

PRELIMINARY OBSERVATIONS

COMMITTEE ON ARTICLE 5 IMPLEMENTATION (Belgium, Norway, Sri Lanka and Zambia (Chair))

Intersessional Meetings 22 – 24 June 2021

PRELIMINARY OBSERVATIONS ON THE IMPLEMENTATION OF ARTICLE 5 BY IRAQ

I. Progress in implementation (OAP Action #8, #21, #22)

1. Iraq reported that in 2020, the Directorate of Mine Action (DMA)¹ addressed a total of 15 mined areas measuring 40,349,278 square metres, including 39,155,145 square metres cancelled, 649,263 square metres reduced and 544,870 square metres cleared, as a result destroying 1,622 anti-personnel mines and 2,876 other items of explosive ordnance (Action #22). The DMA also reported that it released 129 areas contaminated with IEDs measuring 48,759,519 square metres, including 41,346,876 cancelled, 377,114 square metres reduced, and 7,035,531 square metres cleared resulting in the destruction of 6,287 IEDs and 2,606 other items of explosive ordnance (Action #21).
2. Iraq also reported that as a result of non-technical survey the DMA identified 16 newly mined areas measuring 3,551,364 square metres in 4 Provinces. Iraq reported that the DMA identified 308 new areas contaminated with IEDs located in 4 Provinces measuring 39,816,442 square metres, including 18 mined areas measuring 14,012,911 square metres in Anbar Province, 11 hazardous areas measuring 12,749,268 square metres in Karkuk Province, 15 mined areas measuring 12,292,524 square metres in Ninewa Province, and 1 mined area measuring 761,739 square metres in Salah al-Din Province.
3. Iraq also reported that the DMA based on re-survey conducted by the Engineering military directorate reclassified 15 mined areas in RMAC-South, Shatt Al-Arab district, Basrah Province measuring 39,155,145 square metres as battle field areas.
4. Iraq reported that in 2020, the Iraqi Kurdistan Mine Action Authority (IKMAA)² addressed a total of 92,672 square metres, including 5,452 square meters reduced, and 87,220 square metres cleared as a result destroying 11 anti-personnel mines, 1 IED, and 57 items of unexploded ordnance.
5. The Committee observed that Iraq reported to be affected by anti-personnel mines of an improvised nature and welcomes Iraq's efforts to apply all provisions and obligations under the Convention to such contamination (Action #21).
6. The Committee observed that the information provided by Iraq on progress in implementation allowed for comparability with that provided in its 2019 updated work plan. The Committee welcomed Iraq providing disaggregated information on progress in accordance with land release methodology employed, using the Guide to Reporting and in accordance with the International Mine Action Standards (IMAS) and by type of contamination (Action #8, Action #22).

¹ The Directorate of Mine Action (DMA) represents the federal government and covers all governorates except the Kurdistan region provinces.

² The Kurdistan of Iraq Mine Action Agency (IKMAA) covers the governorates of Erbil, Duhok, Slemani and Halabja.

II. Clarity regarding remaining challenge (OAP Action #18, #22)

7. The Committee observed that Iraq provided a high degree of clarity³ on its remaining challenge, (Action #18). Iraq reported that in areas under the responsibility of the DMA a total of 351 mined areas in 22 districts, measuring 989,360,946 square metres, including 303 confirmed hazardous areas measuring 972,070,400 square metres and 48 suspected hazardous areas measuring 17,290,546 square metres, remain to be addressed. The DMA also reported a total of 1,231 areas containing IEDs in 28 districts measuring 593,383,289 square metres, including 975 confirmed IED areas measuring 327,937,898 square metres and 256 IED areas suspected to contain IEDs measuring 265,445,391 square metres, remain to be addressed (Action #22).
8. Iraq reported that in areas under the responsibility of IKMAA a total of 3,210 mined areas in 28 districts measuring 210,595,861 square metres, including 3,088 confirmed hazardous areas measuring 180,811,095 square metres and 122 suspected hazardous areas measuring 29,784,766 square metres remain to be addressed. IKMAA also reported 25 areas containing IEDs measuring 2,892,097 square metres, including 10 confirmed hazardous areas measuring 261,722 square metres and 15 suspected hazardous areas measuring 1,243,452 remain to be addressed (Action #22).
9. Action #18 of the Oslo Action Plan requests States that have not yet done so will identify the precise perimeter of mined areas, to the extent possible, and establish evidence based, accurate baselines of contamination based on information collected from all relevant sources, no later than by the Nineteenth Meeting of the States Parties in 2021. **The Committee observed that Iraq was still in the process of identifying the precise perimeter of mined areas and would welcome updated information from Iraq on these efforts..**
10. Action #18 of the Oslo Plan requests States to report on having established their baseline through inclusive consultations with women, girls, boys and men. **The Committee observed that Iraq had not provided in its Article 7 Report updated information on its efforts to establish Iraq's baseline through inclusive consultations with women, girls, boys and men. The Committee would welcome additional information on Iraq's efforts in this regard.**
11. The Committee welcomed Iraq reporting remaining challenges in a manner consistent with IMAS, disaggregating by 'suspected hazardous areas' and 'confirmed hazardous areas' and their relative size and type of contamination (Action #22). In this regard, the Committee observed that Iraq's effort to implement Article 5 was only part of the totality of efforts required to address explosive hazards in Iraq.

III. National plans for clearance and survey (OAP Actions #1, #2, #3, #6, #19, #20, #21, #26)

12. The Committee recalled that Iraq's updated work plan submitted in 2019 contained a national evidence based and costed plan for clearance and survey for the period 2020-2028 (Action #2, Action #19). The Committee noted that in Iraq's 2019 updated work plan Iraq projected to address in areas under the responsibility of DMA the following: 167,708,057.77 square metres in 2021, 34,968,996.78 square metres in 2022, 43,711,245.98 square metres in 2023-2024, 49,539,412.11 square metres in 2025, 49,539,412.11 square metres in 2026 and 37,883,079.85 square metres in 2027.

³ "High degree of clarity" has been used when a State Party has provided a list of all remaining areas (known or suspected to contain anti-personnel mines), the estimated size of each area, the status of each area (i.e., "known" or "suspected", and information on the geographic location of each area.

13. The Committee noted that in its 2019 updated work plan Iraq projected to address in areas under the responsibility of IKMAA the following: 10,902,284 square metres in 2021, 21,804,568 square metres in 2022, 27,255,710 square metres in 2023 and 2024, and 30,889,805 square metres in 2025 and 2026 (Action #20) **The Committee observed that while Iraq had in place an updated two-year work plan, Iraq had not provided information in its Article 7 Report on annual updates based on new evidence and on adjusted milestones.**
14. Action #21 of the Oslo Action Plan requests that States affected by anti-personnel mines of an improvised nature will ensure that they apply all provisions and obligations under the Convention to such contamination as they do for all other types of anti-personnel mines, including during survey and clearance in fulfilment of Article 5 and disaggregate by types of mines when reporting in fulfilment of Article 7 obligations. **The Committee observed that Iraq had not provided updated information in its Article 7 Report on the disaggregation by types of mines when reporting national plans for survey and clearance.**
15. Action #2 of the Oslo Action Plan requests States to develop evidence-based, costs and time-bound national strategies and work plans to fulfil and implement Convention obligations as soon as possible. The Committee observed that Iraq reported that DMA and IKMAA are working with other Government ministries and international partners on a strategy plan for the period (2022-2028) (Action #2, Action #19). **The Committee welcomes the information provided by Iraq and would welcome updated information on the timeline for approving the updated national mine action strategy (Action #2, Action #19).**
16. The Committee observed Iraq coordinated with the Ministry of Planning to include the concept of mine action and the activities of implementing the Convention in the national development plans, strategies for reducing the poverty, humanitarian response plans and national strategies in order to include the activities of mine action within the governmental priorities (Action #1).
17. Action #1 of the Oslo Action Plan requests States to Demonstrate high levels of national ownership, including by making financial and other commitments to implementation. The Committee observed that Iraq reported that work is ongoing on presenting financial and non-financial obligations from the governmental allocations according to the state policy and its current financial capabilities, and that work is ongoing to inspect all alternative and innovative financing sources throughout the state investment budget, the environmental protection and improvement fund and the reconstruction fund for the affected areas by terrorist operations. **The Committee observed that Iraq had not provided updated information in its Article 7 Report on financial commitments to implementation (Action #1). The Committee would welcome information in this regard.**
18. The Committee observed that Iraq had reported updated information of its efforts to strengthen partnerships and integrate responses between mine action related activities and humanitarian response plans, peacebuilding, development or human rights plans, where relevant (Action #6).
19. Action #3 of the Oslo Action Plan requests States to ensure that the different needs and perspectives of women, girls, boys and men are considered and inform all areas of Convention implementation and mine action programmes, in order to deliver an inclusive approach. Strive to remove barriers to full, equal and gender balanced participation in mine action and in Convention meetings. The Committee observed that Iraq reported that the COVID-19 had restricted activities of the DMA Gender Unit, however three online workshops, and a survey on the impact of COVID-

19 on women were implemented in this regard. **The Committee observed that Iraq had not provided updated information in its Article 7 Report on the integration of gender in its national work plan and strategies (Action #3). The Committee would welcome information in this regard.**

20. Action #26 of the Oslo Action Plan requests States to Ensure that national strategies and work plans for completion make provisions for a sustainable national capacity to address previously unknown mined areas, including newly mined areas discovered following completion. The Committee recalled 2020 Iraq reported on its efforts to make a provision for sustainable national capacity, including Military Engineering Units, Border Guard Forces and the Directorate of Energy Police, (Ministry of Interior), to address previously unknown areas, including newly mined areas discovered following completion. The Committee observed that that while Iraq reported in detail on annual trainings conducted in coordination with aligned Government Ministries to develop the supervision and implementation activities of Government and non-government organisations **Iraq had not reported** on efforts to ensure the establishment of a sustainable national capacity (Action #26).

IV. Efficient and expedient implementation (OAP Actions #5, #9, #27)

21. Iraq reported on the appointment of committee to ensure National Mine Action Standards (NMAS) were updated in accordance with the latest IMAS (Action #5).
22. Iraq reported on its efforts to maintain an accurate and up-to-date information management system with support from UNMAS and iMAAP including the continuation of monthly meetings of the Technical Working Group for Information Management (Action #9).
23. Iraq reported on its efforts to improve the effectiveness and efficiency of survey, including annual training of national and international organisations on operation efficiency (Action #27).

V. Actions in accordance with plans in extension requests and decisions on them

24. The Committee recalled that in granting Iraq's request, the Sixteenth Meeting of the States Parties (16MSP) had requested Iraq to submit updated information on several matters. The Committee welcomes the information provided by Iraq on;
 - Progress made relative to the commitments contained in Iraq's two-year work plan during the extension period; Geographically specific information on the implementation of survey plans, locations and the results of these efforts and how additional clarity obtained may change Iraq's understanding of the remaining implementation challenge;
25. The Committee would welcome updated information from Iraq on the following decisions of the 16MSP:
 - Changes in the security situation and how these changes positively or negatively affect implementation;
 - Efforts to resolve political issues which prevent the carrying out of mine action activities in border areas of Iraq; and,
 - Resource mobilisation efforts and external financing received and resources made available by the government of Iraq to support implementation efforts, including through efforts to

facilitate operations of international demining organisations and expanding of indigenous capacities, and the results of these efforts.

26. The Committee recalled that in considering Iraq's 2017 extension request, the Sixteenth Meeting of the States Parties requested Iraq to submit to the Fourth Review Conference in 2019, an updated workplan for the remaining period covered by the extension request and every two years following this. The Committee observed that Iraq had acted on the decisions of the 16MSP by submitting an updated work plan to the 4RC and had indicated its intention to submit an updated work plan to the 19MSP.

VI. Mine risk education and reduction (OAP Actions #28-32)

27. Action #32 of the Oslo Action Plan requests States to Report on mine risk education and other risk reduction programmes in Article 7 reports, including the methodologies used, the challenges faced and the results achieved, with information disaggregated by gender and age. The Committee observed that while Iraq reported in detail on the actions it has taken to effectively exclude the population from areas known or suspected to contain anti-personnel mines, including mine risk education and reduction programmes (MRE/R) the challenges faced and results achieved disaggregated by gender and age. **The Committee observed that Iraq had not provided updated information in its Article 7 Report on the methodologies used and would welcome further information in this regard (Action #32).**

28. The Committee observed that Iraq reported on the integration of mine risk education and reduction (MRE/R) into wider humanitarian, development, protection and education efforts (Action #28).

29. Action #29 of the Oslo Action Plan requests States to provide context-specific mine risk education and reduction programmes to all affected populations and groups at-risk. Ensure that such programmes are developed on the basis of a needs assessment, that they are tailored to the threat encountered by the population, and that they are sensitive to gender, age, disability and take the diverse needs and experiences of people in affected communities into account. The Committee observed that Iraq reported on risk education campaigns to reduce injuries by raising awareness by education, training, publishing information and community communication, providing children plays, and awareness programmes in camps for displaced persons, and involved the gender factor in relation of teams working to deliver risk education especially for communities that have special traditional, as well as targeting all segments and age groups of society, all groups of society should receive education with a focus on categories at greatest risk. **The Committee observed that Iraq did not provided updated information in its Article 7 Report on its effort to establish programmes are developed on the basis of a needs assessment.**

30. Iraq reported on the delivery of context specific MRE to population and prioritisation of groups most at risk, including activities conducted during the grazing season in Al Muthanna Governorate, and tourism season in Wassit and Missan Governorates, and the grazing, transportation and hunting seasons in Samawah Badia and Al-Muthanna Governorates. The Committee noted that risk education programs are linked to an analysis of available data for victims registered in the database. **The Committee noted that these activities were part of Iraq's efforts to establish an evidence-based priority-setting mechanism for MRE/R programmes and welcomes further information in this regard. (Action #30).**

31. The Committee observed that Action #31 of the Oslo Action Plan requests States to build national capacity to deliver mine risk education and reduction programmes with the ability to adapt to changing needs and contexts, including the delivery of such programmes to affected communities

in the case that previously unknown mined areas are discovered. The Committee observed that while Iraq reported that the DMA had continued to build the national capacity of MRE/R teams through online workshops. **The Committee observed that Iraq had not provided updated information in its Article 7 Report on the provision of MRE/R to communities as new contamination is found with the ability to adapt to changing needs and contexts**(Action #31).

VII. Challenges in implementation (OAP Action #8)

27. The Committee observed that Iraq provided information on challenges in implementation of Article 5 obligations including, impact of COVID-19, the discovery of new contamination areas which requires explosive ordnance risk education (EORE) campaigns in these areas as well as the difficulty of access to some areas in sometimes, the need to provide educational (EORE) materials, and the need for continuing EORE activities for mines and ERW.