines was to test demining machines, that 78 mines (i.e., 20 Type PMA-1, 20 Type PMA-2, 20 Type PMA-3, 8 Type PMR-2A and 10 Type PROM-1) were used in 2004 for this purpose. In addition, it indicated that in 2004, the Centre for Testing, Development and Training was established with its primary task being to test demining machines, mine detection dogs and metal detectors, and, to undertake research and development of other demining techniques and technologies. Croatia estimated that 189 mines would be needed in 2005.
Cyprus	1000	1000	
Czech Republic	4849	4829	The Czech Republic reported that 20 mines were used for EOD specialist training in 2004.

<sup>93</sup> Cape Verde has not yet submitted a transparency report in accordance with Article 7 of the Convention.

State Party	Mines reported retained		Additional information volunteered by the State Party
	2004	2005	
Democratic Republic of the Congo <sup>94</sup>			
Denmark	2,058	1,989	Denmark reported that its retained mines are used as follows: a demonstration of the effects of anti-personnel mines is given to all recruits during training; during training of engineer units for international tasks, instructors in mine awareness are trained to handle anti-personnel mines; and, during training of ammunition clearing units, anti-personnel mines are used for training in ammunition dismantling.
Djibouti	2,996	2,996	
Ecuador <sup>95</sup>	3,970		
El Salvador	96	96	
Equatorial Guinea <sup>96</sup>			
Eritrea <sup>97</sup>	222		
France	4,466	4,455	
Germany	2,537	2,496	Germany reported that 41 mines were used in 2004 by the Federal Armed Forces for neutralization of fuses and for the “Wolf” Light Truck mine protection programme. In addition, Germany reported that mines are retained for demining research and development, dog training and for testing the “Rhino” demining machine.
Greece	7,224	7,224	
Guinea Bissau <sup>98</sup>			
Guyana <sup>99</sup>			
Honduras <sup>100</sup>	826		
Hungary	1,500	1,500	

<sup>94</sup> In its report submitted in 2004, the Democratic Republic of the Congo indicated that the decision concerning mines retained is pending.

<sup>95</sup> No updated information was provided by Ecuador in 2005.

<sup>96</sup> Equatorial Guinea has not yet submitted a transparency report in accordance with Article 7 of the Convention.

<sup>97</sup> No updated information was provided by Eritrea in 2005.

<sup>98</sup> In its reports submitted in 2004 and 2005, Guinea Bissau indicated that it would retain a very limited number of AP mines.

<sup>99</sup> Guyana has not yet submitted a transparency report in accordance with Article 7 of the Convention.

<sup>100</sup> No updated information was provided by Honduras in 2005.

State Party	Mines reported retained		Additional information volunteered by the State Party
	2004	2005	
Ireland	103	85	
Italy	803	806	
Japan	8,359	6,946	Japan informed the Standing Committee on the General Status and Operation of the Convention that in 2005 it plans to implement educational training on mine detection and clearance by special units which will involve live demolition training and that Japan will conduct tests pertaining to the development of mine detection technologies in 2005 and 2006. Japan further informed the Standing Committee that for these activities it will use Type 63, Type 67, Type 80, Type 87 helicopter-carried scatterable, and Type M3 anti-personnel mines.
Jordan	1,000	1,000	
Kenya <sup>101</sup>	3,000		
Latvia <sup>102</sup>	N/A	21	
Luxembourg	976	956	
The Former Yugoslav Republic of Macedonia	4,000	4,000	The Former Yugoslav Republic of Macedonia informed the Standing Committee on the General Status and Operation of the Convention that it is a priority to proceed efficiently with the use of retained mines for training purposes and that it will report progress regarding the status of these retained mines.
Malawi <sup>103</sup>	21	21	
Mali <sup>104</sup>	600	600	
Mauritania <sup>105</sup>	728	See note	
Moldova, Rep. of	736	249	
Mozambique	1,470	1,470	
Namibia	9,999	6,151	

<sup>101</sup> No updated information was provided by Kenya in 2005.

<sup>102</sup> Information provided by Latvia was volunteered in a report submitted by Latvia prior to it acceding to the Convention.

<sup>103</sup> In its reports submitted in 2004 and 2005, Malawi indicated that mines reported as retained under Article 3 are in fact “dummy” mines.

<sup>104</sup> Although the number reported in the Final Report of the First Review Conference for 2004 was 900, it included 300 anti-tank mines, so the actual number of AP mines retained by Mali is in fact 600.

<sup>105</sup> NOTE TO DRAFTERS: In its report submitted in 2005, the mines reported by Mauritania under Article 3 were also reported under Article 4.

State Party	Mines reported retained		Additional information volunteered by the State Party
	2004	2005	
Netherlands	3,553	3,176	The Netherlands informed the Standing Committee on the General Status and Operation of the Convention that, in 2004, 366 Type 22 and 11 Type DM31 anti-personnel mines were used for the training of 7,000 military personnel in base mine awareness, 400 army engineers in basic mine clearance techniques and 70 army engineers as mine detection and reconnaissance specialists. It also indicated that mines were used to test new mine detection and neutralisation equipment. In addition, the Netherlands indicated that in the future retained mines would be used for the same purposes, and the number and types of mines used for countermine training would not change substantially compared with the number and types used in preceding years.
Nicaragua	1,810	1,040	
Niger <sup>106</sup>	0	146	
Peru	4,024	4,024	
Portugal	1,115	1,115	
Romania	2,500	2,500	
Rwanda <sup>107</sup>	101	101	
Sao Tome and Principe <sup>108</sup>			
Serbia and Montenegro <sup>109</sup>	5,000		
Slovakia	1,481	1,427	
Slovenia	2,999	2,994	
South Africa <sup>110</sup>	4,414	4,388	South Africa reported that in 2004 33 mines were used for development and training techniques.
Spain	3,815	2,712	
Sudan <sup>111</sup>	5,000		

<sup>106</sup> Although Niger did not indicate that it retained any mines under Article 3 in 2004, it reported 146 mines in 2003, mines which are again reported as retained in 2005.

<sup>107</sup> Rwanda has indicated that the 101 mines declared under Article 3 had been uprooted from minefields to be retained for training purposes.

<sup>108</sup> Sao Tome has not yet submitted a transparency report in accordance with Article 7 of the Convention.

<sup>109</sup> No updated information was provided by Serbia and Montenegro in 2005.

<sup>110</sup> In its report submitted in 1999, South Africa indicated that 10992 of the 11247 mines declared under Article 3 were empty casings retained for training of members of the SNDF.

State Party	Mines reported retained		Additional information volunteered by the State Party
	2004	2005	
Suriname	296	150	
Sweden	15,706	14,798	Sweden reported that in 2004, 180 Type Truppmina 10 mines, 652 Type Trampmina 49 B mines, and 65 foreign produced mines were used for the training of personnel, and, that 11 Type Truppmina 10 mines were used for the development of mine clearance techniques. In addition, Sweden reported that in 2004, 1500 fuses from Type Trampmina 49 B mines were used in dummy mines for the development of mine clearance techniques.
Tajikistan	255	255	
Tanzania, United Republic of	1,146	1,146	
Thailand	4,970	4,970	
Togo <sup>112</sup>	436		
Tunisia	5,000	5,000	
Turkey	16,000	16,000	
Uganda			
United Kingdom	1,930	1,937	
Uruguay <sup>113</sup>	500		
Venezuela	5,000	4,960	
Yemen	4,000	4,000	
Zambia	3,346	3,346	
Zimbabwe	700	700	Zimbabwe reported that retained mines will be used during training of Zimbabwe's troops and deminers in order to enable them to identify and learn how to detect, handle, neutralise and destroy the mines in Zimbabwean minefields.

<sup>111</sup> No updated information was provided by Sudan in 2005.

<sup>112</sup> No updated information was provided by Togo in 2005.

<sup>113</sup> No updated information was provided by Uruguay in 2005.

**Table 2: Anti-personnel mines reported transferred in accordance with Article 3<sup>114</sup>**

<b>State</b>	<b>Mines reported transferred</b>	<b>Additional information</b>
Cambodia	3079	596 mines transferred for training in 2004
Chile	350	Mines reported transferred were those destroyed in the course of their use for reasons permitted under Article 3 of the Convention
Denmark	8	No transfer outside of Italian territory
Nicaragua	46	Transferred by the Army to UTC for mine detecting dogs
Tanzania, United Republic of <sup>115</sup>		

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<sup>114</sup> This table includes only those States Parties that reported, in 2005, mines transferred in accordance with Article 3 since the First Review Conference.

<sup>115</sup> The United Republic of Tanzania reported that it intends to import 1,000 deactivated anti-personnel mines from Mozambique to be used in the APOPO project at Sokoine University of Agriculture in Morogoro for research purposes.