

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 YEMEN

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

1. Yemen reported that in 2020 it addressed 32 mined areas contaminated areas in 9 locations; Aden, Taiz, Al Hudaydah, Mar'ib, Shabwah, Al Bayda, Al Jawf, Sa'ada (Al Kitaf ,Al Boqe'e), Al Dhale', and Lahij. As a result of these activities Yemen reported the destruction of 858 anti-personnel mines, 14,725 anti-tank mines, 71,066 items of unexploded ordnance (UXO) and 1,710 improvised explosive devices.
2. Yemen reported that progress in implementation by international organisations during the reporting period including: 40 non-technical surveys (NTS) conducted and awaiting verification by Yemen Mine Action Centre/Yemen Mine Action Coordination Cell (YEMAC/YMACC) and an assessment visit by Norwegian People's Aid (NPA) for the deployment of mine detection dogs. Yemen reported as a result of these activities it destroyed 1,388 anti-personnel mines, 17,116 anti-tank mines, 94,558 items of unexploded ordnance and 2,152 anti-personnel mines of an improvised nature.
3. The Committee observed that the information provided by Yemen on progress in implementation allowed for some comparability with that provided in its 2019 extension request. The Committee noted that in addition to anti-personnel mines, anti-tank mines and other explosive remnants of war also pose extreme risks to the civilian population and to the implementation of development activities.
4. Action #8 of the Oslo Action Plan requests States to provide quality information on progress and challenges in implementing the Convention, employing the guide to reporting. **The Committee observed that Yemen had not reported by employing the guide to reporting (Action #8).**
5. Action #22 of the Oslo Action Plan requests States to report in a manner consistent with IMAS by providing information on progress in accordance with the land release methodology employed, (cancelled through non-technical survey, reduced through technical survey, or cleared through clearance). **The Committee observed that Yemen had not reported in a manner consistent with IMAS.**
6. The Committee observed that Yemen reported to be affected by anti-personnel mines of an improvised nature and welcomes Yemen's efforts to apply all provisions and obligations under the Convention to such contamination (Action #21).

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

7. The Committee observed that Yemen provided some clarity¹ concerning its remaining challenge (Action #18).
8. 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 recalled that Yemen in its 2019 extension request submitted to the Fourth Review Conference (4RC) indicated a remaining challenge of 326 hazardous areas measuring 12,995,161 square metres. The request also indicated that due to a lack of access to contaminated areas Yemen is not in a position to offer a more accurate estimation of its remaining challenge. **The Committee observed that Yemen was still in the process of identifying the precise perimeter of mined areas** (Action #18).
9. Action #22 of the Oslo Action Plan requests States to report in a manner consistent with IMAS by providing information on the remaining challenges, disaggregating by 'suspect hazardous areas' and 'confirmed hazardous areas' and their relative size, as well as by type of contamination. The Committee observed that while Yemen had reported on its remaining challenges, to the extent possible. **The Committee observed that Yemen had not reported in a manner consistent with IMAS, disaggregating by 'suspected hazardous areas' and 'confirmed hazardous areas' and their relative size, as well as by the type of contamination identified**, and welcomes further information in this regard (Action #22).
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 Yemen had not** reported updated information on its efforts to establish Yemen's baseline through inclusive consultations with women, girls, boys and men, and would welcome additional information on Yemen's efforts in this regard (Action #18).

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

11. The Committee recalled that in its 2019 extension request submitted to the 4RC, Yemen included a work plan and budget for mine action activities for the period 2020-2023 (Action #2, Action #19).
12. Action #19 of the Oslo Action Plan requests States to develop evidence-based and costed national work plans, including projections of the number of areas and the amount of mined area to be addressed annually to achieve completion as soon as possible, and no later than their Article 5 deadline, to be presented at the Eighteenth Meeting of the States Parties in 2020. The Committee recalled that in its 2019 extension request submitted to the 4RC, Yemen indicated that the situation in Yemen is fluid and that the work plan will need to be flexible but strong enough to provide the structure needed to move forward. Yemen further indicated that there are two key components to its work plan; the delivery of emergency mine action activities and the development of a coordination office (Action #19).
13. Action #2 of the Oslo Action Plan requests States to Develop evidence-based, costed and time-bound national strategies and work plans to fulfil and implement Convention obligations as soon

¹ "Some clarity" has been used when a State Party has provided a summary table listing some information related to the number of areas known or suspected to contain anti-personnel mines in each region / province / district within the State.

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"), information on the geographic location of each area.

as possible. **The Committee observed that Yemen had not reported updates on its National Mine Action Strategy for the period of its extension**, and would welcome additional information in this regard (Action #2).

14. Action #20 of the Oslo Action Plan requests States to annually update their national work plans based on new evidence and report on adjusted milestones in their Article 7 reports by 30 April each year, including information on the number of areas and amount of mined area to be addressed annually and on how priorities have been established. **The Committee observed that Yemen had not reported adjusted milestones and how priorities have been established**, and would welcome additional information in this regard (Action #20).
15. Yemen reported that YEMAC and UNDP have considered the 2030 development agenda and have mainstreamed sustainability into the support provided (Action #1).
16. Yemen reported that the Government of Yemen provides YEMAC staff with limited medical treatment. Yemen also report that there was an annual Government budget of US \$3,000,000 but was affected by conflict and current circumstances (Action #1).
17. Action #6 of the Oslo Action Plan requests States to strengthen partnerships and integrate responses between the mine action community and relevant humanitarian, peacebuilding, development and human rights communities, bearing in mind the 2030 Agenda for Sustainable Development. **The Committee observed that Yemen had not reported on 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**, and would welcome additional information in this regard (Action #6).
18. 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 Yemen reported that Yemen and INGOs are aware of the different needs of girls, women, boys and men and within their planning these considerations are taken into account. **The Committee observed that Yemen had not reported on its efforts to consider gender and the diverse needs and experiences of people in affected communities in the development of its work plans as well as in ongoing work to achieve completion of its obligations under Article 5**, and would welcome further information in this regard (Action #3).
19. 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. In addressing these areas, they will consider the commitments made at the Twelfth Meeting of the States Parties as contained in the paper «Proposed rational response to States Parties discovering previously unknown mined areas after deadlines have passed»⁸. **The Committee observed that Yemen had not reported on its efforts to include provisions for addressing unknown mined areas in their national strategies and/or completion plans**, and would welcome additional information in this regard (Action #26).

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

20. Yemen reported on its efforts to ensure that its National Mine Action Standards (NMAS) reflect the latest methodologies in line with IMAS. Yemen reported that in partnership with UNDP and the GICHD development of NMAS for survey will be a priority but was postponed due to the effects

of COVID-19. The Committee welcomes the information from Yemen and would welcome further information on the timeline for approval of the relevant national standards (Action #5).

21. Yemen reported on its efforts to maintain an accurate and up-to-date information management system. In this regard, Yemen reported that the GICHD is supporting the information management system in Yemen. The Committee welcomes the update from Yemen and encourages Yemen to provide further information on its efforts to ensure that the design and implementation management system is nationally owned, sustainable and take into account the need for data that can be accessed, managed and analysed post-completion (Action #9).

22. Action #27 of the Oslo Action Plan requests States to take appropriate steps to improve the effectiveness and efficiency of survey and clearance, including by promoting the research, application and sharing of innovative technological means to this effect. **The Committee observed that Yemen had not reported on its efforts to improve the effectiveness and efficiency of survey and clearance operations, including by promoting the research, application and sharing of innovative technological means,** and would welcome additional information in this regard (Action #27).

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

23. In considering Yemen's 2019 extension request, the Fourth Review Conference of the States Parties requested Yemen to submit updated information on several matters. The Committee welcomes the information provided by Yemen on;

- Progress and results of its mine action emergency response efforts;
- Progress in the establishment of a prioritization system; Progress in updating its National Mine Action Standards and Standard Operating Procedures; Progress made in strengthening its information management system;
- Efforts to increase survey and demining capacity, including efforts carried by Yemen to expand partnerships with international non-governmental organizations and commercial companies and the result of these efforts;
- Progress made in the establishment of YEMAC (Yemen Executive Mine Action Centre) branches in Taiz and Marib; and
- Efforts to mitigate the impact of anti-personnel mines to the population through mine risk education and reduction efforts as well as information on injuries and casualties caused by anti-personnel mines, ensuring that these activities are age-appropriate and gender-sensitive taking into account the diverse needs and experiences of people in affected communities; and Changes in the security situation and how these changes positively or negatively affect implementation.

24. The Committee would welcome updated information from Yemen on the following decisions of the Fourth Review Conference:

- Progress made in addressing mined areas during the extension period disaggregated in accordance with the IMAS by area cancelled through non-technical survey, reduced through technical survey and cleared;
- The outcome of survey efforts and how additional clarity obtained may change Yemen's understanding of the remaining implementation challenge;

- Resources obtained relative to needs expressed in the request, including resources provided by the Government of Yemen itself; and

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

25. Yemen reported on the actions it has taken to effectively exclude the population from mined areas, including the implementation of mine risk education and reduction programmes (MRE/R), including methodologies used, challenges faced and results achieved disaggregated by gender and age (Action #32).

26. Action #28 of the Oslo Action Plan requests States to Integrate mine risk education activities with wider humanitarian, development, protection and education efforts, as well as with ongoing survey, clearance and victim assistance activities to reduce the risk to the affected population and decrease their need for risk-taking. **The Committee observed that Yemen had not reported on its efforts to integrate mine risk education activities with wider humanitarian, development, protection and education efforts** (Action #28).

27. 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 while Yemen reported that YEMAC/YMACC and INGOs are aware of the different needs of girls, women, boys and men and within their planning these considerations are taken into account. Yemen reported that YEMAC has deployed 15 women Risk Awareness trainers to ensure the different needs of girls, women and boys can be met. Yemen further reported that there are some considerations of cultural aspects. **The Committee observed that Yemen had not reported on its efforts to ensure that context-specific MRE/R are provided to affected populations and groups at risk , are sensitive to gender, age, disability and take the diverse needs and experiences of people in affected communities into account,** and would welcome further information in this regard (Action #29).

28. Action #30 of the Oslo Action Plan requests States to Prioritise people most at risk by linking mine risk education and reduction programmes and messages directly to an analysis of available casualty and contamination data, an understanding of the affected population's behaviour, risk pattern and coping mechanisms, and, wherever possible, anticipated population movements. **The Committee observed that Yemen had not reported updated information,** and would welcome additional information in this regard (Action #30).

29. 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 Yemen had not reported updated information,** and would welcome additional information in this regard (Action #31).

VII. Challenges in implementation (OAP Action #8)

30. Yemen reported in detail on the challenges in implementation of its Article 5 obligations. Yemen reported that those challenges indicated in its 2019 extension request are still relevant, including that the level of contamination and the lack of information on the impact by anti-personnel mines in Yemen, laying of new anti-personnel mines of an improvised nature, unpredictable nature of

international funding, continuation of casualties, and flooding that results in movement of anti-personnel mines and other explosive ordnance. Yemen also reported that the current economic situation in Yemen negatively impacts the cost of basic items. Yemen reported a chronic lack of equipment, such as medical kits and vehicles. Yemen reported the impact of COVID-19 on operations, including that the UNDP has established an information management office that has not yet deployed due to COVID restrictions.