

CONCLUSIONS ON THE STATUS OF IMPLEMENTATION OF ARTICLE 4 (STOCKPILE DESTRUCTION) OF THE ANTI-PERSONNEL MINE BAN CONVENTION¹

SUBMITTED BY THE PRESIDENT OF THE SEVENTEENTH MEETING OF THE STATES PARTIES

I. Background

1. The destruction of stockpiled anti-personnel mines is an obligation covered by Article 4 of the Convention which requires each State Party to destroy all stockpiled anti-personnel mines as soon as possible but not later than four years after entry into force of the Convention for that State Party.
2. In the ***Maputo Action Plan 2014-2019***, States Parties committed to a number of actions related to the destruction of stockpiled anti-personnel mines. In addition, the Sixteenth Meeting of the States Parties (16MSP) appealed to States Parties which are in non-compliance with Article 4 obligations to intensify efforts for completion.
 - **Action #5** states that “each State Party that has missed its deadline for the completion of its Article 4 obligations will provide to the States Parties, through the President, by 31 December 2014, **a plan for the destruction of all stockpiled anti-personnel mines under its control or jurisdiction as soon as possible**, and thereafter keep the States Parties apprised of efforts to implement its plan through annual transparency reports and other means.”
 - **Action #6** states that “each State Party in the process of destroying its stockpiled anti-personnel mines will **regularly communicate to the States Parties, through annual transparency reports** and other means, **plans to fulfil its obligations and progress achieved**, highlighting as early as possible any **issues of concern**.”
 - **Action #7** states that “each State Party which discovers previously unknown stockpiles after stockpile destruction deadlines have passed will **inform the States Parties as soon as possible**, report pertinent information as required by the Convention, and destroy these anti-personnel mines as a matter of urgent priority and no later than six months after the report of their discovery.”
2. **As part of the transparency measures** which exist under Article 7 of the Convention, each year, no later than 30 April, States Parties shall provide updated information on a number of matters including on:
 - the **total of all stockpiled anti-personnel mines owned or possessed** by them, or under their jurisdiction or control, to include a breakdown of the type, quantity and, if possible, lot numbers of each type of anti-personnel mine stockpiled;
 - The **status of programs for the destruction of anti-personnel mines** in accordance with Articles 4, including details of the methods which will be used in destruction, the location of all destruction sites and the applicable safety and environmental standards to be observed;
 - The **types and quantities of all anti-personnel mines destroyed** after the entry into force of this Convention for that State Party, to include a breakdown of the quantity of each type of anti-personnel mine destroyed, in accordance with Articles 4, respectively, along with, if

¹ These conclusions have been prepared using information submitted by the relevant States Parties through their Article 7 reports submitted in and through statements delivered at Meetings of the States Parties and intersessional meetings.

possible, the lot numbers of each type of anti-personnel mine in the case of destruction in accordance with Article 4.

II. Status of implementation of Article 4

3. At the close of the 16MSP and further to the announcement of completion by Belarus, three States Parties reported that they were still in the process of implementing Article 4 of the Convention, including two States Parties – **Greece** and **Ukraine** – which are in non-compliance with their Article 4 obligations and one State Party – **Oman** - with a deadline of 1 February 2019.
4. On 28 May 2018, the President wrote to Greece, Oman and Ukraine to encourage them to participate in the 7-8 June 2018 intersessional meetings and share information on their efforts to implement Article 4 as well as on the challenges they may be facing. Updated information was provided by Greece and Oman as well as Bulgaria² at the intersessional meetings.
5. As of 17 August 2018, Greece, Oman and Ukraine had submitted updated information on stockpiled anti-personnel mines in accordance with the relevant provisions of Article 7. Based on this information, the following is understood to be the quantity of stockpiled anti-personnel mines destroyed and remaining to be destroyed:

State Party	Total number of anti-personnel mines destroyed	Total number of anti-personnel mines remaining to be destroyed	Article 4 projected completion date
Greece	972,217 ³	595,950	End of September 2019 ⁴
Ukraine	2,329,920 ⁵	4,473,461 ⁶	2021
Oman ⁷	4,578	10,682	By the end of 2018
Total	3,306,715	5,080,093	

III. General conclusions by the President

6. The President welcomes the information submitted by States Parties on the status of implementation of Article 4 and concluded that Greece, Oman and Ukraine have provided updated information on the total number of stockpiled anti-personnel mines destroyed in 2017 and the total number remaining to be destroyed. The President also welcomes the fact that these three States Parties have provided a projected completion date for their destruction programme.
7. However, the President concluded that Greece and Ukraine could provide additional clarity on milestones towards completion, indicating how many stockpiled anti-personnel mines are intended to be destroyed each year from now until the projected completion date. On this matter, Greece provided additional details on the reasons why it cannot provide milestones at this moment.
8. The President encouraged States Parties that have reported issues of concern to continue providing clarity on the challenges faced so that adequate assistance can be identified and progress can be made.

² Greece transferred stockpiled anti-personnel mines to the VIDEX facilities in Bulgaria for the purpose of destruction.

³ On 8 June 2018, Greece reported the demilitarization of 18,000 anti-personnel mines. On 17 August 2018, Greece reported the demilitarization of 26,811 anti-personnel mines.

⁴ Statement delivered by Greece at the 16MSP, 21 December 2017.

⁵ This number comes from calculations made using previous numbers provided by Ukraine.

⁶ Article 7 report submitted by Ukraine in 2018.

⁷ Article 7 report submitted by Oman in 2017.

9. The President recalled that anti-personnel mines retained for permitted purposes under Article 3 of the Convention should not be reported as stockpiled anti-personnel mines. Anti-personnel mines that have been retained for permitted purposes should be reported separately and in this context the *Guide to Reporting* provides States Parties with guidance in providing information in an unambiguous manner on matters concerning both Articles 3 and 4.

III. Information provided by States Parties on the implementation of Article 4 and conclusions by the President

Information submitted by Greece

10. At the 7-8 June 2018 intersessional meetings, Greece indicated that Hellenic Defence Systems (HDS) signed a contract with the Hellenic Army General Staff for the destruction of the stockpiled anti-personnel mines.
11. Greece indicated that the pace of destruction followed thus far allows for the demilitarization of the stockpiled anti-personnel mines to be concluded within the timetable presented by Greece at the 16MSP which anticipates that the remaining stockpile will be destroyed by the end of September 2019 notwithstanding any future unforeseen circumstances beyond Greece's control.
12. Concerning the 190,574 anti-personnel mines stored at the VIDEX facilities in Bulgaria, Greece indicated that HDS has obtained the necessary certificates from the competent Greek authorities to proceed with their transfer back to Greece. Greece further indicated that the Bulgarian authorities have been requested to provide assistance to facilitate the loading of the anti-personnel mines and the escort of trucks to the Greek-Bulgarian border. Greece also took the opportunity to stress that cooperation with the Bulgarian authorities had been excellent.
13. In its Article 7 transparency report submitted in 2018, Greece reported that 640,761 stockpiled anti-personnel mines remain to be destroyed, 190,574 of which are stored in VIDEX warehouses in Bulgaria. Greece further reported that in total, 927,406 stockpiled anti-personnel mines have already been destroyed.
14. At the 7-8 June 2018 intersessional meetings, Greece indicated that HDS successfully undertook the demilitarization of 18,000 stockpiled anti-personnel mines, bringing the remaining stockpiled anti-personnel mines to be destroyed to 622,761. In a letter addressed to the President on 17 August 2018, Greece indicated that HDS completed the demilitarization of an additional 26,811 anti-personnel mines, thus reducing the stockpile to 595,950. Greece further indicated that the destruction of 40,032 anti-personnel mines had been scheduled for the forthcoming weeks and that the mines had already been transferred to the HDS warehouses in Lavrio.
15. In a letter addressed to the President on 17 August 2018, Greece reiterated that the destruction of its stockpile is to be completed within a period of one year. Greece further indicated that setting annual milestones for the destruction of its stockpiled mines cannot be done in a fully reliable manner because there are limitations set by domestic legislation on the amount of explosive storage in the HDS facilities where all the mines transferred from Bulgaria will be stored and this has temporarily affected the pace of the destruction process. Greece indicated that until the repatriation of the 190,574 mines is completed, it is not possible to estimate the exact quantity of mines to be destroyed by the end of 2018.

	2018	2019	Total
Stockpiled anti-personnel mines remaining to be destroyed by Greece	40,032	Information not provided	595,950

16. At the 7-8 June 2018 intersessional meetings, Greece stated that it was in full compliance with its obligations stemming from the Maputo Action Plan and that this was unfortunately not clearly reflected when referring to Greece as being in “non-compliance” with its Article 4 obligations. Greece further stated that the *Maputo Action Plan* refers to States that have “missed their deadlines” highlighting the fact that delays in implementation such as the one experienced by Greece are kept outside the mandate of the Committee on Cooperative Compliance.

Conclusions by the President on the information submitted by Greece

17. The President concluded that Greece has provided a projected completion date for the destruction of its remaining stockpiled anti-personnel mines. The President further concluded that specific annual milestones towards completion would be welcome. In this regard, the President concluded that it would be appreciated if Greece could keep the States Parties regularly updated on its progress to meet the projected completion date and on any difficulties it may face during this time.
18. The President welcomes the progress achieved on the issue of the anti-personnel mines stored in Bulgaria and concluded that further updates on the repatriation process as and when relevant would be appreciated. The President highlighted the importance of continued transparency on this issue and concluded that it was positive that Greece has regularly provided information and is encouraged to continue doing so.
19. The President recognises the commitment of Greece to fully implement Article 4 and understands that impeding circumstances have led Greece to miss its Article 4 deadline in 2008. The President recognises that these circumstances have been beyond Greece’s control and that it is clear that there has never been an intention by Greece to not fulfil its Article 4 obligations and the Maputo Action Plan commitments adopted in 2014. The President further recognises that Greece has provided regular updated information on the situation and has been consistently transparent in this regard. However, the delays experienced have unfortunately led to Greece not being able to “destroy or ensure the destruction of all stockpiled anti-personnel mines it owns or possesses as soon as possible but not later than four years after the entry into force of the Convention” and resulted in the country being in non-compliance with the provisions contained in Article 4 of the Convention. The President is pleased to note that this situation is coming to an end with the announcement of a projected completion date and the start of the destruction process at the Lavrio Plant. The President further clarified that the matter of stockpile destruction is not being addressed by the Committee on Cooperative Compliance but is a mandate of the President.

Information submitted by Ukraine

20. On 16 August 2016⁸, **Ukraine** indicated that the timeline for destruction of the remaining 3 million PFM-1-(1S) type anti-personnel mines depended on the production capacity of the State enterprise “Scientific-Production Association – Pavlograd Chemical Plant” which is the only actor in Ukraine authorised to conduct anti-personnel mine disposal. Ukraine informed that at the current rate, the 3 million mines are expected to be destroyed by 2019. Ukraine also indicated that the destruction of all stockpiled anti-personnel mines (including the 3 million PFM-1 (1S) type mines, depending on the production capacity of the authorised contractor, was expected to be completed in 2021.
21. At the 16MSP, Ukraine indicated that, in 2017, it successfully finished the destruction of all PFM-1 mines, which amounts to 1.9 million mines.

⁸ Letter from Ukraine to the 15MSP President, 16 August 2016.

22. In information provided by Ukraine in its transparency report in 2018, Ukraine reported that 4,473,461 stockpiled anti-personnel mines remained to be destroyed as of 1 January 2018, including 4,323,840 PFM-type, 149,016 POM-2 and 605 OZM-4 type mines. Ukraine also reported that the 605 OZM-4 mines are in areas outside of Ukraine's effective control.

	2018	2019	2020	2021	Total
Stockpiled anti-personnel mines remaining to be destroyed by Ukraine	Information not provided	Information not provided	Information not provided	Information not provided	4,473,461

23. In addition, Ukraine reported that, during the period 1 January 2017 to 1 January 2018, 438,328 stockpiled anti-personnel mines had been destroyed, including 29,824 PFM-1, 408,424 PFM-1C and 80 POM-2 type mines.

Conclusions by the President on the information submitted by Ukraine

24. The President concluded that given the current rate of destruction of mines it would be welcome if Ukraine indicated whether it still expects to achieve completion by 2021. The President concluded that updated information would be welcome, including a detailed timetable containing milestones leading to the 2021 completion date and information on issues of concern which may potentially affect the projected timetable.
25. The President concluded that Ukraine provided information on the status of its stockpile destruction programme, including information on the total number and types of stockpiled anti-personnel mines remaining to be destroyed and those destroyed during the most recent reporting period. However, the President concluded that the information provided by Ukraine on the amount of PFM-type mines held and destroyed is unclear and encouraged Ukraine to provide information by disaggregated by type of mine so as to ensure information is comparable from one report to the other.

Information submitted by Bulgaria

26. At the 7-8 June 2018 intersessional meetings, **Bulgaria** reported that in October 2014, an explosion, at the demilitarization factory "Midzhur" (owned by the Bulgarian private company "Videx"), prevented further destruction of the remaining Greek anti-personnel mines on Bulgarian territory. In order to solve the issue, Greece and Bulgaria have been in regular communication. Bulgaria further reported that since then efforts were focused on the only feasible option which was to repatriate the anti-personnel mines to Greek territory.
27. Bulgaria reported that, with the necessary International Import Certificate obtained by Greece, the repatriation process could now start. Bulgaria indicated that a bilateral meeting will take place soon to discuss the details of the process and the required technical and administrative support from their side.
28. In its Article 7 report submitted in 2018, Bulgaria reported that the total number of the Greek anti-personnel mines planned for transfer from the territory of Bulgaria to the Hellenic Republic is 190,574.

Conclusions by the President on the information submitted by Bulgaria

29. The President welcomed the progress achieved and concluded that further updates on the repatriation process would be appreciated. The President highlighted the importance of continued

transparency on this issue and concluded that it was positive that Bulgaria has regularly provided information and encouraged it to continue doing so.

30. The President had previously noted that the quantity of stockpiled anti-personnel mines reported stored by Bulgaria had increased by 10 between 2016 and 2017 and had requested that clarity on this issue be given. In this regard, Bulgaria indicated that in 2017, 10 anti-personnel mines of M2 type were provided to the National Investigation Service as material evidence for conducting investigation experiments. This temporary transfer within the territory of Bulgaria was reflected as a decrease in numbers in the 2016 Article 7 transparency report. At a later stage, these 10 anti-personnel mines were returned to “Videx” and stored in its warehouses. The President concluded that Bulgaria had provided clarity on this matter.

Oman

31. In information provided by Oman in 2018 in accordance with its Article 7 transparency obligations, **Oman** reported that 9,156 stockpiled anti-personnel mines were destroyed in 2015-2017 with a total of 9,156 stockpiled anti-personnel mines remaining to be destroyed in 2018.
32. At the 7-8 June 2018 intersessional meetings, Oman indicated that by the end of 2018, the destruction of all stockpiled anti-personnel mines in accordance with Article 4 will be complete.

	2018	Total
Stockpiled anti-personnel mines remaining to be destroyed by Oman	9,156	9,156

Conclusions by the President on the information submitted by Oman

33. The President concluded that Oman had communicated a plan for the completion of the destruction of its stockpiled anti-personnel mines by its Article 4 deadline and had regularly provided updated information on the status of its programme for the destruction of stockpiled anti-personnel mines.

IV. Information provided by States Parties on destruction of previously unknown stockpiled anti-personnel mines

34. Since the 16MSP, the following States Parties have provided updated information on the destruction of previously unknown stockpiled anti-personnel mines, in accordance with *Maputo Action Plan*, Action #7:
35. **Afghanistan** reported in its 2018 Article 7 transparency report that during the period 1 January 2017 to 31 December 2017, 886 previously unknown stockpiled anti-personnel mines had been destroyed by weapons and ammunition disposal teams. Information was provided on the quantity of each type of anti-personnel mine destroyed.