



LANDMINE MONITOR FACT SHEET

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OBSERVATOIRE DES MINES
MONITOR DE MINAS TERRESTRES
Минный монитор
مرصد الألغام الأرضية

Destruction of Antipersonnel Mines in Mined Areas (Article 5)

lm@icbl.org
www.icbl.org/lm

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EDITORIAL BOARD

Main Contact Point:

MINES ACTION CANADA
1502 - 1 Nicholas Street
Ottawa Ont. K1N 7B7
CANADA
Tel. +1 (613) 241-3777
Fax. +1 (613) 244-3410
jackie@minesactioncanada.org
www.minesactioncanada.org

Ban Policy Coordinator:

HUMAN RIGHTS WATCH
1630 Connecticut Ave, NW, Suite 500
Washington, DC 20009
USA
Tel. +1 (202) 612-4356
Fax. +1 (202) 612-4333
landmine@hrw.org
www.hrw.org

Mine Action Coordinator:

NORWEGIAN PEOPLE'S AID
PO Box 8844, Youngstorget
NO-0028, Oslo
NORWAY
Tel. +47 (22) 03-77-00
Fax. +47 (22) 20-08-70
lm@npaid.org
www.npaid.org

Mine Risk Education &

Victim Assistance Coordinator:

HANDICAP INTERNATIONAL
67 rue de Spa
1000 Brussels
BELGIUM
Tel. +32 (2) 286-50-59
Fax. +32 (2) 230-60-30
policy.unit@handicap.be
www.handicapinternational.be

Following the identification of mined areas, Article 5 of the Mine Ban Treaty requires: 1) the marking, monitoring, and fencing or protection of such areas to ensure the effective exclusion of civilians; and 2) the destruction of emplaced mines as soon as possible, but not more than ten years after entry into force of the treaty for a particular State Party. Equally relevant and important is Article 6, which states the right of each party to seek and receive assistance to the extent possible. This article implies a responsibility of the international community to provide funding and support for mine action programs in mine-affected countries with limited resources.

Over the next five years, between the First and Second Review Conferences, there must be increased attention and focus on the task of removing mines from the ground and reducing their impact on affected communities. For the 47 States Parties that have declared themselves to be mine-affected, 22 are now halfway to their ten-year deadline in 2009 to clear all mined areas within their jurisdiction or control.

Mine Clearance Deadlines

2009 (22)	Bosnia & Herzegovina, Chad, Croatia, Denmark, Ecuador, France (Djibouti), Guatemala, Jordan, FYR Macedonia, Malawi, Mozambique, Nicaragua, Niger, Peru, Senegal, Swaziland, Thailand, Uganda, United Kingdom (Falklands), Venezuela, Yemen, Zimbabwe
2010 (6)	Albania, Argentina (Malvinas), Cambodia, Rwanda, Tajikistan, Tunisia
2011 (5)	Colombia, Rep. of Congo, Guinea-Bissau, Mauritania, Zambia
2012 (5)	Algeria, Chile, DR Congo, Eritrea, Suriname
2013 (3)	Afghanistan, Angola, Cyprus
2014 (5)	Burundi, Greece, Serbia & Montenegro, Sudan, Turkey
2015 (1)	<i>Ethiopia</i>

Italics: No Article 7 report yet submitted declaring mined areas.



Established in 1998, Landmine Monitor is an initiative of the International Campaign to Ban Landmines, 1997 Nobel Peace Prize Co-Laureate

ISSUES AND CONCERNS

States Parties Without Clear Plans to Meet Their Deadlines

Of the 22 countries with 2009 deadlines, it appears only 11 have clearly set goals to meet the deadline: **Croatia, France, Guatemala, Jordan, Malawi, Nicaragua, Niger, Peru, Senegal, Venezuela, and Yemen.**

The other 11 countries have either set goals after the 2009 deadline, have indicated they are unlikely to meet the deadline, or have not shared information about plans and actions aimed at meeting the deadline. Some States Parties have stated their primary goal is to become "impact-free" or "mine-safe," rather than mine-free. Specific instances include:

- **Bosnia & Herzegovina's** mine action strategy, approved in April 2003, set the goal to "become free from the negative impact of mines" and UXO by 2010.
- **Chad's** mine action plan, updated in January 2003, aims to free the country from the impact of mines by 2015.
- **Mozambique's** first mine action plan set the goal of becoming "mine-impact free" within ten years, which would mean 2012.
- **Thailand** confirmed in June 2004 that while it is committed, it doubts it will be possible to meet its mine clearance deadline of 1 May 2009.
- **Zimbabwe** told Landmine Monitor in February 2004 that unless sufficient funds are obtained, it will not be able to meet the 2009 deadline.
- In March 2004, **Denmark** confirmed the country has no plan in place to clear mined areas in a nature reserve on the Skallingen peninsula.
- **Ecuador** has not made its mine clearance plan public, including how it intends to meet its treaty deadline.
- **FYR Macedonia's** Article 7 reports have provided no data on the location of mined areas or on mine clearance plans or programs.
- **Swaziland** has remained silent on its intent to clear its one minefield.
- In **Uganda**, the number and exact location of landmines are still not known, and a national mine action plan does not exist.
- The **United Kingdom** has apparently committed to a feasibility study regarding clearance of the Falkland Islands, but has no timetable in place.

States Parties Identified as Mine Affected but not Declaring Mined Areas

Landmine Monitor Report 2004 identified six States Parties that are mine-affected, but which have not officially declared areas containing or suspected of containing antipersonnel mines in their Article 7 transparency reporting: Bangladesh, Belarus, Liberia, Namibia, Philippines, and Sierra Leone. These six are not included in the preceding "Deadlines" chart; however, Landmine Monitor has illustrated the presence of antipersonnel mines in each of these States. In addition to these six, Djibouti has declared completion of mine clearance, despite evidence of remaining mined areas (see below).

- Antipersonnel mines in **Bangladesh** are found along the border with Burma (Myanmar) in Chittagong Hill Tracts, which is a hilly area running for 208 kilometers. Mine-affected areas are located in Ukhia and Ramu sub-districts in Cox's Bazar district and Naikongchari, Alikadam and Thansi sub-districts in Bandarban district.
- Ministries in **Belarus** responsible for mine clearance and explosive ordnance disposal reported clearing over 4,000 World War II vintage landmines in 2003. From 1999-2003, Belarus cleared 4,732 mines and 46,227 UXO. This compares to 937 mines and 114,133 UXO in the previous five years, 1994-1998.
- In September 2003, UNMAS conducted an assessment mission to **Liberia** and found no credible reports of mine use during the conflict from 1999 to August 2003, but indicated there might be some areas still affected from previous conflicts. Subsequently, UNICEF conducted a landmine and UXO risk assessment in Liberia in April and May 2004, and concluded that mines and UXO are not a "major problem" in the country.

- At the intersessional meetings in June 2004, **Namibia** stated that while there was still a problem in Kavango and Western Caprivi on the Angolan border, “no-go” areas do not exist there, and that the country could be viewed as “mine safe.”
- In November 2003, the **Philippines** reiterated that no specific areas in the country can be considered mine-affected. It maintains that improvised mines, booby-traps, and other explosive devices used by insurgent groups are immediately cleared by explosive ordnance disposal units and bomb demolition teams.
- In 2002, Landmine Monitor reported that landmines used during the civil war in **Sierra Leone** had for the most part been removed, either by ECOMOG or IMATT. A UNMAS mission in 2000 concluded that there was more of an unexploded ordnance (UXO) and booby-trap problem than an antipersonnel and antivehicle mine problem. This view was reiterated by UNAMSIL in 2002, and by the government delegate at the intersessional meetings in Geneva in February 2004. Areas identified by UNMAS and UNAMSIL as likely to be mine/UXO-affected included Kono, Kailahun, Moyamba, Tonkolili and Koidu.

States Parties should establish a specific process for clarifying situations such as these when a State Party declares no mined areas but there is some evidence to the contrary.

States Parties Reporting Completion of Mine Clearance

Five States Parties have reported completion of mine clearance in the territory under their jurisdiction and control and may thus consider their treaty obligation fulfilled. These states are Bulgaria, Costa Rica, Czech Republic, Djibouti, and Honduras. Each declared mined areas in their initial transparency measures report and, except for Honduras, subsequently reported no mined areas. Honduras has yet to submit its report for calendar year 2004, due by 30 April 2005.

Honduras and **Costa Rica** declared themselves mine-free in June 2004 and December 2002 respectively. **Bulgaria** declared that the destruction of 17,197 antipersonnel mines in 72 minefields on its territory was completed in October 1999. The **Czech Republic** initially declared former military training ranges as containing mines, but as of 2003, it reported there are no mined or mine-suspected areas on its territory.

Djibouti declared itself mine-safe in January 2005 and did not report any mined areas or areas suspected of containing mines in its annual transparency measures report submitted on 25 January 2005. However, a May 2005 US State Department travel advisory states:

While Djibouti has been declared a "mine-safe" country, this indicates landmines have been identified and marked, not that they have been removed. Landmines are known to be present in the northern districts of Tadjoureh and Obock. In addition, there are reports that there may be mines in the Ali Sabieh district in the south. Travelers should stay on paved roads and should check with local authorities before using unpaved roads.

States Parties should establish a specific process for clarifying whether a State Party has met its obligation under Article 5 to clear all antipersonnel mines in mined areas, when there may be some evidence to the contrary.

Finally, there is the case of **Moldova** and the issue of “jurisdiction or control.” Moldova has declared that, for the purposes of the Mine Ban Treaty, it is not mine-affected, having completed destruction of all antipersonnel mines in mined areas under its jurisdiction or control in August 2000 (prior to entry into force). The Transdnister region of Moldova declared independence on 2 September 1990 as the Pridnestrovie Moldavian Republic (PMR). It has not been recognized internationally. Both sides used landmines when fighting broke out in 1992. In April 2004, the government of Moldova declared that it “has no information concerning the implementation of the Convention in the Transdnister region currently controlled by an anti-constitutional regime of Tiraspol.”