

Intersessional Meeting (ISM) of the Mine Ban Treaty

22-24 June 2021

Philippine Campaign to Ban Landmines Statement

Thematic Session: Completion and Sustainable National Capacities

Thank you Madame Chair and warm greetings & hope that all of you and your families are in good health during this time of the pandemic.

Madame Chair, the issue of the use by armed groups of improvised explosive devices, that function like mines has once again grabbed the headlines in the Philippines. The public's emotions are raised, especially those who sympathize with the victims' families, as the debate focuses on the legal aspect of such cases, and how there is a lack of clarity as to the applicability of international law relating to landmines. As the victims' families of such tragic incidents pursue justice, I hope this platform keeps their plight in mind.

Allow me to respond to the questions you've raised Madame Chair, in view of the context of areas that are challenged by ongoing armed conflict and/or battling terrorism. In our view, while we are focused on known areas affected by explosive ordnance, the presence & use of mines of an improvised nature should be part of this global discussion as Landmine Monitor reported that improvised mines caused more than half of all casualties reported in 2019 (3,097 in total).

1. What is a State Party's obligations under the Convention in the event of the identification of previously unknown mined areas, including a newly mined area, following completion or expiration of its original or extended deadline to implement Article 5?

Every state party should be capable of mounting an efficient and coordinated mine action programme addressing previously unknown areas contaminated with mines and other items of explosive ordnance including IEDs. In the Philippines the problem is primarily with unexploded ordnance and IEDs that functions like mines. This process of national mine action coordination, often delivered through organized "national mine action centers", should either be part of national law or national policy that gives it a clear mandate to perform its functions efficiently, particularly with regard to reporting of items and immediate response to known hazards.

Clarity on national laws also addresses the pursuit of justice in cases, as investigations will be done on par with global standards. It will also help address the gaps in implementation of mine action initiatives in conflict areas where there are no national mine action centers.

We are an example of this. We are implementing a mine action programme in the Bangsamoro as part of the peace agreement signed by the Philippine Government and the former armed actor the Moro Islamic Liberation Front that now leads the autonomous regional government of the Bangsamoro Autonomous Region for Muslim Mindanao (BARMM). The Philippine Campaign to Ban Landmines and the Swiss Foundation for Mine Action (FSD) with the support of the European Union have been implementing formal agreements with regards to mine action programming, including the survey and clearance of explosive ordnance, and the delivery of other risk reducing programmes such explosive ordnance risk education in the Bangsamoro region.

2. What does it mean to have a "national sustainable capacity" in place? And how early should it be in place (e.g. during the early life of the mine action programme)?

If mine action efforts are derived from a national law, national capacity will likely have more chances to become sustainable as compared to any ad hoc initiatives that rely mainly on the political will of the states' current leadership. Having a law that establishes a mine action center

with corresponding annual budgets is far more sustainable, and should include regular training of personnel to global standards.

3. What should States consider throughout the life of the programme (e.g. information collected) to best prepare them for completion and the establishment of a national sustainable capacity? ("Mined area" means an area which is dangerous due to the presence or suspected presence of mines.

Information management is an urgent and ongoing priority. Currently in the Philippines, there is no national or central structure that receives reports of suspected hazardous areas or reports of explosive ordnance, and translates these reports into clearance tasking orders. This process is currently being done on a case-to-case basis and wrongly reflects the cases as merely 'isolated'. The absence of a good national information management system misses out the value of information, especially of the victims and their lifelong needs. FSD maintains a GIS database, and is actively surveying at grass roots level through the work of its non-technical survey teams but this work needs to be owned by the national mine action centre to ensure sustainability in alignment with international best practice.

4. What mechanism should be maintained or put in place to ensure that reports from the local population continue to be addressed?

There should be an information campaign on what an individual can do when they encounter explosive weapons or at risk of explosive weapons. At present a major constraint in the Philippines is that reporting explosive ordnance often does not happen with conditions of impunity and fear inhibits reporting to the detriment of coordination efforts.

5. How best can mine action programmes prepare for the eventual drawdown of their mine clearance personnel and address the impact of, for example, loss of jobs for national staff of the programme?

Having a national training center for all EOD personnel in a country without a mine action center will ensure a uniform standard will be applied in addressing the issue, whether they are police, military or deputized civilian personnel.

6. What is the best way to ensure that Mine Risk Education efforts are sustainable and continue following completion?

Integrating EORE in the school system, capacities of security forces (Police, Armed Forces and even armed groups), community leaders and disaster risk reduction and management systems is a sustainable approach, and one that has been adopted by FSD in Mindanao with considerable success.

Lastly, Madame Chair, while the world addresses the urgent threats of the pandemic, it should not delay in addressing the humanitarian impact of explosive ordnance, including landmines, UXO and IEDs in our communities.

We appeal to all for a ceasefire and cease-the-use-of-landmines and other items of explosive ordnance. We also call for a complete stop to the conflicts in which explosive ordnance is being used. In this time, Vaccination shots, not gunshots Madame Chair.

Thank you Madame Chair.

Delivered by: Alfredo Lubang, National Coordinator, Philippine Campaign to Ban Landmines