

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 SOUTH SUDAN

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

1. South Sudan reported that in 2020 it addressed 20 mined areas measuring 5,595,941 square metres, including 4,876,183 square metres cancelled, 11,564 square metres reduced and 708,194 square metres cleared resulting in the destruction of 231 anti-personnel mines, 2 anti-tank mines, 197 submunitions and 87 items of unexploded ordnance.
2. South Sudan reported as a result of survey activities, 5 previously unknown mined areas were identified measuring an estimated 51,941 square metres. South Sudan also reported that mined area measuring 292,515 square metres previously believed to contain anti-personnel mines were re-classified to be contaminated by anti-tank mines, and one mined area measuring 217,904 square meters previously believed to be contain anti-tank mines was re-classified to contaminated anti-personnel mines.
3. The Committee observed that the information provided by South Sudan on progress in implementation allowed for comparability with that provided in its 2020 Extension Request. The Committee welcomed South Sudan 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) (Action #8, Action #22).

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

4. The Committee observed that South Sudan reported a high degree of clarity¹ concerning its remaining challenge (Action #18). South Sudan reported a remaining challenge of 118 mined areas measuring 7,278,506 square metres located in 8 States, including, 63 confirmed hazardous areas measuring 2,828,870 square metres and 55 suspected hazardous areas measuring 4,449,636 square metres (Action #22).
5. The Committee welcomed South Sudan reporting on its 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).
6. 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

¹ "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.

Nineteenth Meeting of the States Parties in 2021. **The Committee observed that South Sudan was still in the process of identifying the precise perimeter of mined areas** (Action #18).

7. 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 recalled that South Sudan in its 2020 extension request indicated that the gender-balanced nature of community liaison teams enables them to speak to all sections of the community and thereby to build a comprehensive and inclusive picture of contamination and its impact, allowing for prioritisation of clearance tasks in accordance with the needs of the community as a whole and ensuring that no-one is left behind. South Sudan further reported that logistical and security challenges that remain in South Sudan continue to heavily influence the prioritisation process for task selection (Action #18).

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

8. The Committee recalled that South Sudan's extension request in 2020 contained a national evidence based and costed plan for survey and clearance in place (Action #2, Action #19). South Sudan's extension request also indicated a National Mine Action Strategy in place for the period 2019-2023) (Action #2).
9. South Sudan reported that the work plan contained in its 2020 extension request will commence July 2021 and that the clearance projections for the remainder of the extension period presented in the extension request currently remain extant. In this regard, the Committee welcomes South Sudan presenting annually adjusted milestones based on new evidence, such as the results of re-survey, including information on the number of areas and the amount of mined area to be addressed annually (Action #20).
10. South Sudan projects to address 20 hazardous areas measuring an estimated 1'478'400 square meters in 2021, 20 hazardous areas measuring an estimated 1'170'400 square meters in 2022, 20 hazardous areas measuring an estimated 1'170'400 square meters in 2023, 25 hazardous areas measuring an estimated 1'170'400 square meters in 2024, 16 hazardous areas measuring an estimated 1'078'000 square meters in 2025, 15 hazardous areas measuring an estimated 462,000 square metres in 2026. South Sudan reported that it intends to conduct re-survey of one suspected hazardous area located in Jonglei measuring 1,978,079 square metres.
11. The Committee recalled that South Sudan, in its 2020 extension request, indicated having made commitments to align its policies with its national development strategy (Action #1, Action #6).
12. The Committee recalled that South Sudan, in its 2020 extension request, indicated that current funding received totals approximately US \$41 million per year. The request also indicated that South Sudan would require a total of US\$ 148 million for activities related to the implementation of Article 5 during the extension period. The request further indicated that the Government of South Sudan provides limited support to mine action, covering the running costs of the National Mine Action Authority, and has made no resources available for clearance or risk education activities (Action #1).
13. The Committee recalled that South Sudan, in its 2020 extension request, indicated that gender-balanced nature of all community liaison teams in South Sudan enables them to speak to all sections of the community and thereby to build a comprehensive and inclusive picture of the contamination and of its impact (Action #3).

14. The Committee observed that South Sudan, in its 2020 extension request, indicated that the National Mine Action Authority (NMAA) has struggled to access financial support to build a sustainable national capacity (Action #26).

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

15. South Sudan reported that its national technical Standards and guidelines are a living document subject to continual review. In this regard, South Sudan reported that a comprehensive review of all standards was undertaken during the reporting period to ensure that National Mine Action Standards (NMAAS) reflect the latest International Mine Action Standards (IMAS) (Action #5).

16. South Sudan in its 2020 extension request indicated that it has an Information Management System in place used to manage all records of confirmed and suspected contamination as well as the clearance efforts that have been undertaken (Action #9).

17. The Committee observed that South Sudan reported on its efforts to improve the effectiveness and efficiency of survey and clearance, including updates to national standards, increasing the use of ground penetrating radar and mine detection dogs for conducting technical survey (Action #27).

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

18. In considering South Sudan's 2020 extension request, the Fourth Review Conference of the States Parties requested South Sudan to submit updated information on several matters. The Committee welcomes the information provided by South Sudan on;

- Progress made relative to the commitments contained in South Sudan's annual survey and clearance plan during the extension period, providing information in a manner consistent with IMAS on the remaining challenges, disaggregating by 'suspected hazardous areas' and 'confirmed hazardous areas' and their relative size, as well as by the type of contamination and in accordance with the land release methodology employed (i.e. cancelled through non-technical survey, reduced through technical survey, or cleared through clearance);
- Progress on security-related access restrictions and potential positive or negative impacts regarding re-survey and clearance of mined areas; and,
- Efforts made to reconfigure personnel to form larger teams and the results of these efforts.

19. The Committee observed that South Sudan reported that the work plan contained in its 2020 extension request will commence July 2021 and that the clearance projections for the remainder of the extension period presented in the extension request currently remain extant. In this regard, the Committee would welcome annual updated information from South Sudan on the following decisions of the Fourth Review Conference of the States Parties:

- The impact of annual progress on annual targets as given in South Sudan's work plan including adjusted milestones with information on the number of areas and amount of mined area to be addressed annually and how priorities have been established;
- Updates regarding the development and implementation of a detailed, costed and multi-year plan for context-specific mine risk education and reduction in affected communities including information on the methodologies used, the challenges faced and the results achieved, with information disaggregated by gender and age;

- Updates regarding the structure of South Sudan’s mine action program, including existing and new organisational and institutional capacities to respond to residual contamination following completion; and,
- Resource mobilisation efforts, external financing received and resources made available by the government of South Sudan to support implementation efforts, including through efforts to strengthen the capacity of the National Mine Action Authority and facilitate operations of international demining organisations and indigenous capacities.

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

20. South Sudan reported 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 methodologies used, challenges faced and results achieved disaggregated by gender and age (Action #32).

21. The Committee recalled that in its 2020 extension request, South Sudan indicated that Risk education is fully integrated into wider humanitarian activities with the Mine Action Sub Cluster being a component of the Protection Cluster (Action #28).

22. 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 recalled that South Sudan’s request submitted in 2002 indicated that context-specific MRE/R is delivered to all affected groups and tailored to meet their capacity to absorb the information. **The Committee observed that South Sudan had not provided information in its Article 7 Report concerning the development of such programmes on the basis of a needs assessment and would welcome additional information in this regard** (Action #29).

23. The Committee recalled that South Sudan in its 2020 extension request indicated that timely follow up of all accidents to determine their underlying cause and appropriate risk education measures is implemented to minimize the exposure of others living in the area (Action #30).

24. South Sudan, in its 2020 extension request, indicated that MRE/R is carried out by international and national organisations. South Sudan reported that these organizations have developed common teaching material targeting different sections of the community to convey the key messages most effectively to the respective audiences, with the results achieved including disaggregated data (Action #31).

VII. Challenges in implementation (OAP Action #8)

23. The Committee observed that South Sudan provided quality information on challenges in implementation, including the impact of COVID-19, constitutional challenges resulting from the recent peace agreement, sporadic nature of minefields, and that logistical and security challenges have heavily influenced the prioritisation and selection of clearance tasks. South Sudan reported the following challenges related to the implementation of MRE/R; a scarcity of resources and the overwhelming poverty resulting in few minefields been formally marked beyond the posting of “danger mines” signs to alert passers-by of the dangers, and that due to difficulties of marking

mined areas, the greatest effort to exclude civilians from them has therefore been directed towards mine risk education (MRE).