

A Shared Commitment

CARTAGENA ACTION PLAN 2010 – 2014

ENDING THE SUFFERING CAUSED BY ANTI-PERSONNEL MINES

Submitted by the President-Designate of the Second Review Conference

19 October 2009

Introduction

- 1. Reaffirming the fundamental goals of preventing mine casualties and promoting and protecting the human rights of mine survivors, and addressing the needs of mine victims, including survivors, their affected families and communities,**
- 2. Reaffirming their unconditional commitment to the universalization and the full and effective implementation of the Convention,**
- 3. Guided by the knowledge that collectively they are responsible for promoting compliance with the Convention,**
- 4. Building on the Nairobi Action Plan and the accomplishments made in its application as well as the conclusions on implementation as reflected in the documents adopted at the Nairobi Summit on a Mine-Free World,**
- 5. Affirming the importance of new international humanitarian and human rights instruments that, inter alia, reflects enhanced understanding of victim assistance since the Nairobi Summit on a Mine-Free World,**
- 6. Recognizing the special partnerships in the universalization and implementation of the Convention with the United Nations, the International Committee of the Red Cross and the International Campaign to Ban Landmines,**
- 7. Pursuing a gender-sensitive, age-appropriate, inclusive, coherent and coordinated approach to the development and implementation of relevant national policies, plans, legal frameworks and instruments of international law,**
- 8. Acknowledging that particular regional, national and local circumstances may warrant specific adaptations of the practical implementation of this action plan,**
- 9. The States Parties agree to undertake the following actions in the period 2010 – 2014, in support of enhanced implementation and promotion of the Convention:**

I. Universalizing the Convention

States Parties are resolved to achieve universal adherence to the Convention and its norms in order to realize the goal of a world free of anti-personnel mines. To this end:

All States Parties will:

- Action #1:** Seize every opportunity to promote ratification of and accession to the Convention, in particular in regions with low adherence to the Convention.
- Action #2:** Encourage and support the universalization efforts of all relevant partners, including international organizations, regional organizations, international and national non-governmental organizations as well as the formal and informal mechanisms of the Convention.
- Action #3:** Seize every opportunity to promote and encourage adherence to the norms of the Convention.
- Action #4:** Continue promoting universal observance of the Conventions' norms, by condemning, and taking appropriate steps to end the use, stockpiling, production and transfer of anti-personnel mines by armed non-state actors.
- Action #5:** Condemn and continue to discourage in every possible way any production, transfer and use of anti-personnel mines by any actor.
- Action #6:** Encourage States not Parties, particularly those that have professed support for the humanitarian objectives of the Convention, to participate in the work of the Convention.

II. Destroying Stockpiled Anti-Personnel Mines

States Parties are resolved to ensure the expeditious and timely destruction of all stockpiled anti-personnel mines in accordance with Article 4, limit to the absolute minimum necessary the number of anti-personnel mines retained under Article 3, prevent further cases of non-compliance, and report as required by Article 7 and in line with the recommendations made by the Ninth Meeting of the States Parties. To this end:

States Parties that have missed their deadlines for completion of obligations under Article 4, and thus remain non-compliant with the Convention, will:

- Action #7:** Comply, without delay, with Article 4, by destroying all stockpiles of anti-personnel mines as soon as possible.
- Action #8:** Immediately communicate, to all States Parties, the reasons, which should be extraordinary, for failing to comply.
- Action #9:** Provide a plan to ensure compliance as soon as possible, including for this purpose committed national resources, assistance needed, and an expected completion date.

All States Parties yet to complete their obligations under Article 4 will:

- Action #10:** Take all necessary steps to comply with Article 4 as soon as possible, develop necessary national policies, plans, legal frameworks and destruction capacity, prepare plans to implement Article 4 by their deadlines within the first year of

becoming a State Party and to begin destroying stockpiles within two years of joining the Convention.

Action #11: Report on the progress of successful implementation of Article 4, including steps taken at national level, resources allocated and number of anti-personnel mines destroyed, to other States Parties through annual transparency reports, at every meeting of the Standing Committee on Stockpile Destruction and at every Meeting of the States Parties or Review Conference.

All States Parties will:

Action #12: When previously unknown stockpiles are discovered after stockpile destruction deadlines have passed, report such discoveries in accordance with their obligations under Article 7, and in addition take advantage of other informal means to share such information as soon as possible and destroy these anti-personnel mines as a matter of urgent priority.

III. Clearing Mined Areas

States Parties are resolved to ensure the expeditious identification of all mined areas under their jurisdiction or control and to ensure the clearance and release of these areas as soon as possible, even if an extension has been granted. The speed and manner of mine clearance will have crucial implications for development and human security - the safety and well-being of affected individuals and their communities. To this end:

The States Parties that have been granted an extension to their initial Article 5 deadline will:

Action #13: Complete implementation of Article 5 as soon as possible but not later than their extended deadlines, ensure progress toward completion proceeds in accordance with the commitments made in their extension requests and the decisions taken on their requests, and report regularly on such progress to the meetings of the Standing Committee on Mine Clearance, Mine Risk Education and Mine Action Technologies, Meetings of the States Parties and Review Conferences.

States Parties that have reported mined areas under their jurisdiction or control, will do their utmost to:

Action #14: Identify, if they have not yet done so, the precise perimeters and locations, to the extent possible, of all areas under their jurisdiction or control in which anti-personnel mines are known or are suspected to be emplaced, report this information as required by Article 7, no later than the Tenth Meeting of the States Parties, and incorporate the information into national action plans and relevant broader development and reconstruction plans.

Action #15: Ensure that all available methods for the full and expedient implementation of Article 5 (1), as recommended by States Parties at the Ninth Meeting of the States Parties, are applied where and as relevant, by developing and implementing applicable national standards, policies and procedures for

releasing land through technical and non-technical means that are accountable and acceptable to local communities, including through the involvement of women and men in the acceptance process.

- Action #16:** Take full national ownership of their Article 5 obligations by developing, implementing and regularly reviewing national mine action strategies and associated policies, plans, budget policies and legal frameworks, and inform the Standing Committee on Mine Clearance, Mine Risk Education and Mine Action Technologies on their implementation.
- Action #17:** Provide annually, in accordance with Article 7, precise information on the number, location and size of mined areas, anticipated particular technical or operational challenges, plans to clear or otherwise release these areas and information on the areas already released, disaggregated by release through clearance, technical survey and non-technical survey.
- Action #18:** Provide access to all mined areas where access may be difficult or contested, including border areas, without prejudice to potential border delimitation, to ensure that clearance can proceed as soon as possible, making use of the good offices of Presidents of Meetings of the States Parties or Review Conferences or other third parties as appropriate.
- Action #19:** Provide mine risk reduction and education programmes, as part of broader risk assessment and reduction activities targeting the most at-risk populations, which are age-appropriate and gender-sensitive, coherent with applicable national and international standards, tailored to the needs of mine-affected communities and integrated into ongoing mine action activities, in particular data gathering, clearance and victim assistance as appropriate.
- Action #20:** Ensure that all relevant mine action actors inform and actively involve affected local communities and survivors in the assessment of needs, planning and prioritization of activities, and handover of cleared land, by utilising community liaison or other similar means to ensure meaningful participation of all stakeholders.

States Parties that have reported mined areas under their jurisdiction or control but due to exceptional circumstances need to request an extension to their 10-year deadline, will:

- Action #21:** Inform the States Parties of these exceptional circumstances in due time, develop the extension request in line with the recommendations made by the Seventh Meeting of the States Parties and utilise the opportunity for informal dialogue with the group mandated to analyze the extension request.

All States Parties will:

- Action #22:** When previously unknown mined areas are discovered after reporting compliance with Article 5 (1), report such discoveries in accordance with their obligations under Article 7, take advantage of other informal means to share such information and destroy the anti-personnel mines in these areas as a

matter of urgent priority.

IV. Assisting the Victims

States Parties are resolved to provide adequate age- and gender-sensitive assistance to mine victims, through a holistic and integrated approach that includes emergency and continuing medical care, physical rehabilitation, psychological support, and social and economic inclusion in accordance with applicable international humanitarian and human rights law, with the aim of ensuring their full and effective participation and inclusion in the social, cultural, economic and political life of their communities.

Victim assistance should be integrated into broader national policies, plans and legal frameworks related to disability, health, education, employment, development and poverty reduction, while placing particular emphasis on ensuring that mine victims have access to specialised services when needed and can access on an equal basis services available to the wider population.

States Parties are resolved not to discriminate against or among mine victims, or between mine survivors and other persons with disabilities, and to ensure that differences in treatment should only be based on medical, rehabilitative, psychological or socio-economic needs of the victims.

Victim assistance shall be made available, affordable, accessible and sustainable.

The principles of non-discrimination, full inclusion and participation, openness, accountability and transparency shall guide victim assistance efforts.

To this end, States Parties, particularly those accountable to and responsible for the well-being of significant numbers of mine victims, will reinforce their efforts and will do their utmost to:

Action #23: Collect all necessary data in order to develop, implement, monitor and evaluate adequate national policies, plans and legal frameworks including by assessing the needs and priorities of mine victims and the availability and quality of relevant services, make such data available to all relevant stakeholders and ensure that such efforts contribute to national injury surveillance and other relevant data collection systems for use in programme planning.

Action #24: Develop, or review and modify if necessary, implement, monitor and evaluate national policies, plans and legal frameworks with a view to meet the needs and human rights of mine victims.

Action #25: Develop and implement, if they have not yet done so, a comprehensive plan of action and budget that addresses the rights and needs of mine victims through objectives that are specific, measurable, achievable, relevant and time bound, ensuring that such a plan is integrated into broader relevant national policies, plans, and legal frameworks.

- Action #26:** Establish, if they have not yet done so, an inter-ministerial and inter-agency coordination mechanism for the development, implementation, monitoring and evaluation of relevant national policies, plans and legal frameworks, and ensure that this focal entity has the authority and resources to carry out its task.
- Action #27:** Ensure the inclusion and full and active participation of mine victims and their representative organisations as well as other relevant stakeholders in victim assistance related activities, in particular as regards the national action plan, legal frameworks and policies, implementation mechanisms, monitoring and evaluation.
- Action #28:** Strengthen national ownership as well as develop and implement capacity building and training plans to promote and enhance the capacity of the women, men and associations of victims, other organisations and national institutions charged with delivering services and implementing relevant national policies, plans and legal frameworks.
- Action #29:** Increase availability of and accessibility to appropriate services including quality emergency and continuing medical services, for female and male mine victims, by removing physical, social, cultural, economic, political and other barriers, including by expanding quality services in rural and remote areas, and for vulnerable groups.
- Action #30:** Ensure that appropriate services are accessible through the development, dissemination and application of existing relevant standards, accessibility guidelines and of good practices to enhance victim assistance efforts.
- Action #31:** Raise awareness among mine victims about their rights and available services, as well as within government authorities, service providers and the general public to foster respect for the rights and dignity of persons with disabilities including mine survivors.
- Action #32:** Monitor and evaluate progress regarding victim assistance within broader national policies, plans and legal frameworks on an ongoing basis, encourage relevant States Parties to report on the progress made, including resources allocated to implementation and challenges in achieving their objectives, and encourage States Parties in a position to do so to also report on how they are responding to efforts to address the rights and needs of mine victims.
- Action #33:** Ensure the continued involvement and effective contribution in all relevant convention related activities by health, rehabilitation, social services, education, employment, gender and disability rights experts, including mine survivors, inter alia by supporting the inclusion of such expertise in their delegations.

V. International Cooperation and Assistance for achieving the Convention's aims

States Parties recognize that fulfilling their obligations will require sustained substantial political, financial and material commitments, provided both through national commitments

and international, regional and bilateral cooperation and assistance, in accordance with the obligations under Article 6.

To this end, States Parties with obligations to destroy stockpiled anti-personnel mines, identify and clear mined areas, and assist mine victims, will:

- Action #34:** Without delay, and no later than the Tenth Meeting of the States Parties, develop or update national plans as well as map the national resources available to meet their obligations and the needs for international cooperation and assistance.
- Action #35:** Make their needs known to other States Parties and relevant organisations if they require financial, technical or other forms of international cooperation and assistance to meet obligations under the Convention, and identify these activities as a priority in relevant development goals and strategies.
- Action #36:** Promote technical cooperation, information exchange on good practices and other forms of mutual assistance with other affected States Parties to take advantage of the knowledge and expertise acquired in the course of fulfilling their obligations.

States Parties in a position to do so will:

- Action #37:** Promptly assist States Parties that have communicated needs for support for stockpile destruction, mine clearance, mine risk education and victim assistance, responding to the priorities for assistance as articulated by mine-affected States Parties themselves in their national plans and ensuring the continuity and sustainability of resource commitments.
- Action #38:** Support specialised mine action programmes, providing where possible multi-year funding to facilitate long-term planning of mine action programmes, under national management and ownership, paying particular attention to the specific needs and circumstances of the least developed States Parties, and ensuring that mine action remains a high priority, including in broader humanitarian, development assistance, disarmament and security programmes.
- Action #39:** Support the national efforts of those States Parties with clearly demonstrated needs to develop their capacities to provide assistance to mine victims and other persons with disabilities by providing where possible multi-year financial, material or technical assistance in response to the priorities of the affected State to facilitate long-term planning, implementation and monitoring of victim assistance-related activities.
- Action #40:** In the spirit of the Convention's aims, endeavour to continue supporting States Parties that have completed their Article 5 obligations in their efforts to address the humanitarian consequences resulting from mine and explosive remnants of war contamination.
- Action #41:** Ensure that international cooperation and assistance, including development cooperation, is age-appropriate and gender-sensitive and inclusive of, and

accessible to, persons with disabilities, including mine survivors.

Action #42: Continue to support, as appropriate, mine action to assist populations in areas where armed non-state actors operate including by facilitating access for humanitarian organizations.

All States Parties will:

Action #43: Ensure that mine action activities of the United Nations, national and international non-governmental organizations and other actors, where relevant, are incorporated into national mine action planning frameworks and are consistent with national priorities and international obligations.

Action #44: Develop and promote regional cooperation in sharing and effectively using national experiences and good practices, resources, technology and expertise in stockpile destruction and mine clearance, to implement the Convention and to engage the cooperation of regional organizations.

Action #45: Develop and promote regional and bilateral cooperation in sharing and effectively using national experiences and good practices, resources, technology and expertise in addressing the rights and needs of mine victims and other persons with disabilities, to implement the Convention and to engage the cooperation of regional organizations.

Action #46: Strengthen the partnerships between affected and non-affected States Parties and among affected States Parties to identify and mobilise new technical, material and financial sources of support for activities to implement the Convention.

Action #47: Ensure that the Convention and its informal mechanisms include and provide a specific and effective framework for identifying needs and mobilising national and international resources to meet these needs.

Action #48: Contribute to further development of the International Mine Action Standards to be used as a frame of reference to establish national standards and operational procedures for addressing all aspects of mine and other explosive ordnance contamination.

Action #49: In recognition of the pivotal role of mine action in meeting the UN Millennium Development Goals, continue to promote the inclusion of mine action activities into ongoing development programmes, bearing in mind the international aid effectiveness agenda, and to promote the identification of mine action as a priority in local, national and international development actions, in cooperation with regional and international organizations and the international financial institutions.

Action #50: Ensure cooperation among all relevant actors to improve national and international policies and development strategies, enhance effectiveness in mine action and reduce the need to rely on international personnel.

Action #51: Ensure that assistance in mine action is based on appropriate surveys, needs analysis, age-appropriate and gender-sensitive strategies and cost-effective approaches.

VI. Additional actions essential to achieving the Convention's aims

Compliance

Action #52: All States Parties will, in case of alleged or known non-compliance with the Convention, encourage current and incoming Presidents of Meetings of the States Parties or Review Conferences and Co-Chairs of relevant Standing Committees to work together with the States Parties concerned to resolve the matter expeditiously in a manner consistent with Article 8 (1).

Reporting and transparency

States Parties that have not submitted their initial Article 7 report will:

Action #53: Immediately fulfil their obligation to initially submit and annually update Article 7 transparency reports.

All States Parties will:

Action #54: Maximise and take full advantage of the flexibility of the Article 7 reporting process as a tool to assist in implementation, including through the reporting format "Form J" to provide information on matters which may assist in the implementation process and in resource mobilization, such as information on international cooperation and assistance, victim assistance efforts and needs and information on measures being taken to ensure gender sensitization in all aspects of mine action.

States Parties that have retained anti-personnel mines under Article 3 of the Convention will:

Action #55: Regularly review the number of anti-personnel mines retained to ensure that they constitute the minimum number absolutely necessary for the purposes permitted by the Convention and destroy all those exceeding that number and where appropriate explore available alternatives to using live anti-personnel mines for training and research activities.

Action #56: Annually report, on a voluntary basis, on the plans for and actual use of anti-personnel mines retained, explain any increase or decrease in the number of retained anti-personnel mines.

All States Parties will:

Action #57: Encourage States Parties that have maintained, under the provisions of Article 3, the same number of anti-personnel mines over periods of years, and have not reported on the use of such mines for permitted purposes or on concrete plans for their use, to report on such use and such plans and to review whether

these anti-personnel mines are needed and constitute the minimum number absolutely necessary for permitted purposes and to destroy those that are in excess of this number.

Accountability

States Parties that have not developed national implementation measures will:

Action #58: As a matter of urgency, develop and adopt legislative, administrative and other measures in accordance with Article 9, to fulfil their obligations under this Article and thereby contributing to full compliance with the Convention.

All States Parties will:

Action #59: Share information on implementing legislation and its application through reports made in accordance with Article 7 and the Intersessional Work Programme.

Action #60: Recognize that when armed non-state actors operate under State Parties' jurisdiction or control, such non-state actors will be held responsible for acts prohibited to States Parties under the Convention, in accordance with national measures taken under Article 9.

Implementation partnerships and support

All States Parties will:

Action #61: Recognize and further encourage the full participation in and contribution to the implementation of the Convention by the International Campaign to Ban Landmines, the International Committee of the Red Cross, the United Nations, the Geneva International Centre for Humanitarian Demining, international and regional organizations, mine survivors and their organizations, and other civil society organizations.

Action #62: Support the efforts of the President and the Coordinating Committee to ensure effective and transparent preparations and conduct of meetings of the Convention.

Action #63: Recognize the essential role of the Implementation Support Unit, hosted by the Geneva International Centre for Humanitarian Demining, in implementing the Convention, including by preparing the meetings of the Standing Committees, the Meetings of the States Parties and Review Conferences, supporting the President and the Coordinating Committee, providing advisory services to the States Parties and by administering the Sponsorship Programme.

Action #64: Provide the necessary financial resources for the effective operation of the Implementation Support Unit.

States Parties in a position to do so will:

Action #65: Contribute to the Sponsorship Programme thereby permitting widespread representation at meetings of the Convention, particularly by mine-affected developing States Parties.