

ICBL Statement on Clearance

20MSP Mine Ban Treaty, 21 -25 november 2022

Thank you President,

Some positive progress was observed in 2021, with States Parties reporting the release of just over 276km² of land known or suspected to be contaminated by antipersonnel mines. Of this, over 132km² was cleared, 26km² was reduced via technical survey, and 117km² was cancelled through non-technical survey. More than 117,000 antipersonnel mines were cleared and destroyed. While the impacts of the COVID-19 pandemic lingered in some States Parties, the majority were able to resume near-to-normal operations.

Cambodia and Croatia again reported the largest total clearance of mined areas in 2021, clearing a combined total of more than 78km² and destroying more than 7,500 antipersonnel mines. Thailand, Türkiye, and Zimbabwe all cleared a large number of antipersonnel mines from relatively small areas, indicating the density of mine-laying in their contaminated border areas.

However, despite this progress in some countries, the outlook for meeting the aspirational goal agreed by States Parties at the Third Review Conference in June 2014 in Maputo, “to clear all mined areas as soon as possible, to the fullest extent by 2025,” now appears to be unobtainable.

More than 33 States Parties remain contaminated by antipersonnel mines, nine of which are massively contaminated with over 100km² of contamination.

Further, the ICBL believes that seven additional States Parties – Burkina Faso, Cameroon, the Central African Republic, Mali, the Philippines, Tunisia and Venezuela - may have improvised mine contamination and need to clarify their status with regard to their clearance obligations. Three of these – Cameroon, Mali, and Venezuela – have not provided an updated Article 7 report for two or more years.

Three States Parties with residual contamination – Kuwait, Mozambique and Tunisia – need to update States Parties on the status of their residual contamination and the actions taken to address it.

The ICBL remains deeply concerned by Eritrea, which remains in violation of the treaty by virtue of its failure to meet its clearance deadline and submit an extension request.

No State Party reported completion of clearance during 2021. Twenty-three States Parties have deadlines to meet their Article 5 obligations either before or during 2025, but only one -Zimbabwe - appears to be on track to meet this deadline. Beyond 2025, the picture is equally disturbing – only one more State Party – Sri Lanka - seems to be on track to meet its original deadline of 2028. We hope Sri Lanka will stay on course and will serve as an example for other affected states.

As reported by the Monitor, as many as eight States Parties with Article 5 clearance obligations undertook no clearance in 2021 and further eleven States Parties cleared less than 1km² last year. This means that more than half of all States Parties with Art. 5 obligation did nothing or close to nothing last year to clear contamination ‘as soon as possible.’ Further on, six of these States Parties – Cyprus, Ecuador, Eritrea, Guinea-Bissau, Niger and Senegal - have conducted no clearance for two or more consecutive years. This is unacceptable.

Urgent and major efforts need to be undertaken to address the alarming trend of slow or lack of clearance in majority of States Parties. Many have relatively small areas of contamination and should have been able to complete clearance long ago. If land release outputs are increased, most could become mine-free in a relatively short period of time. Furthermore, land release should not only be

accountable to outputs, but to mine-affected populations as well, ensuring that land released truly benefits people most impacted.

In this twenty-fifth anniversary year of the Mine Ban Treaty, it appears that States Parties are faltering on their treaty obligations and commitments to make the world a safer place. There is an urgent need to rethink, recommit and to regain the momentum required to complete clearance as soon as possible.

Without an immediate and profound change on Art. 5 implementation – the vast majority of currently affected States Parties will continue missing their deadlines, requesting more time, and will not reach completion for another few decades, if at all.

The ICBL welcomes the efforts undertaken by the Art. 5 Committee over the past year to reflect on the current challenges under Art. 5 implementation, and in particular on the alarming delays in clearance by many States Parties, paired with lack of compliance with past decisions on extension requests and with the Oslo Action Plan commitments. We were very pleased to see the first public discussion on these critical matters at the intersessional meeting earlier this year.

We also welcome the Chair's paper containing reflections on these issues presented today. The paper contains useful reminders about the past commitments adopted by States Parties regarding the extension request process, and some interesting new proposals, such as the creation of an inclusive informal subgroup on extension request under the Committee on Art. 5.

Yet critical challenges to an effective Art. 5 deadline extension process remain unaddressed in the paper, namely the extensive delays in mine clearance resulting in recurrent missing of deadlines and further extensions, as well as frequent approval of incomplete requests that do not meet the standards of the Oslo Action Plan and go against the spirit of the Treaty. To quote the words of His Royal Highness Prince Mired from the opening of the MSP: "Not only must extension requests be legitimate... they must be honored and the deadlines respected. We must do more and we must do better."

Therefore, efforts to address these alarming trends by improving both the quality of requests, their analysis and the process need to continue. The year ahead may be the last chance to do so as only one request is expected, whereas in 2024 and 2025 we may be faced with as many as 22 requests for deadline extensions.

With this in mind, the ICBL supports the proposal put forward by the Chair in the paper to create an informal extension requests subgroup, under the responsibility of the Art 5. Committee, to increase interactive dialogue and to support the Committee in developing high-quality analysis. Such group should be involved at all stages of the extension request process, and be inclusive of all relevant stakeholders, including expert and civil society partners, as well as mine action donors.

The extension process under Art. 5 would benefit from having a clear set of parameters and guiding criteria that would make it more coherent and consistent with the OAP actions 23 and 24, something the ICBL has been calling for over the past two years. Such guidelines could be developed by the informal extension requests sub-group under the Art.5 Committee.

The Chair's reflection paper also suggests providing additional resources to the ISU to address the foreseeable increase of extension requests in the future, though it does not indicate how such resources would enhance this work. We believe additional funding could be very beneficial if dedicated to ISU's role of bringing all relevant stakeholders together throughout the extension

process, as part of the informal sub-group on extension requests, in order to ensure a more coherent, effective and efficient support to States seeking extensions.

In closing we would like to call on all States Parties and in particular the future Chair and members of the Art. 5 Committee and the incoming German Presidency to make improvement of the extension process a top priority for 2023. There is no other challenge more central to saving civilians from the horrendous suffering that mines are inflicting in the territories of affected States Parties.

Thank you.