

PRELIMINARY OBSERVATIONS

COMMITTEE ON ARTICLE 5 IMPLEMENTATION (Belgium (Chair), France, Iraq, and Sri Lanka)

Intersessional Meetings
20 – 22 June 2022

PRELIMINARY OBSERVATIONS ON THE IMPLEMENTATION OF ARTICLE 5 BY THE DEMOCRATIC REPUBLIC OF THE CONGO

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

1. The Committee observed that the Democratic Republic of the Congo had not reported on progress in implementation for the reporting period.
2. The Committee noted the importance of the Democratic Republic of the Congo reporting disaggregated information on progress in accordance with land release methodology employed, (cancelled through non-technical survey, reduced through technical survey, or cleared through clearance), in accordance with the International Mine Action Standards (IMAS) and by type of contamination (Action #8, Action #22).
3. 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 the Democratic Republic of the Congo had not reported by employing the guide to reporting (Action #8).

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

4. The Committee observed that the Democratic Republic of the Congo provided clarity¹ concerning its remaining challenge (Action #18). The Democratic Republic of the Congo reported a remaining challenge of 37 dangerous areas measuring 399,969.13 square kilometres. (Action #22).
5. The Committee observed that the Democratic Republic of the Congo had not reported on its remaining challenges in a manner consistent with IMAS, disaggregating by 'suspected hazardous areas' and 'confirmed hazardous areas' and their relative size. The Committee would welcome further clarity from the Democratic Republic of the Congo in this regard (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 Nineteenth Meeting of the States Parties in 2021. The Committee observed that the Democratic Republic of the Congo was still in the process of identifying the precise perimeter of mined areas and would welcome updated information from the Democratic Republic of the Congo on these efforts (Action #18).

¹ "Clarity" has been used when a State Party has provided a summary table of all remaining areas known or suspected to contain anti-personnel mines according to regions, provinces and districts including the number of areas known to contain anti-personnel mines, the number of areas suspected to contain anti-personnel and the size of the areas.

7. The Democratic Republic of the Congo reported on its efforts to establish its baseline through inclusive consultations with women, girls, boys and men (Action #18).

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

8. The Committee observed that the Democratic Republic of the Congo has a national evidence based and costed strategy in place for the period (2023-2032) (Action #2, #19).
9. 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 the Democratic Republic of the Congo had not provided information on its efforts in this regard and would welcome additional information (Action #20).
10. 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 the Democratic Republic of the Congo had not provided updated information in its Article 7 Report on financial commitments to implementation for the current reporting period and would welcome information in this regard (Action #1).
11. Action #1 of the Oslo Action Plan requests States to demonstrate high levels of national ownership, including by integrating Convention implementation activities into national development plans, poverty reduction strategies, humanitarian response plans. The Committee observed that the Democratic Republic of the Congo had not provided in its Article 7 Report information on its efforts to integrate Convention implementation activities into national development plans and would welcome additional information in this regard (Action #1).
12. Action #6 of the Oslo Action Plan requests States to strengthen partnerships and integrate responses between mine action related activities and humanitarian response plans, peacebuilding, development or human rights plans, where relevant. The Committee observed that that the Democratic Republic of the Congo had not provided in its Article 7 Report information on its efforts to strengthen partnerships and integrate responses into broader frameworks (Action #6).
13. 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. The Committee observed that the Democratic Republic of the Congo had not provided information in its Article 7 Report on efforts and would welcome additional information in this regard (Action #3).
14. 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 observed that the Democratic Republic of the Congo had not reported on efforts to ensure the establishment of a sustainable national capacity and would welcome additional information in this regard (Action #26).

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

15. The Democratic Republic of the Congo reported that it had revised its National Mine Action Standards and a new standard relating to improvised explosive devices was included (Action #5).

16. Action #9 of the Oslo Action Plan requests States to establish and maintain a national information management system containing accurate and up-to-date data at the national level on the status of implementation. The design and implementation of information management systems will ensure that they are nationally owned, sustainable and take into account the need for data that can be accessed, managed and analysed post-completion. The Committee observed that the Democratic Republic of the Congo had not provided information in its Article 7 Report on its efforts to establish and maintain an accurate and up-to-date information management system and would welcome further information in this regard (Action #9).
17. 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 the Democratic Republic of the Congo had not provided information in its Article 7 Report 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 further information in this regard (Action #27).

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

18. The Committee recalled that in granting the Democratic Republic of the Congo's request, the Nineteenth Meeting of the States Parties (19MSP) requested the Democratic Republic of the Congo to submit updated information on several matters. The Committee observed that the Democratic Republic of the Congo had not provided updated information on the following;
- Progress made relative to the commitments contained in the Democratic Republic of the Congo'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);
 - The impact of survey outcomes in Aru territory (Ituri Province) and Dungu territory (Haut-Uele Province) and how additional clarity obtained changes the Democratic Republic of the Congo's assessment of the remaining implementation challenge, providing information 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;
 - Adjusted milestones, including information on the number of areas and amount of mined area to be addressed annually and how priorities have been established;
 - 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;
 - Resource mobilisation efforts, external financing received and resources made available by the government of the Democratic Republic of the Congo to support implementation efforts;
 - Changes in the security situation and how these changes positively or negatively affect implementation;
 - Information on how implementation efforts take into consideration the different needs and perspectives of women, girls, boys and men and the diverse needs and experiences of people in affected communities; and

- Progress on efforts to establish a sustainable national capacity to address previously unknown mined areas, including newly mined areas discovered following completion.

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

19. 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 the Democratic Republic of the Congo reported on the results achieved, it had not provided information in its Article 7 disaggregated by gender and age, on the methodologies used, and the challenges faced and would welcome further information in this regard (Action #32).
20. The Committee noted the importance of the Democratic Republic of the Congo reporting on mine risk education and reduction programmes in Article 7 reports, including the methodologies used, the challenges faced, and the results achieved, disaggregated by gender and age, and would welcome further information the implementation of mine risk education and other risk reduction programmes, in regard to updates in line with Actions #28-32 (Action #32).

VII. Challenges in implementation (OAP Action #8)

21. The Committee observed that the Democratic Republic of the Congo had not provided information on challenges in implementing the Convention, and would welcome further information in this regard. (Action #8).

The Oslo Action Plan country reporting tracker
Article 5 Implementation
The Democratic Republic of the Congo
CROSS-CUTTING ACTIONS

Actions	Indicators	2020	2021	2022	2023	2024	Additional information requested from the Committee (deadline 9 August)
#1	# States Parties that report, having included Convention implementation activities in national development plans, poverty reduction strategies, humanitarian response plans and national strategies for the inclusion of persons with disabilities, where appropriate						The Committee would welcome additional information from the Democratic Republic of the Congo on its efforts to demonstrate high levels of national ownership, including by integrating Convention implementation activities into national development plans, poverty reduction strategies, humanitarian response plans.
	% mine-affected States Parties that report making national financial commitments to the implementation of their obligations under the Convention						The Committee would welcome additional information from the Democratic Republic of the Congo on its efforts to demonstrate high levels of national ownership, including by making financial and other commitments to implementation.
#2	% mine-affected States Parties that report having evidence-based, costed and time-bound national strategies and work plans in place						
#3	% affected States Parties whose national work plans and strategies integrate gender and take the diverse needs and experiences of people in affected communities into account						The Committee would welcome additional information from the Democratic Republic of the Congo on its efforts 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.
	# women in States Parties' delegations attending Convention meetings						
#5	% States Parties that have updated their national standards to address new challenges and ensure the employment of best practices, taking into consideration the latest IMAS						
#6	# States Parties that report having included mine action related activities within their humanitarian response plans, peacebuilding, development or human rights plans, where relevant						The Committee would welcome additional information from the Democratic Republic of the Congo 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.
#8	# States Parties that prepare their Article 7 reports using the Guide to Reporting						The Committee would welcome additional information from the Democratic Republic of the Congo on its efforts to provide quality information on progress and challenges in implementing the Convention, employing the guide to reporting.
	# States Parties that report on progress and challenges during formal and informal meetings						
#9	% States Parties that report having a sustainable national information management system in place						The Committee would welcome additional information from the Democratic Republic of the Congo on its efforts to establish and maintain a national information management system containing accurate and up-to-date data at the national level on the status of implementation.

SURVEY AND CLEARANCE OF MINED AREAS							
Actions	Indicators	2020	2021	2022	2023	2024	Additional information requested from the Committee (deadline 9 August)
#18	% affected States Parties that have established an accurate and evidence-based contamination baseline no later than the Nineteenth Meeting of the States Parties in 2021 (and by each year thereafter if not all affected States Parties have done so by 19MSP)						The Committee would welcome additional information from the Democratic Republic of the Congo on its efforts to establish an accurate and evidence-based contamination baseline no later than the Nineteenth Meeting of the States Parties in 2021
	% affected States Parties who report having established their baseline through inclusive consultations with women, girls, boys and men						The Committee would welcome additional information from the Democratic Republic of the Congo on its efforts to establish its baseline through inclusive consultations with women, girls, boys and men.

#19	% affected States Parties presenting work plans for the implementation of Article 5 by the Eighteenth Meeting of the States Parties (and MSPs thereafter and by each year thereafter if not all affected States Parties have done so by 18MSP)						
#20	# affected States Parties that have reported annual updates and adjusted milestones to their national work plans in their 30 April transparency reports						The Committee would welcome additional information from the Democratic Republic of the Congo on its efforts 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.
	# States Parties that have fulfilled their obligations under Article 5						
#21	# States Parties that apply the provisions of the Convention to anti-personnel mines of an improvised nature (for the purpose of this indicator: survey, clear and report)						
#22	% of affected States Parties reporting on the remaining challenge and progress made in accordance with IMAS						The Committee would welcome additional information from the Democratic Republic of the Congo on its efforts remaining challenges in a manner consistent with IMAS, disaggregating by 'suspected hazardous areas' and 'confirmed hazardous areas' and their relative size.
	% of affected States Parties providing survey and clearance data in Article 5 extension requests and Article 7 reports that disaggregates by type of contamination						
#23	% extension requests that include detailed, costed and multi-year work plans for the extension period						
	% extension requests that are submitted in accordance with the process established by the States Parties						
#24	% extension requests that include appropriate plans for risk education and reduction activities						
#25	% States Parties that have completed their Article 5 obligations and that submit voluntary declarations of completion						

	% affected States Parties that include provisions for addressing previously unknown mined areas in their national strategies and/or completion plans							
#26	% affected States Parties that report having put in place sustainable national capacities to address the discovery of previously unknown mined areas							The Committee would welcome additional information from the Democratic Republic of the Congo on its efforts 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.
	% States Parties that discover previously unknown mined areas, including newly mined areas, that apply the decision of the Twelfth Meeting of the States Parties							
#27	# States Parties that report promoting research, application and sharing of innovative technological means							The Committee would welcome additional information from the Democratic Republic of the Congo on its efforts 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.
MINE RISK EDUCATION AND REDUCTION								
Actions	Indicators	2020	2021	2022	2023	2024	Additional information requested from the Committee (deadline 9 August)	
#28	% affected States Parties that report having included mine risk education and reduction programmes in their humanitarian response and protection plans and/or development plans, as well as in their mine action plans, where relevant							The Committee would welcome additional information from the Democratic Republic of the Congo on its efforts 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.

	% affected States Parties that report having mine risk education and reduction programmes for all affected populations in place						The Committee would welcome additional information from the Democratic Republic of the Congo on its efforts to provide context-specific mine risk education and reduction programmes to all affected populations and groups at risk.
#29	% States Parties that report carrying out mine risk education and reduction activities that collect, analyse and report data disaggregated by gender, age, disability and other diverse needs						The Committee would welcome additional information from the Democratic Republic of the Congo on its efforts to 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.
#30	# States Parties that report having established an evidence-based priority-setting mechanism for mine risk education and reduction programmes						The Committee would welcome additional information from the Democratic Republic of the Congo on its efforts 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.
#31	# States Parties that provide risk education and reduction programmes to affected communities in the case that previously unknown mined areas are discovered						The Committee would welcome additional information from the Democratic Republic of the Congo on its efforts 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.
#32	# States Parties reporting on their mine risk education and other risk reduction programmes and results						

