

**SECOND REVIEW CONFERENCE OF THE
STATES PARTIES TO THE CONVENTION
ON THE PROHIBITION OF THE USE,
STOCKPILING, PRODUCTION AND
TRANSFER OF ANTI-PERSONNEL MINES
AND ON THEIR DESTRUCTION**

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

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

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

1. Argentina ratified the Convention on 14 September 1999. The Convention entered into force for Argentina on 1 March 2000. In its initial transparency report submitted on 31 August 2000, Argentina reported areas under its jurisdiction or control containing, or suspected to contain, anti-personnel mines. Argentina is obliged to destroy or ensure the destruction of all anti-personnel mines in mined areas under its jurisdiction or control by 1 March 2010. Argentina, believing that it will be unable to do so by that date, submitted, on 27 April 2009 to the President of the Ninth Meeting of the States Parties, a request for an extension of its deadline. Argentina's request is for 10 years (until 1 March 2020)

2. The request indicates that, at the end of demining work undertaken in 1983 by the United Kingdom, "117 fenced spaces in nine (9) mined areas remained" and "still remain on the Malvinas Islands." The request further indicates the geographic location of each "minefield", its reference number, size in area and number and types of mines contained within, if known. In addition, the request indicates that the amount of area covered totals 13,124,700 million square metres.¹

3. The States Parties mandated to analyse requests submitted under Article 5 of the Convention (hereafter referred to as the "analysing group") noted that no mine clearance had

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

¹ Page 6 of the feasibility study referred to elsewhere in this analysis indicates 1,314.9 hectares (i.e., 13,149,000 million square metres).

taken place since entry into force. The request indicates that noted that Argentina has not exercised territorial control over the land to be demined.

4. The request refers to exchanges of notes between Argentina and the United Kingdom “for carrying out of a feasibility study on the clearance of anti-personnel mines,” that experts from Cranfield University monitored by military officers of both countries performed a field survey during December 2006, and, that the final report of the feasibility study was submitted at the Eighth Meeting of the States Parties in November 2007. The analysing group noted that the final report of the feasibility study concluded that while the clearance of mines and unexploded ordnance from all mined areas is challenging, it is technically feasible.

5. The analysing group noted that, while the request does not explicitly spell out, in accordance with Article 5.4(b)(iii) circumstances which impede Argentina to destroy all anti-personnel mines in mined areas that it has reported to be under its jurisdiction or control, the request implies that the sole impeding circumstance is that Argentina has not exercised territorial control over the land to be demined.

6. As noted, Argentina’s request is for 10 years (until 1 March 2020) on the basis that it is assumed that approximately 14 percent of the total area in question would require “conventional clearance,” that all work related to “general survey,” “technical survey”, “conventional demining” and “unconventional clearance” could be completed in an eight year period following one year of “preparatory work” and that implementation could be complete by the end of year nine. The analysing group noted that even though it is planned for all areas to be addressed by 1 March 2019, the requested period would extend until 1 March 2020 to include a period “in reserve” in “the event that unexpected delays in the execution of the work should make that time necessary.”

7. The request indicates that, as Argentina “does not exercise territorial control over the land to be demined,” the plan submitted as part of the request is a “schematic plan”. The request further notes that this plan will be developed in detail and will be implemented as soon as Argentina does exercise control over the areas in question or when both Argentina and the United Kingdom “reach agreement over making progress in such planning.”

8. The request contains information on methods to be used to render areas no longer dangerous, recording that the 117 areas in question can be classified according to “land that can be cleared by non-technical means”, “land to be cleared by technical survey,” “land to be cleared by conventional demining”, and, “land that requires a special study to determine the clearance procedure to be used.” The request further provides annual projections of the size and location of areas to be released using each method. The analysing group noted that the six areas totalling 123,400 square metres subject to “special study” are unique cases of mined areas covered by 10 metre high sand dunes and that there have been no experiences in dealing with mines buried in this manner.

9. The request indicates how work to implement Article 5 would be carried out, how many individuals would be required for demining, general survey, technical survey and special study and the expected demining productivity rate.

10. The request indicates that US \$250 million will be required for activities related to the implementation of Article 5 during the requested extension period, including US\$ 15 million for the development of national demining capacity, US\$ 160 million for the maintenance and the first five years of demining operations, US\$ 72 million for maintenance and the next three years of demining operations and US\$ 3 million for withdrawal. The analysing group noted that the request does not mention a need for or intent to request assistance from external sources. The analysing group further noted that the “means” for implementing the plan “need to be obtained.”

11. The analysing group noted that, while the request does not explicitly spell out, in accordance with Article 5.4(b)(iv), the humanitarian, social, economic, and environmental implications of the extension, the request refers to the report on the “Field Survey to Examine the Feasibility of Clearing Landmines in the Falkland Islands (Islas Malvinas)”. The analysing group noted that this report indicates that the environmental impact of clearance of 44 percent of the total area is low, that there will be some environmental impact of clearance on the remaining total area requiring remediation work to be undertaken and that the mined areas have a negligible socio-economic impact.

12. As noted, the request includes other relevant information that may be of use to the States Parties in assessing and considering the request including a schematic demining plan and the report on the “Field Survey to Examine the Feasibility of Clearing Landmines in the Falkland Islands (Islas Malvinas)”.

13. The analysing group noted that while Argentina has put forward a “schematic plan” for implementing Article 5 in mined areas that it has reported to be under its jurisdiction or control, Argentina itself has indicated that it “does not exercise territorial control over the land to be demined.” The analysing group further noted Argentina’ plan will be implemented only when Argentina exercises control over the areas in question or when Argentina concludes a relevant agreement on the implementation of its plan.

14. The analysing group noted the necessity and importance of each State Party which has reported mined areas that contain, or are suspected to contain, anti-personnel mines under its jurisdiction or control and which believes that it will be unable to implement Article 5.1 with respect to all such areas within a ten year period submitting a request for an extension in accordance with the procedures outlined in the Convention and the decisions of the Seventh Meeting of the States Parties. The analysing group further noted the importance of a State Party providing information on changes to the status of the control of mined areas when such a State Party has indicated that matters related to control affect the implementation of Article 5 during extension periods.
