

**PRELIMINARY OBSERVATIONS ON THE STATUS OF IMPLEMENTATION OF ARTICLE 4 (STOCKPILE DESTRUCTION) OF THE ANTI-PERSONNEL MINE BAN CONVENTION<sup>1</sup>**

**PRESIDENT OF THE SEVENTEENTH MEETING OF THE STATES PARTIES**

**I. General preliminary observations by the President**

1. At the close of the Sixteenth Meeting of the States Parties (16MSP), and further to the announcement of the completion of its stockpile destruction obligations by Belarus, three States Parties had 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.
2. In the context of the implementation of Actions #5 to #7 of the *Maputo Action Plan*, the 16MSP appealed to the States Parties which are in non-compliance with their Article 4 obligations to intensify efforts for completion of their stockpile destruction obligations:
  - **Action #5 of the *Maputo Action Plan*** 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 of the *Maputo Action Plan*** 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 of the *Maputo Action Plan*** 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.”
3. **As part of the transparency measures** which exist under the Convention, each year, no later than 30 April, States Parties shall provide updated information on a number of matters including on the **number of stockpiled anti-personnel mines held, the status of programmes for the destruction of stockpiled anti-personnel mines and the number of stockpiled anti-personnel mines destroyed in the previous calendar year**.
4. Some States Parties report anti-personnel mines retained for purposes permitted under Article 3 as “stockpiled anti-personnel mines.” The President recommended that, to ensure clarity and avoid double counting, anti-personnel mines retained for permitted purposes should not be reported as “stockpiled anti-personnel mines” and should be reported separately. In this context the Guide to Reporting could assist States Parties in providing transparency in an unambiguous manner on matters concerning both Articles 3 and 4.

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<sup>1</sup> These preliminary observations have been prepared using information submitted by the relevant States Parties through their Article 7 reports submitted until 15 May 2018 and through statements delivered at Meetings of the States Parties and intersessional meetings.

5. Of the three States Parties which reported that they were in the process of implementing Article 4 of the Convention, as of 30 April 2018, one of them – Greece - submitted updated information in accordance with the relevant provisions of Article 7 on stockpiled anti-personnel mines.
6. As of 15 May 2018, updated information on the total of all stockpiled anti-personnel mines owned or possessed by it, or under its jurisdiction or control, and / or on anti-personnel mines transferred for the purposes of destruction, and / or the status of programmes for the destruction of stockpiled anti-personnel mines and / or on the types and quantities of all stockpiled anti-personnel mines destroyed was provided by: Greece.
7. Based on the updated transparency information provided by States Parties the following is understood to be the quantity of anti-personnel mines destroyed and remaining to be destroyed by Greece, Oman, and Ukraine:

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	927,408 <sup>2</sup>	640,761 <sup>3</sup>	End of September 2019 <sup>4</sup>
Ukraine	1,891,792 <sup>5</sup>	4,911,589 <sup>6</sup>	2021
Oman <sup>7</sup>	4,578	10,682	Within the Article 4 deadline
Total	2,823,778	5,563,032	

## II. Information provided by States Parties on the implementation of Article 4: preliminary observations by the President

### Greece

8. At the 16MSP, **Greece** indicated that since the June 2017 intersessional meetings, the competent department of the Hellenic Army General Staff concluded the necessary procedures and a revised contract with Hellenic Defence Systems (HDS) had been signed for the destruction of the anti-personnel mines.
9. Greece indicated that the amendments in the said contract foresee that the destruction of the remaining stockpile of anti-personnel mines will take place at HDS installations in Lavrio, Greece. Moreover with the estimated pace of destruction, reaching up to 2,000 mines per day, HDS anticipates that the remaining stockpile will be destroyed by the end of September 2019, notwithstanding of course any unforeseen circumstances beyond Greece's control. The President noted that while Greece has provided a projected completion date for the destruction of its stockpiled anti-personnel mines, a precise timeline for the destruction of the remaining stockpiled anti-personnel mines remains to be provided as soon as possible.

<sup>2</sup> Statement delivered by Greece at the Sixteenth Meeting of the States Parties (16MSP), 21 December 2017. There is a difference of 2 mines between the total number of mines reported destroyed in Greece's 16MSP statement (927,408) and in the number reported in Greece Article 7 report submitted in 2018 (927,406).

<sup>3</sup> Statement delivered by Greece at the 16MSP and Article 7 report submitted by Greece in 2018. The 16MSP indicates that the current stockpile has been reduced to 640,761 due to the demilitarization of 2,508 mines. The total number of anti-personnel mines remaining to be destroyed previously reported by Greece was 643,267. 2,508 mines deducted from 643,267 equals 640,759 mines and not 640,761 mines.

<sup>4</sup> Statement delivered by Greece at the 16MSP, 21 December 2017.

<sup>5</sup> Statement delivered by Ukraine at the Fifteenth Meeting of the States Parties, 30 November 2016 and Article 7 report submitted by Ukraine in 2017. The number of stockpiled anti-personnel mines destroyed is a deduction from the difference between the 2016 and 2017 total numbers of mines remaining to be destroyed.

<sup>6</sup> Article 7 report submitted by Ukraine in 2017.

<sup>7</sup> Article 7 report submitted by Oman in 2017.

10. Greece further indicated that the established timeline is based on the recent demilitarization of 2,508 mines by HDS, reducing thus the current stockpile of anti-personnel mines to 640,761. In this regard, it should be noted that the destruction process of the anti-personnel mines will be in full swing by mid-January 2018. The President noted that previously Greece had reported 643,267 stockpiled anti-personnel mines remaining to be destroyed and that with the demilitarization of 2,508 mines, the total remaining to be destroyed would be 640,759. The President noted that it would be appreciated if Greece provided clarity on this issue.
11. In information provided by Greece in 2018 in accordance with its Article 7 transparency obligations, Greece reported that there were 640,761 stockpiled anti-personnel mines of which 190,574 are stored in the warehouses of VIDEX in Bulgaria. Greece further reported that 927,406 anti-personnel mines have been destroyed. The President highlighted that there seemed to be a difference of 2 anti-personnel mines between the total reported destroyed in 2017 (927,408) in Greece's Sixteenth Meeting of the States Parties' statement and the total reported in Greece's Article 7 report (927,406). The President noted that it would be welcome if Greece could provide clarity on this issue.
12. Concerning the anti-personnel mines stored at the Videx facilities in Bulgaria, HDS will undertake all necessary initiatives in order to settle the issue as soon as possible. Greece indicated that the Bulgarian Ministry of Foreign Affairs will be informed accordingly of the way forward through the direct channel of communication which has been established with the competent department of the Hellenic Ministry of Foreign Affairs for this purpose. The President noted that while Greece had regularly provided updated information on the status of anti-personnel mines stored in Bulgaria, an early settlement of this issue with a clear timeline for the destruction of these stockpiled anti-personnel mines, as soon as possible, would be welcome.

## Ukraine

13. On 16 August 2016, **Ukraine** indicated that the timeline for the destruction of 3 million PFM-1 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, these 3 million mines are expected to be destroyed by 2019. Ukraine also indicated that the destruction of all stockpiled anti-personnel mines, depending on the production capacity of the authorised contractor, was expected to be completed in 2021. The President noted that given the current rate of destruction of mines it would be welcome if Ukraine indicated whether it was still expected that the destruction of all stockpiled anti-personnel mines would be completed in 2021. The President further noted that it would be welcome if a precise timeline leading to the completion date could be provided.
14. At the Fifteenth Meeting of the States Parties (15MSP) in December 2016, Ukraine reported that since February 2014, a significant portion of Ukraine's financial resources are directed primarily towards the preparation of defence forces and that the destruction of stockpiled anti-personnel mines had been stopped. However, Ukraine indicated that despite the difficult economic situation, in December 2015, Ukraine resumed the destruction process of PFM-1 and PFM-1S type anti-personnel mines. To this end, two additional agreements were signed between the Ministry of Defence, NATO Support and Procurement Agency (NSPA) and the Pavlograd Chemical Plant, (1) from 26 November 2015 for the destruction of 642,960 PFM-1 type mines and (2) from 22 August 2016 for the destruction of 464,896 PFM-1S type mines. Within this framework, Ukraine reported that 642,960 stockpiled PFM-1 type mines and 24,684 PFM-1S type had already been destroyed at the Pavlograd Chemical Plant.

15. At the 15MSP, Ukraine indicated that it had destroyed 1,886,672 stockpiled anti-personnel mines and provided the quantity of each type of anti-personnel mine destroyed, thereby implying that 667,664 stockpiled anti-personnel mines were destroyed since the Fourteenth Meeting of the States Parties (1,219,008 destroyed in total). Ukraine indicated that 4,916,709 stockpiled anti-personnel mines remained to be destroyed and provided the quantity of each type of anti-personnel mines. Ukraine reiterated that the 605 OZM-4 mines are located in areas outside of Ukraine's effective control while all other stockpiled anti-personnel mines which remain to be destroyed are located at 6 arsenals under the control of the Ukrainian army.
16. In information provided by Ukraine its Article 7 transparency report submitted in 2017, Ukraine reported that 4,911,589 stockpiled anti-personnel mines remained to be destroyed as of 1 January 2017. Information was provided on the quantity of each type of anti-personnel mine held. Ukraine also reported that 605 of the stockpiled anti-personnel mines that remain to be destroyed are in areas outside of Ukraine's effective control. In addition, Ukraine reported that, during the period 1 January 2016 to 1 January 2017, 652,840 stockpiled anti-personnel mines had been destroyed.
17. At the 8-9 June 2017 intersessional meetings, Ukraine indicated that, in 2017, 356,640 PFM-1S mines had been destroyed and that 464,640 anti-personnel had been received by the Pavlograd Chemical Plant to be destroyed.
18. 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. The President noted that it would be welcome if clarification could be provided on (a) the total number of stockpiled anti-personnel mines destroyed by Ukraine and (b) on the total number of anti-personnel mines remaining to be destroyed as of June 2018.

## **Bulgaria**

1. At the 16MSP in December 2017, **Bulgaria** reported that on October 1, 2014 there was an explosion that occurred at the installations of the demilitarization factory "Midzhur" owned by the Bulgarian private company "Videx". The Utilization section of the factory was totally destroyed and no further destruction of the Hellenic Armed Forces anti-personnel mines was possible.
2. Also at the 16MSP, Bulgaria reported that since it has no capacity to destroy/demilitarize the Greek anti-personnel mines on its territory, a regular communication with the Greek side has been established in order to find a solution. This issue has been addressed several times at different levels, including Ministers of Defence.
3. Bulgaria further reported that on December 1, 2017, acting under the provisions of the Convention, the Bulgarian Ministry of Foreign Affairs reiterated its official appeal to the Hellenic Republic to undertake all necessary measures to transfer the remaining anti-personnel mines back to their territory since Bulgaria does not have any justification to hold Greek anti-personnel mines. The exact total number of the Greek anti-personnel mines planned for transfer from the territory of Bulgaria to the Hellenic Republic is 190,574. The President noted that the quantity of stockpiled anti-personnel mines reported to be stored by Bulgaria has increased by 10 between 2016 and 2017 and that clarity on this issue and on the total number of stockpiled anti-personnel mines held by Bulgaria would be welcome.
4. The President highlighted the importance of continued transparency on this issue and concluded that it was positive that Bulgaria has regularly provided information on stockpiled anti-personnel

mines transferred to its territory for the purpose of destruction by another State Party and encouraged Bulgaria to continue doing so.

#### **Oman**

5. In information provided by Oman in 2017 in accordance with its Article 7 transparency obligations, **Oman** reported that 4,578 stockpiled anti-personnel mines were destroyed in 2015-2016. The destruction of these stockpiled anti-personnel mines leaves Oman with 10,682 stockpiled anti-personnel mines still to destroy. Oman indicated that in 2017 the destruction of the last 6,104 stockpiled anti-personnel mines was planned for 2018.
6. The President noted that Oman had communicated a plan for the completion of the destruction of its stockpiled anti-personnel mines by its Article 4 deadline however it had not yet provided updated information on the status of its stockpiled anti-personnel mines in 2018.

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

7. 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:
8. **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 (WAD) teams. Information was provided on the quantity of each type of anti-personnel mine destroyed.