

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 NIGER

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

1. Niger reported that in 2021, no progress in implementation due to the following factors; adverse weather conditions and the need for security, as well as the lack of resources of the National Commission for the Collection and Control of Illicit Weapons (CNCCAI). Niger further reported that it has taken the following measures during the reporting period; revision of the detailed workplan for the period (2021-2024), and the preparation of an updated work plan (2022-2024).
2. Action #8 of the Oslo Action Plan (OAP) requests States to provide quality information on progress and challenges in implementing the Convention, employing the guide to reporting. The Committee noted the importance of Niger reporting by employing the guide to reporting, in accordance with the International Mine Action Standards (IMAS), and by type of contamination (Action #8, Action #22).

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

3. The Committee observed that Niger reported some clarity¹ concerning its remaining challenge (Action #18). Niger reported a remaining challenge of 177,760 square metres (Action #22).
4. Action #22 of the OAP requests States to report in a manner consistent with IMAS by providing information on the remaining challenges, disaggregating by 'suspected hazardous areas' and 'confirmed hazardous areas' and their relative size, as well as by type of contamination. The Committee observed that Niger had not provided information in its Article 7 Report on its remaining challenge in a manner consistent with the IMAS by providing information disaggregated by suspected hazardous areas and confirmed hazardous areas (Action #22).
5. Action #18 of the OAP requests States that have not yet done so to 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. The Committee observed that Niger was still in the process of identifying the precise perimeter of mined areas.
6. Action #18 of the OAP requests States to report on having established their baseline through inclusive consultations with women, girls, boys and men. The Committee observed that Niger had not provided updated information in its Article 7 Report on this matter and would welcome additional information on Niger's efforts in this regard (Action #18).

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, and district within the State.

7. Action #22 of the OAP requests States to report in a manner consistent with IMAS by providing information on the remaining challenges, disaggregating by 'suspected hazardous areas' and 'confirmed hazardous areas' and their relative size, as well as by type of contamination. The Committee observed that Niger had not provided information its Article 7 Report on its remaining challenge in a manner consistent with the IMAS and would welcome additional information in this regard.

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

8. Niger reported having a work plan in place for the period of 2021-2024 (Action #2), and was currently preparing an updated work plan for the period of 2022-2024 (Action #19).
9. Action #20 of the OAP requests States to annually update their national work plans based on new evidence and report on adjusted milestones. The Committee observed that Niger had not provided information its Article 7 Report on updated adjusted milestones based on new evidence including information on the number of areas and the amount of mined areas to be addressed annually and would welcome further information in this regard.
10. Action #1 of the OAP requests States to demonstrate high levels of national ownership, including by making financial and other commitments to implementation. The Committee observed that Niger had not provided updated information in its Article 7 Report on financial commitments to implementation (Action #1) and would welcome information in this regard.
11. Action #1 of the OAP 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 Niger had not provided in its Article 7 Report information on its efforts to integrate Convention implementation activities into national development plans.
12. Action #6 of the OAP 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 Niger had not provided information in its Article 7 report on this matter and would welcome further information in this regard.
13. Action #3 of the OAP 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 Niger had not provided information in its Article 7 Report on its efforts in this regard and would welcome further information on this matter.
14. Niger reported that the CNCCAI had set up a Humanitarian Demining unit with the support of the Niger Ministry of Defence comprising of 60 deminers. The Committee welcomes the update from Niger and noted the importance of Niger continuing to report on its efforts to ensure the establishment of a sustainable national capacity (Action #26).

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

15. Niger reported on its efforts to update its National Mine Action Standards (NMAS) with the support of UNMAS. The Committee welcomed the information from Niger and noted the importance of Niger's efforts to adapt NMAS to new challenges and employ best practices to ensure efficient and effective implementation (Action #5).

16. Action #9 of the OAP 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 Niger had not provided information in its Article 7 Report on its efforts in implementation of Action #9 and would welcome further information in this regard (Action #9).
17. Action #27 of the OAP 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 Niger had not provided information in its Article 7 Report on its efforts in its implementation of Action #27 and would welcome further information in this regard.

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

18. In considering Niger's 2020 extension request, the Eighteenth Meeting of the States Parties (18MSP) requested Niger to submit updated information on several matters. The Committee would welcome updated information from Niger on the following decisions of the 18MSP:
 - Adjusted milestones including information on the number of areas and amount of mined area to be addressed annually and how priorities have been established;
 - Progress on security-related access restrictions and potential positive or negative impacts regarding re-survey and clearance of mined areas;
 - 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;
 - 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;
 - Progress on efforts to establish a sustainable national capacity to address previously unknown mined areas, including newly mined areas discovered following completion;
 - Resource mobilisation efforts, external financing received and resources made available by the government of Niger to support implementation efforts, including through efforts to facilitate operations of international demining organisations and/or indigenous capacities, and the results of these efforts.
19. The Committee recalled that in granting Niger's request the 18MSP noted that the Convention would benefit from Niger submitting to the States Parties an updated detailed work plan containing annual milestone by 30 April 2021 covering the remaining period covered by the extension. The Committee observed that Niger had not provided an updated work plan as requested by the States Parties.

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

20. Action #32 of the OAP 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 Niger reported that it planned to initiate risk education activities with UNMAS it had not provided information in its Article 7 report on its efforts to implement Action #32 regarding the methodology used, challenges faced and results, disaggregated by gender and age would welcome information in this regard.
21. Action #28 of the OAP 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 Niger had not provided information in its Article 7 Report on its efforts to implement Action #28 and would welcome information in this regard.
22. Action #29 of the OAP 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 Niger had not provided information in its Article 7 Report on its efforts to implement Action #29 and would welcome further information in this regard.
23. Action #30 of the OAP 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 Niger had not provided updated information on its efforts to implement Action #30 and would welcome further information in this regard.
24. Action #31 of the OAP 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 Niger had not provided updated information in its Article 7 Report on its implementation of Action #31 and would welcome information in this regard.

VII. Challenges in implementation (OAP Action #8)

25. The Committee observed that Niger reported on challenges in the implementation of Article 5 obligations, the presence of adverse weather conditions, such as sandstorms, intense heat, cold, and the need for security on the Niamey – Madama route, as well as the lack of resources of the National Commission for the Collection and Control of Illicit Weapons (CNCCAI).

The Oslo Action Plan country reporting tracker

Article 5 Implementation

Niger

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 information on Niger's 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 information on Niger's 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 information on Niger's efforts 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. |
| | # 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 information on Niger's efforts 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. |
| #8 | # States Parties that prepare their Article 7 reports using the Guide to Reporting | | | | | | The Committee would welcome information on Niger's 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 information on Niger's 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 information on Niger's efforts to establish 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. |
| | % affected States Parties who report having established their baseline through inclusive consultations with women, girls, boys and men | | | | | | The Committee would welcome information on Niger's efforts on having established their 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 information on Niger's efforts to annually update their national work plans based on new evidence and report on adjusted milestones. |
| | # 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 information on Niger's efforts to report in a manner consistent with IMAS by providing information on the remaining challenges, disaggregating by 'suspected hazardous areas' and 'confirmed hazardous areas' and their relative size, as well as by type of contamination. |
| | % of affected States Parties providing survey and clearance data in Article 5 extension requests and Article 7 reports that disaggregates by type of contamination | | | | | | The Committee would welcome information on Niger's efforts to provide quality information on progress in implementing the Convention, in accordance with the International Mine Action Standards (IMAS), and 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 | | | | | | |

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| #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 | | | | | | |
| #26 | % affected States Parties that include provisions for addressing previously unknown mined areas in their national strategies and/or completion plans | | | | | | |
| | % affected States Parties that report having put in place sustainable national capacities to address the discovery of previously unknown mined areas | | | | | | |
| | % 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 information on Niger's 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 information on Niger's 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. |
| #29 | % affected States Parties that report having mine risk education and reduction programmes for all affected populations in place | | | | | | The Committee would welcome information on Niger's efforts to provide context-specific mine risk education and reduction programmes to all affected populations and groups at risk. |
| | % 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 information on Niger's 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 information on Niger's 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 |

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| | | | | | | | 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 information on Niger's 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 | | | | | | |

