

# Meeting of the States Parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction

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Consideration of requests submitted under Article 5

### **Analysis of the request submitted by Thailand for an extension of the deadline for completing the destruction of anti-personnel mines in accordance with Article 5 of the Convention**

#### **Submitted by the Committee on Article 5 Implementation (Belgium, France, Iraq and Sri Lanka)**

1. Thailand ratified the Convention on 27 November 1998. The Convention entered into force for Thailand on 1 May 1999. In its initial transparency report submitted on 10 November 1999, Thailand reported areas under its jurisdiction or control containing, or suspected to contain, anti-personnel mines. Thailand was obliged to destroy or ensure the destruction of all anti-personnel mines under its jurisdiction or control by 1 May 2009. Thailand, believing that it would be unable to do so by that date, submitted on 3 April 2008 to the President of the Eighth Meeting of the States Parties (8MSP), a request for an extension of its deadline. On 14 April 2008, the President of the 8MSP wrote to Thailand requesting additional information and clarity on key areas of the request. Thailand provided a response to the President's questions on 7 August 2008. Thailand's request was for 9.5 years, until 1 November 2018. The Ninth Meeting of the States Parties (9MSP) agreed unanimously to grant the request.

2. On 30 March 2017, Thailand submitted to the Chair of the Committee on Article 5 Implementation ("the Committee") a request for extension of its 1 November 2018 deadline. On 30 June 2017, the Chair of the Committee wrote to Thailand requesting further information and clarity on key areas of the request. On 8 September 2017, Thailand submitted to the Committee a revised request for extension incorporating additional information provided in response to the Committee's questions. Thailand's request was for an additional 5 years, until 31 October 2023. The Sixteenth Meeting of the States Parties (16MSP) agreed unanimously to grant the request.

3. In granting the request, the 16MSP highlighted in its decision that, while Thailand had not been able to complete the implementation of the principal commitment it had made, as recorded in the decisions of the 9MSP, to complete implementation by its deadline in 2018, Thailand has made commendable progress and has committed to increase its capacity and reinvigorate efforts to garner an understanding of the extent of the remaining challenge and fulfil its obligations during the extension period. In granting the request, the 16MSP further noted that Thailand was projecting that it would need approximately five years to survey suspected hazardous areas and clear confirmed hazardous areas. The 16MSP recalled that implementation of Thailand's national demining plan may be affected by pending survey and demarcation of land boundaries.



4. On 31 March 2022, Thailand submitted to the Committee a request for extension of its 31 October 2023 deadline. On 15 June 2022, the Committee wrote to Thailand requesting additional information and clarity on key areas of the request. On 11 August 2022, Thailand submitted to the Committee additional clarification in response to the Committee's questions. Thailand's request is for an additional three years and two months, until 31 December 2026. The Committee noted that Thailand had submitted the request in accordance with the process established by the States Parties and has engaged in cooperative dialogue with the Committee on matters related to the extension request.

5. The request indicates that at the time of Thailand's second extension request the remaining challenge included 360,001,368 square metres located in 11 provinces. The request indicates that during the extension period a total of 323,032,899 square metres were addressed, destroying 40,014 anti-personnel mines, 285 anti-vehicle mines and 1,689 items of unexploded ordnance with the provinces of Chiang Mai, Mae Hong Son, Chumphon, and Chanthaburi Provinces being declared "mine free". The request further indicates that during operations an additional 2,342,320 square metres of mine contaminated areas were discovered and addressed during this period. The Committee noted that Thailand provided information on progress in a matter disaggregated by area cancelled through non-technical survey, area reduced through technical survey and area cleared and encourages Thailand to continue providing information in this manner.

6. The request indicates that during the extension period Thailand prioritized efforts to strengthen cooperation with neighbouring countries through different frameworks in order to facilitate access to areas along the border, particularly to Areas to be Demarcated (AD). The request indicates that Thailand has successfully released all mine contaminated areas along the Thailand – Myanmar border and has made progress in addressing mine contaminated areas along Thailand – Lao PDR border. The request further indicates that contamination along the border of Thailand and Cambodia includes the majority of the remaining contaminated areas and has presented the greatest challenges during the final stages. The Committee welcomes the efforts by Thailand to cooperate with its neighbours to ensure that implementation of its commitments under the Convention.

7. The request indicates that Thailand has been making efforts to strengthen cooperation along the Thailand-Cambodia border, including through different existing bilateral frameworks including the Thailand- Cambodia Joint Commission on Demarcation for Land Boundary (JCB), Joint Commission on Bilateral Cooperation (JC) and Thailand – Cambodia General Border Committee (GBC). The request indicates that the GBC is the military cooperation frameworks through which Thailand and Cambodia have been cooperating on humanitarian demining agreeing that "all de-mining operation along the border areas between Thailand and Cambodia shall be without prejudice to the rights of Thailand and Cambodia with regard to the land boundary under international law". The request further indicates that Thailand has also worked towards strengthening the roles of the regional framework of ASEAN Regional Mine Action Centre (ARMAC) and the multilateral framework of the Convention in assisting States Parties to the Convention to fulfil the obligations, especially in the areas along the border.

8. The request indicates that from March to April 2020 the Thailand Mine Action Centre (TMAC) in cooperation with the Cambodian Mine Action Centre (CMAC) conducted a "Pilot Project on Demining Cooperation along the Border of Thailand and Cambodia" which took place following a decision of the Thirteenth Meeting of GBC on 21 March 2018. The request indicates that this pilot project released a total of 95,000 square metres in Sa Kaeo Province. The request also indicates that Thailand aims to use the "Pilot Project" as a catalyst for future projects to support demining operations. The Committee wrote to Thailand to request information on any lessons learned in the implementation of the project which may be applicable to the work plan in the extension request. Thailand responded by indicating that the pilot project offers a model for future projects and is an important platform for cooperation. Thailand indicated that the project allowed TMAC and CMAC to continuously exchange information regarding operations and has created mutual understanding and built trust between Thailand and Cambodia.

9. The request indicates that the Thailand program has built strong relations with primary land users in affected areas, the local population, and the local authorities from provincial

level and sub-district level. The request indicates that this community engagement has support the operations at all stages, allowing TMAC to gather more precise information from local authorities and populations. The request further indicates that during the baseline survey of mine contamination, inclusive community interviews were conducted in all areas, in which women, girls, boys and men from all residential groups, including minority groups, were consulted. The request further indicates that local participation, especially in sub-district and village levels, has been fully incorporated into the main stages of the process of land release. The Committee noted the importance of Thailand continuing to integrate and mainstreaming gender considerations and take the diverse needs and experiences of people in affected communities into account in mine action programming. The Committee further noted the importance of Thailand reporting on these efforts.

10. The request indicates that during the extension period 442 mine risk education (MRE) activities were conducted reaching a total of 69,938 participants including through public information campaigns (e.g. local festival events, temple fairs, children events..), education and training, and creating networks with the local communities for the sustainability of the MRE process, with a particular focus on delivering MRE messages directly to the locals. The request indicates that during the COVID – 19 pandemic traditional MRE operations were obstructed and TMAC employed alternative approaches to perform MRE operations, including integration of MRE activities into the work of the Village Health Volunteers (VHV) who pay routine visits to households in order to perform health checks and raise COVID – 19 awareness with the locals. The request further indicates that Thailand also employs preventive measures such as posting warning signs in hazardous areas in various languages, mainly Thai, English, and language of the neighbouring country to which the areas are adjacent, including, Cambodian and Lao. The Committee noted the importance of Thailand continuing to carry out mine risk education programmes in mine affected communities ensuring that they are context-specific and take into account gender and the diverse needs and experiences of people in affected communities. The Committee further noted the importance of Thailand reporting on the methodologies employed in this regard.

11. The request indicates that during the extension period TMAC strengthened its information management (IM) system in order for demining operations to be carried out more efficiently including by enhancing the capacity of the IM team, IM systems and standardization of data collection processes conducted by all Humanitarian Mine Action Units (HMAUs). The request indicates that these improvements have supported operational teams by ensuring access to timely and precise information for survey and clearance operations. The request further indicates that the data contained in TMAC's internal Cloud includes details of Suspected Hazardous Areas (SHAs) and Confirmed Hazardous Areas (CHAs) in different landmine contaminated areas and HMAUs can search for data while in remote areas using their mobiles and laptop devices. The request further indicates that this has enabled TMAC policy-makers to make evidence-based, accurate, and timely decisions based on the most accurate and up-to-date information. The Committee noted the importance of the efforts of Thailand to improve its information management process to improve the efficiency and effectiveness of its implementation efforts.

12. The request indicates that TMAC has been employing the Aeronautical Reconnaissance Coverage Geographic Information System (Arc GIS) to store the necessary statistics from all operations. The request further indicates that Arc GIS contains visual displays of the landscape of SHAs and CHAs which allows policy-makers to easily view the location of mined areas and analyse the overall situation based on visual data and allowing operators to effectively plan operations. The Committees welcomes effort by Thailand to improve the effectiveness and efficiency of survey through the application of innovative technology.

13. The request indicates that the following factors, in Thailand's view, acted as impeding circumstances during Thailand's second extension period: (a) high level of contamination and challenging geographical landscape, (b) the COVID-19 pandemic, and (c) access to the mine contaminated areas along the borders. The request further indicated that after several unsuccessful attempts to access the areas on the border, TMAC decided to suspend the demining operations in the provinces of Ubon Ratchathani, Si Sa Ket, Surin, Buri Ram, Sa Kaeo and Trat to prevent any misunderstandings.

14. The request indicates that the remaining challenge totals 36,968,469 square metres, including 2,988,878 square metres of SHAs and 19,665,722 square metres of CHAs. The request also indicates that of this total, 14,313,869 square metres is located in ADs. The Committee wrote to Thailand to request additional information on ADs, specifically on information whether these areas are suspected or confirmed. Thailand responded by indicating that the 14,313,869 square meters of AD including 10,598,192 square metres of SHA and 3,715,677 square metres of CHA. The Committee noted that Thailand has provided information on the remaining challenge in a matter disaggregated by confirmed hazardous areas and suspected hazardous areas, and their respective size and encourages Thailand to continue providing information on the remaining challenge in the manner.

15. The request indicates that the remaining contamination continues to have a socio-economic impact. The request indicates that landmines continue to cause death and injury in Thailand, with two deaths and nineteen injuries as a result of landmine incidents in 2021. The request also indicates that most of the victims are local hunters and rare mushroom gatherers. The request indicates that following the completion of more than 98% of mine clearance operations, it is evident that mine-free areas have changed everyday life for the local communities, not only in terms of safety, but in terms of advancing of local communities in such areas as agriculture, rural development and connectivity. The Committee noted that completion of Article 5 implementation during the requested extension period had the potential of making a significant contribution to improving human safety and socio-economic conditions in Thailand.

16. As noted, Thailand's request is for three years and two months, until 31 December 2026. The request indicates that the time requested takes into account operational challenges posed by difficult terrain and a high level of contamination. The request further indicates that the requested extension period takes into consideration ADs which represent 38.72 percent of Thailand's remaining challenge. The request indicates that provided that access to all mine contaminated areas is no longer an obstacle, TMAC expects to be able to release all mine contaminated areas by the end of the second extension (31 October 2023). The request further indicates that since the issues of access to the ADs is still ongoing, TMAC has assessed and concluded that a third extension request for a period of three years and two months until December 2026 is necessary for Thailand to fulfil its Article 5 obligations.

17. The request includes a workplan for the extension period with annual milestones for completion of Thailand's Article 5 obligations including a plan to address 22,654,600 square metres by the end of Thailand's second request, (31 October 2023), including 8,598,192 square metres of CHA located in 'operable areas'. The workplan indicates a remaining challenge of 14,313,869 square metres located in ADs to be addressed in three phases:

- Phase 1 - November 2023 – October 2024: 5,328,050 square metres to be addressed in 5 provinces; Sa Kaeo, Trat, Buri Ram, Surin and Si Sa Ket.
- Phase 2 - November 2024 – October 2025: 5,149,998 square metres to be addressed in 5 provinces; Sa Kaeo, Trat, Surin, Si Sa Ket, and Ubon Ratchathani.
- Phase 3 - November 2025 – December 2026: 3,563,339 square metres in 3 provinces, Sa Kaeo, Trat, and Si Sa Ket.

18. The Committee noted a minor discrepancy between the total area to be addressed during the extension period as presented in Thailand's three phase work plan (14,041,387 square metres) and the remaining challenge highlighted by Thailand in AD areas (14,313,869 square metres).

19. The workplan includes a proposal for the continuation of the "Pilot Project on Demining Cooperation along the Border of Thailand and Cambodia" with the project awaiting agreement on selected areas from both TMAC and CMAC and endorsement from the General Border Committee (GBC). The Committee noted the importance of the pilot project to continue strengthening cooperation between Thailand and Cambodia regarding mine clearance operations and welcomes further information on the projected steps and timeline for endorsement and approval.

20. The work plan includes a four-step plan to enable mine clearance along the Thai-Cambodian border; i) Coordination with Cambodia at local or operational levels through the

Office of Border coordination, ii) the Thai - Cambodian Regional Border Committee (RBC), iii) the Thailand – Cambodia General Border Committee (GBC), and iv) the Thai-Cambodian Joint Commission on Demarcation for Land Boundary (JBC). The request indicates that while cooperation between Thailand and Cambodia on humanitarian demining in ADs is to be discussed in detail and pushed forward within the RBC and GBC frameworks, the Thailand-Cambodia Joint Commission on Bilateral Cooperation (JC) will serve as a support mechanism. The work plan also includes a multi-level framework for strengthening bilateral and multi-lateral relations during the three-year work plan, including, i) enhancing international cooperation at all levels, ii) a multi-lateral framework, and iii) strengthening community engagement. The Committee noted the importance of Thailand providing regular updates on the outcomes of coordination activities and the implementation of the multi-level framework in support of joint demining activities.

21. The request indicates that Thailand has a contingency plan in place for those areas yet to be cleared, including; a) placing anti-personnel mine warning signs to warn population groups, b) continued emphasis on Mine Risk Education (MRE), c) establish safe patrol lanes, d) continue commitment towards victim assistance, e) commitment towards dialogues with the neighbouring countries. The Committee wrote to Thailand to request further clarity on the contingency plan and if the plan includes AD areas and/or if the contingency plan has been included in discussions with Cambodia and potentially considered for joint activities. The Committee noted that Thailand did not provide additional information in its response to the Committee and would welcome detailed information of its efforts in this regard.

22. The workplan includes continued emphasis on MRE and the employment of warning signs. The Committee wrote to Thailand requesting additional information on a detailed, costed and multi-year mine risk education and reduction workplan and budget which is sensitive to age, gender and disability and the diverse needs and experiences of people in affected communities, and highlighting that the request would also benefit from consideration of a joint approach to deliver mine risk education and reduction efforts in border areas. Thailand responded by indicating that the TMAC Mine Risk Education Centre orients each HMAU at the beginning of each fiscal year and that each HMAU is assigned destinations twice per year with the aim to cooperate and build a network of relevant authorities, including village health volunteers and community leaders that will also use traditional and social media as communication channels on mine risk issues. The Committee noted that Thailand had included a workplan for MRE for the period 2022-2023 and encourages Thailand providing annual updates to this plan. The Committee noted the importance of Thailand continuing to carry out mine risk education programmes in mine affected communities ensuring that they are context-specific and take into account gender and the diverse needs and experiences of people in affected communities. The Committee further noted the importance of Thailand reporting on the methodologies employed in this regard.

23. The Committee wrote to Thailand to request additional information on Thailand's plans to mainstream gender and diversity within its mine action programme. Thailand responded by indicating that Thailand supports Sustainable Development Goal #5 and that the promotion of gender mainstreaming is included in mine-action. Thailand indicated that while the majority of the TMAC personnel are male, 20 percent of TMAC personnel are female working on policy and planning as well as on coordination duties and that women play an important role in facilitating overall operations. Thailand further indicated that gender is integrated into MRE with a large number of female village health volunteers and female teachers involved. The Committee noted the importance of Thailand continuing to report on how implementation efforts take into consideration the different needs and perspectives of women, girls, boy and men and the needs and experiences of people in affected communities.

24. The Committee wrote to Thailand to request additional information on the provision for a sustainable national capacity to address previously unknown mined areas, including newly mined areas discovered following completion. Thailand responded by indicating that once Thailand becomes "mine-free", TMAC has the intention to transform the centre into a demining training centre, in order to share its know-how in mine operations. Thailand indicated that depending on the situation the size of TMAC will be reduced that the personnel will continue maintaining their networks with relevant agencies in the country, such as the

military and the border patrol police, in case new mines are identified. The Committee would welcome additional information from Thailand on its efforts to develop a sustainable national capacity.

25. The request indicate that over the previous extension period the Ministry of Defence committed a total of 1,250,404,162 Thai Baht (THB) to the implementation of Thailand's obligations during the extension period. The request indicates that although the majority of the fund for humanitarian mine action operations in Thailand is provided by the Royal Thai Government, Thailand continues to collaborate with the Governments of Japan, Norway, and the United States, which also extend support to Thailand in its humanitarian mine action operations. The request further indicates the receipt of international support of Japan, Norway, and the United States. The request indicates that the impact of the COVID-19 pandemic resulted in reduced financial support from international partners affecting ongoing operations and the maintenance of equipment.

26. The request indicates that the Royal Government of Thailand is committed to the continual support of TMACs humanitarian mine action operations for the period of the extension request with an estimated budget of 178,250,000 THB (5,465,947) for 2024, 191,250,000 THB (5,864,586 USD) for 2025, and 219,500,000 THB (6,730,858 USD) for 2026. The request also indicates that the Norwegian Government will provide an annual budget of Norwegian Krone (NOK) 5.5 million during the period of the extension request. The Committee wrote to Thailand to request further clarity concerning sources of funding, in particular if Thailand anticipates a gap in funding for operations and/or the purchase of equipment. The Committee noted that Thailand in additional information included an annual estimated required budget for operations for the period of the extension request and would welcome regular updates on Thailand's resource mobilisation efforts and external financing received, including any projected gaps in funding. The Committee acknowledged the significant commitment of Thailand to its demining program through the budget assigned as well as through the allocation of personnel and other resources to carry out demining activities. The Committee further noted the importance of international support to Thailand's efforts.

27. In recalling that the implementation of Thailand's national demining plan may be affected by outcomes from the process of border coordination activities and the implementation of the multi-level framework in support of joint demining activities, as well as potential reduction in funding the Committee noted that the Convention would benefit from Thailand submitting to the Committee by 30 April 2024, an updated detailed work plan for the remaining period covered by the extension. The Committee noted that this work plan should contain an updated list of all areas known or suspected to contain anti-personnel mines, annual projections of which areas and what area would be dealt with during the remaining period covered by the request and by which organisation, and a revised detailed budget.

28. The Committee noted that the plan presented by Thailand is workable and lends itself well to be monitored and states clearly those factors that could affect progress in implementation. The Committee noted that the plan is contingent upon the result of negotiations on access to areas to be demarcated. In this regard, the Committee noted that the Convention would benefit from Thailand reporting annually, by 30 April, to the States Parties on the following:

- i. Progress made relative to the commitments contained in Thailand's work plan and the results of survey and clearance efforts in a manner consistent with IMAS in accordance with the land release methodology employed, (i.e., cancelled through non-technical survey, reduced through technical survey, and cleared through clearance);
- ii. The impact of survey and clearance outcomes and update on how additional clarity obtained may change Thailand's assessment of the remaining implementation challenge and timeframe for implementation;
- iii. Adjusted milestones, including information on the number of areas and amount of mined area to be addressed manually and how priorities have been established;

- iv. Updates on the proposed "Pilot Project on Demining Cooperation along the Border of Thailand and Cambodia" including information on projected steps and timeline for endorsement and approval;
- v. Updates on the outcomes of border coordination activities and the implementation of the multi-level framework in support of joint demining activities;
- vi. Updates regarding the implementation of mine risk education and reduction efforts in affected communities, including information on the methodologies used, the challenges faced and the results achieved, with information disaggregated by gender and age;
- vii. Resource mobilisation efforts and external financing received and resources made available by the government of Thailand to support implementation efforts, including projected gaps in funding.
- viii. Information on how implementation efforts take into consideration the different needs and perspectives of women, girls, boy and men and the needs and experiences of people in affected communities.

29. The Committee noted the importance, in addition to Thailand reporting to the States Parties as noted above, of keeping the States Parties regularly apprised of other pertinent developments regarding the implementation of Article 5 during the period covered by the request and other commitments made in the request at Intersessional Meetings, Meetings of the States Parties and Review Conferences as well as through its Article 7 reports using the Guide for Reporting.

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