

**PRESIDENT'S SPEAKING NOTES
EIGHTEENTH MEETING OF THE STATES PARTIES**

Thursday 18 NOVEMBER 2020

9d. PREVENTING AND SUPPRESSING PROHIBITED ACTIVITIES AND FACILITATING COMPLIANCE: CONCLUSIONS AND RECOMMENDATIONS RELATED TO THE MANDATE OF THE COMMITTEE ON COOPERATIVE COMPLIANCE

The purpose of the Committee on Cooperative Compliance is to assist the States Parties in acting upon their commitment under Article 8.1 of the Convention to work together in a spirit of cooperation to facilitate compliance in a supportive and amicable manner.

This includes objectively consider whether a concern about compliance with the Convention's prohibitions contained in Article 1.1 of the Convention is potentially credible and if so, to consider any follow up that might be appropriate for States Parties to better understand the situation.

As many of you may recall, at the Fourth Review Conference the mandate of the Committee has been expanded to:

- to encourage States Parties to report and to address all matters under Article 1.2 in cases where a State Party has not submitted an Article 7 Report detailing progress in implementing relevant obligations each year.
- Support States Parties in their efforts to implement and report on matters contained in Article 9 of the Convention;

- Review relevant information provided by the States Parties on the implementation of the commitments contained in the Oslo Action Plan; and
- Consider matters related to gender and the diverse needs and experiences of people in affected communities in every aspect of its work.

As the President chairs the Committee on Cooperative Compliance, Sudan had the pleasure of chairing the Committee in 2020 and had the honour to work with Iraq, Panama, Poland and Switzerland.

This year we were faced with a number of delays in executing some of the activities we had hoped to achieve. Nonetheless, throughout all our conversations and discussions with the Committee and with the ISU, I believe we have an important road map which will support the efforts of the incoming President:

- Firstly, as you can appreciate from the report, there are a number of States that have not submitted Article 7 Reports, including States with commitments under Article 1.2, the Committee is well placed to do more on this matter.
- As of today, 53 States Parties that have not yet reported having either adopted legislation in the context of Article 9 obligations or that they consider that existing laws are sufficient to give effect to the Convention. For too long this has remained a high number. Prior to the lockdowns we reached out to the ICRC to find a way to collaborate on this matter and I believe we clarity in how this cooperation can be strengthened. Again, the Committee is well placed to do more on this matter.

We take this opportunity to thank Iraq, which submitted information in this regard this year.

- Finally, we continued our engagement with States with allegations of non-compliances with the Convention, Sudan, Ukraine and Yemen. We also continued an open dialogue with organizations including the ICBL, ICRC, Human Rights Watch and UNMAS.

The Committee was grateful for the engagement of representatives from Sudan, Ukraine and Yemen and values their willingness to meet with the Committee on a permanent basis. Following our meetings with these States we arrived at the conclusions you will find in the report and which I would like to briefly highlight:

Concerning Sudan, the Committee welcomes continued updated information on the security situation in the remaining areas where allegations have surfaced and where Sudan indicated that security presents an impediment to investigations. The Committee encourages Sudan to continue working with all partners to ensure that investigations can take place as soon as possible. The Committee also welcomes the news that on 3 October 2020 a Peace Agreement was signed in Sudan which is expected to contribute to the opening of access to areas where investigations are pending.

Concerning Yemen, the Committee welcomes Yemen acting upon its commitments under Action #48. The Committee observed that it would welcome continued updated information on the security situation and efforts made by Yemen to carry out investigations on allegations and on the transfer and use of mines within areas under its jurisdiction or control.

Finally, and importantly

Concerning Ukraine, the Committee welcomes Ukraine's continued dialogue and exchange of information with the Committee concerning allegations of use dating back to 2015. During the dialogue sustained with Ukraine, Ukraine has verified that the Ukrainian defence and law enforcement agencies "have never used, do not use and are not planning to use anti-personnel mines" and that "the Armed Forces of our country are authorized to use mines only in command-detonate mode (through electrical initiation) which is not prohibited by the Ottawa Convention". Likewise, no new allegation of use of mines has been raised since 2015. In this regard, following engagement with Ukraine over the past years and engagement with civil society concerning allegations of use in Ukraine, the Committee has concluded that there was no reason to maintain this case on its agenda at this stage.

Nonetheless, the Committee notes the importance of Ukraine taking appropriate measures by adopting national legislation under Article 9 or indicating that they consider existing national laws to be sufficient to give effect to the Convention as soon as possible.

Our dialogue with these States will certainly continue. The Committee has a lot of work to do.