

ICBL intervention on Art.5 Intersessional meetings, 22-24 June 2021

We thank the panelists for their presentations, and all States Parties who provided updates and shared their experiences on these important issues. We also warmly thank the Committee on Article 5 Implementation and the ISU for their ongoing efforts.

The ICBL aligns itself with the statement made by the Explosive Ordnance Risk Education Advisory Group, and we continue to urge States Parties to ensure that context-specific mine risk education and reduction is provided to all populations at risk.

Today we would like to re-focus States Parties' attention on Article 5 completion, and share a few reflections on this matter.

Four years away from the States Parties' aspirational completion goal of 2025, there are at least 32 States Parties with outstanding clearance obligations. A number of States have made impressive progress, but only a handful are on track to meet their current deadlines or the 2025 aspirational deadline. Several States Parties have had their Art. 5 deadlines extended beyond 2025 (BiH, Croatia, Iraq, Senegal, and South Sudan), with several others likely to join this growing group soon.

Delay in clearance results in continued negative humanitarian impact. More than two-thirds of all casualties recorded by the Landmine Monitor in 2019 occurred in States Parties to this treaty.

A number of States Parties, including those with a significant number of casualties from improvised mine incidents (such as, Mali, Nigeria, and Cameroon), do not have a mine action program, nor a clear understanding of the extent of the problem, and no clearance has taken place. Others have conducted little to no clearance for a prolonged period of time, (for example, Eritrea, Niger and Senegal) or have failed to provide updates through Article 7 reporting on the implementation of their clearance obligations for two or more consecutive years (including Cameroon, Eritrea, Mali, Niger and Nigeria).

At the Review Conference in Oslo in 2019, States Parties agreed new measures to ensure better compliance with Article 5 - through the so called early warning mechanism in action #49 of the OAP, as well as through expansion of the mandate of the Committee on Cooperative Compliance. However, these measures are only effective if they are acted on, with the required commitment of all States Parties, in the spirit of the treaty.

An alarmingly high number of States Parties have failed to respect their obligation to clear land "*as soon as possible*." Despite improvements in survey and clearance techniques over the past twenty years, a majority of affected States Parties, including those with small to medium amounts of contamination, continue to miss their Art. 5 deadlines and request further extensions. On average, States Parties with small contamination have taken the same amount of time to clear land as those where contamination is considered massive or large.

Missing Art. 5 clearance deadlines and their further extension have become business as usual.

Deadline extensions are requested too often, by too many States Parties. This year we will reach a total of close to 90 extensions requested by some 40 States Parties over the past 14 years. Something that was meant to be an exception - for those with massive contamination and /or access challenges - has become a norm.

Unfortunately, many extension requests fail to include essential elements such as detailed and costed workplans in line with Action #23 of the OAP, making it difficult to track progress or even to establish how clearance objectives will be met. Granting extensions based on such incomplete requests contributes to prolonged, repeated and extensive delays in the implementation of Article 5.

If these trends and pace continue, many States Parties will not have completed their clearance for many more years or decades to come. This would undermine the credibility of the Treaty and its very purpose “to put an end to the suffering and casualties caused by antipersonnel mines.”

It is up to you, States Parties, whether we get to see a world free of mines in our lifetime, or not.

We think it is high time for States Parties’ collective re-engagement and new initiatives on Art. 5. With this in mind, we would like to ask all States Parties, and partners:

- Firstly, to undertake a bold, collective effort in the lead up to the 19MSP to strategically rethink and adapt current practices, decisions, and actions to effectively address these worrying trends and to put the implementation of Art. 5 back on track.
- Secondly, to re-frame the extension granting process, along clear, more rigorous criteria, directly tied to the spirit of the treaty and commitments from the OAP, with the aim of fostering genuine ownership of the process by all States Parties, civil society and expert organizations, in order to enhance timely completion of Art. 5.
- Thirdly, to consider new means to put mine action higher on the agenda of national decision makers, such as through the activation of a high-level Envoy(s) on implementation (as well as creating an informal, pragmatic contact group on implementation).
- Lastly, we are asking States Parties for an honest and thorough implementation of decisions and actions adopted at the treaty’s Review Conference in Oslo.

We invite all to join us for a discussion on these matters at the ICBL side event entitled: “*Completion in 2025? In 2030? In Our Lifetime?*” that will take place tomorrow, on Thursday, from 3 to 4PM. We will offer more findings and specific recommendations for action and look forward to discussing with all interested.

Meanwhile I invite you to read two recent background papers that present key findings and concerns related to Art. 5 implementation, and offer initial suggestions for action. These are available on the ICBL homepage.

It took incredible courage and creativity to get the treaty and this job started. And it will take again courage and new recommitment to finish it. We won't get there (in our lifetime) if we just continue as we have.

Let's finish the job we started. The time is now.

Thank you.