

Landmine Monitor 2010



International **TO BAN**
CAMPAIGN
LANDMINES

Landmine Monitor 2010



Landmine and Cluster Munition Monitor Editorial Board

Mines Action Canada
Action On Armed Violence
Handicap International
Human Rights Watch
Landmine Action
Norwegian People's Aid

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Landmine and Cluster Munition Monitor provides research and monitoring for the Cluster Munition Coalition (CMC) and the International Campaign to Ban Landmines (ICBL), and is formally a program of the ICBL. For more information visit www.the-monitor.org or email monitor@icbl.org.

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International Campaign to Ban Landmines

The International Campaign to Ban Landmines (ICBL) is committed to an international ban on the use, production, stockpiling, and transfer of antipersonnel landmines. The 1997 Mine Ban Treaty (or “Ottawa Convention”) offers the best framework for putting the mine ban into practice, clearing mined areas, and assisting affected communities. The ICBL calls for:

- universalization of the 1997 Mine Ban Treaty;
- full and timely implementation of all treaty provisions;
- increased resources for stockpile destruction, demining, risk education, and victim assistance sustained over the long-term; and
- firm establishment of the antipersonnel landmine ban as an international standard of behavior by all.



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Preface

Pease agreements may be signed, and hostilities may cease, but landmines, cluster munitions, and explosive remnants of war (ERW) are an enduring legacy of conflict.

Antipersonnel mines are munitions designed to explode from the presence, proximity, or contact of a person. Antivehicle mines are munitions designed to explode from the presence, proximity, or contact of a vehicle as opposed to a person. Landmines are victim-activated and indiscriminate; whoever triggers the mine, whether a child or a soldier, becomes its victim. Mines emplaced during a conflict against enemy forces can still kill or injure civilians decades later.

Cluster munitions consist of containers and submunitions. Launched from the ground or dropped from the air, the containers open and disperse submunitions indiscriminately over a wide area. Many fail to explode on impact, but remain dangerous, functioning like antipersonnel landmines. Thus, cluster munitions put civilians at risk both during attacks due to their wide area effect, and after attacks due to unexploded ordnance.

ERW refer to ordnance left behind after a conflict. Explosive weapons that for some reason fail to detonate as intended become unexploded ordnance (UXO). These unstable explosive devices are left behind during and after conflicts and pose dangers similar to landmines. Abandoned explosive ordnance (AXO) is explosive ordnance that has not been used during armed conflict but has been left behind and is no longer effectively controlled. ERW can include artillery shells, grenades, mortars, rockets, air-dropped bombs, and cluster munition remnants. Under the international legal definition, ERW consist of UXO and AXO, but not mines.

Both landmines and ERW pose a serious and ongoing threat to civilians. These weapons can be found on roads, footpaths, farmers' fields, forests, deserts, along borders, in and surrounding houses and schools, and in other places where people are carrying out their daily activities. They deny access to food, water, and other basic needs,

and inhibit freedom of movement. They prevent the repatriation of refugees and internally displaced persons, and hamper the delivery of humanitarian aid.

These weapons instill fear in communities, whose citizens often know they are walking in mined areas, but have no possibility to farm other land, or take another route to school. When land cannot be cultivated, when medical systems are drained by the cost of attending to landmine/ERW casualties, and when countries must spend money clearing mines rather than paying for education, it is clear that these weapons not only cause appalling human suffering, they are also a lethal barrier to development and post-conflict reconstruction.

There are solutions to the global landmine and ERW problem. The 1997 Mine Ban Treaty provides the best framework for governments to alleviate the suffering of civilians living in areas affected by antipersonnel mines. Governments who join this treaty must stop the use, stockpiling, production, and transfer of antipersonnel mines immediately. They must destroy all stockpiled antipersonnel mines within four years, and clear all antipersonnel landmines in all mined areas under their jurisdiction or control within 10 years. In addition, States Parties in a position to do so must provide assistance for the care and treatment of landmine survivors, their families and communities, and support for mine/ERW risk education programs to help prevent mine incidents.

The Convention on Cluster Munitions entered into force on 1 August 2010. It is a legally-binding international agreement banning cluster munitions because of their indiscriminate area effects and risk of UXO. The convention also provides a framework for tackling the existing problems that cluster munitions have caused. The convention obliges states to stop the use, production, and transfer of cluster munitions immediately. States must destroy all stockpiled cluster munitions within eight years of becoming party to the convention, and clear all cluster munition remnants in areas under their jurisdiction or control within 10 years. The Convention on Cluster Munitions includes ground-

Mechanical clearance in Iraq.

breaking provisions for victim assistance, and includes those killed or injured by cluster munitions, their families and communities in the definition of a cluster munition victim. In addition, States Parties in a position to do so must provide assistance for the clearance of unexploded submunitions, for risk education programs to help prevent cluster munition casualties, for assistance to victims, and for stockpile destruction.

The only international legislation explicitly covering ERW in general is Protocol V of the Convention on Conventional Weapons (CCW). While its provisions have been recognized as insufficient to address the problems caused by cluster munitions, Protocol V does establish general responsibilities for ERW clearance, information sharing to facilitate clearance and risk education, victim assistance, and for support to mine action. Protocol V establishes a special responsibility on the users of explosive weapons to work to address the post-conflict humanitarian problems that these weapons may cause.

Medico International, Mines Advisory Group, Physicians for Human Rights, and Vietnam Veterans of America Foundation. These founding organizations witnessed the horrendous effects of mines on the communities they were working with in Africa, Asia, the Middle East, and Latin America, and saw how mines hampered and even prevented their development efforts in these countries. They realized that a comprehensive solution was needed to address the crisis caused by landmines, and that the solution was a complete ban on antipersonnel landmines.

The founding organizations brought to the international campaign practical experience of the impact of landmines. They also brought the perspective of the different sectors they represented: human rights, children's rights, development issues, refugee issues, and medical and humanitarian relief. ICBL member campaigns contacted other NGOs, who spread the word through their networks; news of this new coalition and the need for a treaty banning antipersonnel landmines soon stretched throughout the world. The ICBL organized conferences and campaigning events in many countries to raise awareness of the landmine problem and the need for a ban, and to provide training to new campaigners to enable them to be effective advocates in their respective countries.

Campaign members worked at the local, national, regional, and global levels to encourage their governments to support the mine ban. The ICBL's membership grew rapidly, and today there are campaigners in more than 90 countries.

The Mine Ban Treaty was opened for signature on 3 December 1997 in Ottawa, Canada. It is in part due to sustained and coordinated action by the ICBL that the Mine Ban Treaty became a reality.

Part of the ICBL's success is its ability to evolve with changing circumstances. The early days of the campaign were focused on developing a comprehensive treaty banning antipersonnel landmines. Once this goal was achieved, attention shifted to ensuring that all countries join the treaty, and that all States Parties fully implement their treaty obligations.

The ICBL works to promote the global norm against mine use, and advocates for countries who have not joined the treaty to take steps to join. The campaign also urges non-state armed groups to abide by the spirit of the treaty.

Much of the ICBL's work is focused on promoting implementation of the Mine Ban Treaty, which provides the most effective framework for eliminating antipersonnel landmines. This includes working in partnership with governments and international organizations on all aspects of treaty implementation, from stockpile destruction to mine clearance to victim assistance.

At the end of 2006, the ICBL began actively campaigning in support of the Oslo Process to negotiate a treaty prohibiting cluster munitions. This marked the first time that the ICBL engaged substantively on an issue other than antipersonnel mines. The ICBL began working with other members of the Cluster Munition Coalition (CMC) to address the cluster munition threat. The goal was to help prevent another humanitarian crisis similar to the global mine problem, because cluster munitions leave behind unexploded submunitions with



© J. B. Russell/MAC, July 2009

Deminers prepare mines and UXO for a controlled demolition in Moxico province, Angola.

These legal instruments provide a framework for taking action, but it is up to governments to implement treaty obligations, and it is the task of NGOs to work together with governments to ensure they uphold their treaty obligations.

The ultimate goal of the ICBL is a world free of landmines, cluster munitions and ERW, where civilians can walk freely without the fear of stepping on a mine, and where children can play without mistaking an unexploded submunition for a toy.

International Campaign to Ban Landmines

The ICBL is a global network in over 90 countries, working locally, nationally, and internationally to eradicate antipersonnel mines. It received the 1997 Nobel Peace Prize, jointly with its founding coordinator Jody Williams, in recognition of its efforts to bring about the Mine Ban Treaty.

The campaign is a loose, flexible network, whose members share the common goal of working to eliminate antipersonnel landmines and cluster munitions.

The ICBL was launched in October 1992 by a group of six NGOs: Handicap International, Human Rights Watch,

effects similar to antipersonnel mines. The ICBL is dedicated to working toward the full universalization and implementation of the Convention on Cluster Munitions, and many ICBL member organizations are also actively campaigning against cluster munitions.

The ICBL is committed to pushing for the complete eradication of antipersonnel mines and cluster munitions. The campaign has been successful in part because it has a clear campaign message and goal; a non-bureaucratic campaign structure and flexible strategy; and an effective partnership with other NGOs, international organizations, and governments.

Landmine and Cluster Munition Monitor

Landmine and Cluster Munition Monitor provides research and monitoring for the ICBL and the CMC and is formally a program of the ICBL. It is the de facto monitoring regime for the Mine Ban Treaty and the Convention on Cluster Munitions. It monitors and reports on States Parties' implementation of, and compliance with, the Mine Ban Treaty and the Convention on Cluster Munitions, and more generally, it assesses the international community's response to the humanitarian problems caused by landmines, cluster munitions, and other explosive remnants of war. The Monitor represents the first time that NGOs have come together in a coordinated, systematic, and sustained way to monitor humanitarian law or disarmament treaties, and to regularly document progress and problems, thereby successfully putting into practice the concept of civil society-based verification.

In June 1998, the ICBL created Landmine Monitor as an ICBL initiative. In 2008, Landmine Monitor also functionally became the research and monitoring arm of the CMC. In 2010, the initiative changed its name from Landmine Monitor to Landmine and Cluster Munition Monitor (known as "the Monitor") to reflect its increased reporting on the cluster munition issue. A five-member Editorial Board coordinates the Monitor system: Mines Action Canada, Action On Armed Violence, Handicap International, Human Rights Watch, and Norwegian People's Aid. Mines Action Canada serves as the lead agency. The Editorial Board assumes overall responsibility for, and decision-making on, the Monitor system.

The Monitor is not a technical verification system or a formal inspection regime. It is an attempt by civil society to hold governments accountable to the obligations they have taken on with respect to antipersonnel mines and cluster munitions. This is done through extensive collection, analysis, and distribution of publicly available information. Although in some cases it does entail investigative missions, the Monitor is not designed to send researchers into harm's way and does not include hot war-zone reporting.

Monitor reporting complements transparency reporting by states required under international treaties. It reflects the shared view that transparency, trust, and mutual collaboration are crucial elements for the successful

eradication of antipersonnel mines and cluster munitions. The Monitor was also established in recognition of the need for independent reporting and evaluation.

The Monitor aims to promote and advance discussion on mine, cluster munition, and ERW-related issues, and to seek clarifications, to help reach the goal of a world free of mines, cluster munitions, and other ERW. The Monitor works in good faith to provide factual information about issues it is monitoring, in order to benefit the international community as a whole.

For landmines, the Monitor system features a global reporting network and the annual Landmine Monitor report. A network of over 80 Monitor researchers from 70 countries and other areas, and a 20-person Editorial Team gathered information to prepare this report. The researchers come from the CMC and ICBL's campaigning coalitions and from other elements of civil society, including journalists, academics, and research institutions.

Researchers contributed primarily to Country Profiles, also available on the Monitor's website at www.the-monitor.org/cp.

Unless otherwise specified all translations were done by the Monitor.

As was the case in previous years, the Monitor acknowledges that this ambitious report is limited by the time, resources, and information sources available. The Monitor is a system that is continuously updated, corrected, and improved. Comments, clarifications, and corrections from governments and others are sought, in the spirit of dialogue, and in the common search for accurate and reliable information on an important subject.

About this Report

This is the 12th annual Landmine Monitor report. It is the sister publication to the Cluster Munition Monitor report, first published in November 2010. *Landmine Monitor 2010* provides a global overview of the landmine situation. From 1999–2009, the Monitor included country-specific chapters in Landmine Monitor. In 2010, for the first time, chapters on developments in specific countries and other areas are available in online Country Profiles at www.the-monitor.org/cp.

Landmine Monitor covers developments in mine ban policy, use, production, trade, and stockpiling, and also includes information on contamination, clearance, casualties, victim assistance, and support for mine action. The report focuses on calendar year 2009, with information on ban policy from May 2009 up until August 2010 included when possible.

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A broad-based network of individuals, campaigns, and organizations produced this report. It was assembled by a dedicated team of research coordinators and editors, with the support of a significant number of donors.

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Responsibility for the coordination of the Monitor's reporting network lies with the five Editorial Board organizations: Mines Action Canada (Paul Hannon) manages the Monitor's production and editing, and coordinates research on non-state armed groups and support for mine action; Action On Armed Violence (Richard Moyes) specializes in research on cluster munitions; Handicap International (Bruno Leclercq) coordinates research on casualty data and victim assistance; Human Rights Watch (Stephen Goose) is responsible for ban policy; and Norwegian People's Aid (Stuart Casey-Maslen and Atle Karlsen) coordinates research on mine action. Jacqueline Hansen manages the Monitor.

The Editorial Team undertook research and initial country report edits for *Landmine Monitor* from January to August 2010. The Editorial Team included:

- Ban policy: Stephen Goose (principal editor), Kate Castenson, Katherine Harrison, Mark Hiznay, Yeshua Moser-Puangsuwan, Mary Wareham, Kerri West;
- Mine action: Stuart Casey-Maslen (principal editor), Nick Cumming-Bruce, Emil Hasanov, Mike Kendellen;

- Casualties and victim assistance: Joohi Haleem and Katleen Maes (principal editors), Megan Burke, Loren Persi Vicentic; and
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1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction

Table Key
States Parties: Ratified or acceded as of September 2010
Signatories: Signed, but not yet ratified
States not Party: Not yet acceded

The Americas

Antigua & Barbuda	Argentina
Bahamas	Barbados
Belize	Bolivia
Brazil	Canada
Chile	Colombia
Costa Rica	Dominica
Dominican Rep.	Ecuador
El Salvador	Grenada
Guatemala	Guyana
Haiti	Honduras
Jamaica	Mexico
Nicaragua	Panama
Paraguay	Peru
St. Kitts & Nevis	St. Vincent & the Grenadines
Saint Lucia	
Suriname	Trinidad & Tobago
Uruguay	Venezuela
Cuba	United States

East & South Asia & the Pacific

Afghanistan	Australia
Bangladesh	Bhutan
Brunei	Cambodia
Cook Islands	Fiji
Indonesia	Japan
Kiribati	Malaysia
Maldives	Nauru
New Zealand	Niue
Palau	Papua New Guinea
Philippines	Samoa
Solomon Islands	Thailand
Timor-Leste	Vanuatu
Marshall Islands	China
India	Korea, North
Korea, South	Laos
Micronesia	Mongolia
Myanmar	Nepal
Pakistan	Singapore
Sri Lanka	Tonga
Tuvalu	Vietnam

Europe, the Caucasus & Central Asia

Albania	Andorra	Austria
Belarus	Belgium	Bosnia & Herzegovina
Bulgaria	Croatia	Cyprus
Czech Republic	Denmark	Estonia
France	Germany	Greece
Holy See	Hungary	Iceland
Ireland	Italy	Latvia
Liechtenstein	Lithuania	Luxembourg
Macedonia, FYR	Malta	Moldova
Monaco	Montenegro	Netherlands
Norway	Portugal	Romania
San Marino	Serbia	Slovakia
Slovenia	Spain	Sweden
Switzerland	Tajikistan	Turkey
Turkmenistan	Ukraine	United Kingdom
Poland	Armenia	Azerbaijan
Finland	Georgia	Kazakhstan
Kyrgyzstan	Russia	Uzbekistan

Middle East & North Africa

Algeria	Iraq	Jordan
Kuwait	Qatar	Tunisia
Yemen	Bahrain	Egypt
Iran	Israel	Lebanon
Libya	Morocco	Oman
Saudi Arabia	Syria	United Arab Emirates

Sub-Saharan Africa

Angola	Benin	Botswana
Burkina Faso	Burundi	Cameroon
Cape Verde	Central African Rep.	Chad
Comoros	Congo, Dem. Rep.	Congo, Rep.
Côte d'Ivoire	Djibouti	Equatorial Guinea
Eritrea	Ethiopia	Gabon
Gambia	Ghana	Guinea
Guinea-Bissau	Kenya	Lesotho
Liberia	Madagascar	Malawi
Mali	Mauritania	Mauritius
Mozambique	Namibia	Niger
Nigeria	Rwanda	São Tomé & Príncipe
Senegal	Seychelles	Sierra Leone
South Africa	Sudan	Swaziland
Tanzania	Togo	Uganda
Zambia	Zimbabwe	Somalia



Major Findings

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Global Landmine Overview 2009–2010

Mined area in Chiqueiza, Amazonas department, Peru.

The Monitor identified only one government laying antipersonnel mines: Myanmar.

- Antipersonnel mine use by non-state armed groups was confirmed in six countries—Afghanistan, Colombia, India, Myanmar, Pakistan, and Yemen.
- This is the lowest level of recorded use since the Monitor began reporting in 1999. For the first time, Russia was not identified as an active user.

The Monitor identified 12 producers of antipersonnel mines, again, the smallest total ever, and of those as few as three were actively manufacturing mines—India, Myanmar, and Pakistan. Nepal was removed from the list of producers following official declarations from it of non-production.

A total of 3,956 new casualties to landmines and explosive remnants of war (ERW) were recorded in 2009, the lowest annual total since monitoring began in 1999 and 28% lower than in 2008.

- Due to incomplete data collection, the actual number of casualties was certainly higher than what was recorded.

A total of 66 states and seven other areas were confirmed or suspected to be mine-affected. This is a decrease of three states.

- Mine action programs cleared at least 198km² of mined areas in 2009, by far the highest annual total ever recorded by the Monitor, resulting in the destruction of more than 255,000 antipersonnel mines and 37,000 antivehicle mines.
- Programs in Afghanistan, Cambodia, Croatia, Iraq, and Sri Lanka accounted for more than 80% of the total recorded clearance.
- At least 359km² of former battle areas were also cleared in 2009, disposing of 2.2 million items of ERW.
- Mine/ERW risk education continued to be conducted in many affected locations, with new projects being initiated in Algeria and Pakistan.

For victim assistance implementation, 2009 was a relatively static year with some improved quality and/or accessibility of services in 11 countries or other areas, but a decline in nine others.

- While coordination improved in some places, the vast majority of countries did not carry out assistance based on data assessing the number of survivors and their needs.
- Survivors or their representative organizations participated in the implementation of victim assistance in less than half of affected countries, mostly through non-governmental peer support networks.
- Only 15 international donors reported supporting victim assistance, totaling US\$38 million—only 9% of the global total of funding for mine action.

Donors and affected states devoted about \$622 million to mine action in 2009.

- 33 donors contributed \$449 million to 54 countries and areas, nearly the same as in 2008.
- This is the third highest level of international funding ever and the fourth year in a row of international contributions totaling over \$400 million.
- Contributions from the top five mine action donors—the United States, European Commission, Japan, Norway, and Germany—accounted for 61% of all funding.
- The top five recipient states—Afghanistan, Iraq, Cambodia, Sudan, and Sri Lanka—received almost 50% of all international mine action contributions in 2009. Afghanistan received the most for one state with \$107 million.
- National mine action contributions from affected states increased from \$144 million in 2008 to \$173 million in 2009, with Croatia and Angola accounting for 56% of the total.

Mine Ban Treaty Implementation and Compliance 2009–2010

The Good	The Bad
156 countries have joined the Mine Ban Treaty—80% of the world's nations.	No state has joined the treaty since Palau acceded in November 2007.
The Cartagena Action Plan adopted at the Second Review Conference provides an ambitious and concrete five-year roadmap to implement and universalize the Mine Ban Treaty.	
There has been no need for States Parties to invoke the treaty's formal compliance provisions to clarify any compliance matters.	There are highly disturbing allegations that members of the armed forces in Turkey used antipersonnel mines in 2009; these are currently the subject of a legal investigation by Turkey.
86 states have completed the destruction of their stockpiles, collectively destroying over 45 million stockpiled antipersonnel mines.	Ukraine missed its stockpile destruction deadline in June 2010 and is in violation of the treaty; as are Belarus, Greece, and Turkey, which missed their deadlines in March 2008.
<p>A rigorous process is in place for extending the 10-year mine clearance deadlines. As of September 2010, 22 States Parties have received or were formally seeking additional time.</p> <p>In June 2010, Nicaragua formally declared that it had completed its clearance obligations. It was the 16th state to do so; Albania, Greece, Rwanda, Tunisia, and Zambia declared they fulfilled their clearance obligations in 2009.</p>	Too many States Parties granted extensions in 2008 and 2009 have since made disappointing progress. Of greatest concern is Venezuela, which has not started clearance operations more than 10 years after ratifying the treaty.
	The rate of compliance with submitting annual transparency reports is at an all-time low (56%); Equatorial Guinea is 11 years late with its initial report.
	Less than 40% of states have passed domestic laws to implement the treaty.



© Giovanni Diffidenti, December 2009

Ban Policy

The Mine Ban Treaty, which was negotiated in September 1997 and entered into force in March 1999, has established a new international standard rejecting antipersonnel mines. Eighty percent of the world's nations are party to the treaty, but its most significant achievement may be the degree to which any use of antipersonnel mines by anyone has been stigmatized. The treaty has had a strong impact even on those that have not yet joined.

Use of antipersonnel mines has become rare. In 2009 and 2010, the Monitor identified only one government laying antipersonnel mines, and use by non-state armed groups was confirmed in six countries, the smallest numbers since the Monitor began reporting in 1999. The Monitor identified 12 producers of antipersonnel mines, again the smallest total ever, and of those as few as three were actively manufacturing mines. The Monitor did not identify any confirmed government transfers of antipersonnel mines, and for the past decade, global trade has consisted solely of a low level of illicit and unacknowledged transfers. Eighty-six States Parties have completed the destruction of their stockpiles, and only five still have stocks to destroy. Together, States Parties have destroyed over 45 million stockpiled antipersonnel mines.

This chapter has two main parts. The first examines States Parties' implementation of and compliance with the Mine Ban Treaty. The second provides a global overview focused on mine ban policy, use, production, transfer, and stockpiling by states not party to the treaty. The focus of the reporting is on the period from May 2009 to mid-2010.

Global Overview: Mine Ban Treaty Implementation and Compliance

In general, States Parties' implementation of and compliance with the Mine Ban Treaty has been excellent.

The core obligations have been respected and when ambiguities have arisen, they have usually been dealt with in a satisfactory manner. The treaty's compliance provisions—contained in Article 8—have not been formally invoked to clarify any compliance question.

However, as we enter the second decade of Mine Ban Treaty implementation, there are some serious concerns:

- There are highly disturbing allegations that Turkish armed forces used antipersonnel mines in 2009; these are currently the subject of a legal investigation by Turkey.
- In June 2010, Ukraine missed its stockpile destruction deadline and is in serious violation of the convention, as are Belarus, Greece, and Turkey, which missed their deadlines in March 2008 and have still not finished destruction.
- Many States Parties are retaining antipersonnel mines, but are apparently not using those mines for permitted purposes.
- The rate of compliance with annual transparency reporting obligations is at an all-time low.
- Less than 40% of States Parties have passed new domestic laws to implement the treaty.

Prohibition on use (Article 1)

In 2010, there were serious allegations of use of antipersonnel mines by Turkish armed forces in 2009 in areas near the border with Iraq. In June 2010, the Turkish government informed other States Parties that a “legal investigation” into allegations of use was underway and said that once concluded the results would be shared “in full transparency.” The ICBL said, “This is a matter of

Youth Leader's Forum representative presents the Youth Declaration to the President of the Second Review Conference.



© Mary Wareham/HRW, December 2009

Cambodian survivors greet Canada's Minister of State for Foreign Affairs at the Second Review Conference.

¹ Statement of Turkey, Standing Committee on the General Status and Operation of the Convention, Geneva, 21 June 2010. Notes by HRW. Similarly, Turkey wrote to the ICBL in June, stating, “Legal investigation concerning the allegations of use of mines in the Sirnak province of Turkey is underway. Once concluded, results of the investigation will be shared in full transparency with the international community.” Letter

grave concern that all States Parties should be following closely. According to publicly available information, this is the most serious and credible allegation of use by the armed forces of a State Party we have ever encountered.”²

In September 2009, the Royal Thai Army Commander in Chief accused Cambodian troops of laying landmines along disputed border areas. This followed similar allegations in October 2008 and April 2009, when Thai soldiers were injured by mines. Cambodia has strongly denied the allegations. It appears from available evidence that at least some of the incidents involved new use of antipersonnel mines, but the Monitor has not been able



© Marco Pesce/Hi, 26 September 2009

Demining demonstration in France to raise awareness about the dangers and impacts of mines/ERW.

to determine which party was responsible. Cambodia and Thailand have not reached a resolution of this matter, and though the President of the Ninth Meeting of States Parties raised the issue with them informally, other States Parties have apparently not pursued this as a serious compliance concern.

Destruction of stockpiles (Article 4)

States Parties' record of compliance with their obligation to destroy all stocks of antipersonnel mines was exemplary until March 2008.³ It appears that 151 of the 156 States Parties do not have stockpiles, including 86 States Parties that have officially declared completion of stockpile destruction, 64 that have declared never possessing antipersonnel mine stocks (except in some cases for training purposes), and one that has not made an official declaration but is not thought to possess stocks (Equatorial Guinea).

The most recent states to complete destruction were Kuwait (declared in July 2009) and Ethiopia (April 2009).

Collectively, States Parties have destroyed more than 45 million stockpiled antipersonnel mines. This includes about 1.5 million antipersonnel mines destroyed in this reporting period.

from Volkan Oskiper, Counsellor, Permanent Mission of Turkey to the UN in Geneva, to Sylvie Brigot, Executive Director, ICBL, 17 June 2010.

² Statement of the ICBL, Standing Committee on the General Status and Operation of the Convention, Geneva, 21 June 2010.

³ Most States Parties completed destruction well in advance of their deadlines. From March 2003 (the first deadline) until March 2008, four states missed their deadlines (Turkmenistan, Guinea, Cape Verde, and Afghanistan), all of which came into compliance soon thereafter.

The five States Parties that have not yet destroyed their stocks are Belarus, Greece, Iraq, Turkey, and Ukraine. Iraq's stockpile status was previously uncertain,⁴ but in its Article 7 report submitted in June 2010, Iraq indicated that there are 690 antipersonnel mines stockpiled in the Kurdistan region, in addition to mines retained for training purposes in the Kurdistan region and elsewhere. Iraq's deadline for stockpile destruction is 1 February 2012.

The excellent record on stockpile destruction was tarnished when Belarus, Greece, and Turkey failed to meet their 1 March 2008 deadline and Ukraine missed its 1 June 2010 deadline. Each of these States Parties was not only unable to meet its deadline, but each still had a very large number of mines left to destroy at the time of its deadline (about 3.4 million for Belarus, 1.6 million for Greece, 2.5 million for Turkey, and 6.1 million for Ukraine).

As of September 2010, none of the four could commit to a firm date for completion. Turkey has indicated it hopes to finish in 2010, and Greece in early 2011. Belarus and Ukraine appear to be years away from completion.

These failures present a significant challenge to the overall well-being of the Mine Ban Treaty. States Parties recognized the urgent need to solve this problem in Actions 7, 8, and 9 of the Cartagena Action Plan 2010–2014, which call on these States Parties to comply without delay and to communicate their plans to do so, to request any assistance needed, and to provide an expected completion date.

Belarus, in violation of the treaty since 1 March 2008, completed destruction of its non-PFM antipersonnel mines in 2006, but has not been able to destroy any of its stock of almost 3.4 million PFM mines due to problems in obtaining international cooperation and assistance. Belarus has always made known its need for financial support to destroy these mines, but a first project with the European Commission (EC) to carry out the destruction failed in 2006 and a second tender launched in July 2009 also failed. Another tender was launched in late June 2010.

Greece, in violation of the treaty since 1 March 2008, did not even begin destroying its stockpile of nearly 1.6 million mines until eight months after its deadline. It took several years before deciding to task a private Greek company to destroy the stocks, and it was slow to react to delays with the shipment of the mines to the subcontractor in Bulgaria for destruction. About 590,000 antipersonnel mines were destroyed before operations halted in early 2010 due to an explosion at the facility, and the contract with the Greek company was subsequently cancelled. In June 2010, Greece said that it was in the final stage of signing a contract with a new company and stated that the new contract would require the destruction of all remaining mines within six months. Greece stated it

⁴ In its initial Article 7 report in July 2008, Iraq stated that it had destroyed 200,125 stockpiled antipersonnel mines since 2003 and that while it had not yet identified any additional stockpiles, “this matter will be further investigated and if required, corrected in the next report.” Its subsequent report in May 2009 did not include any information on stockpiles or destruction.

anticipated completion of destruction by early 2011.

Turkey, in violation of the treaty since 1 March 2008, also started its stockpile destruction program too late. It took the positive step of removing all fuzes from its mines by April 2008, rendering them inoperable, but it experienced delays in building a destruction facility and bringing it up to full capacity. In June 2010, Turkey reported that it had reduced its stockpile to 266,143 antipersonnel mines and said that it expected to complete destruction by the end of 2010.

Ukraine, in violation of the treaty as of 1 June 2010, has destroyed all its non-PFM mines and over 100,000 PFM mines. It has made clear its needs for international assistance to destroy the almost 6 million PFM mines still in its stocks. After a project with the EC fell through in 2007, Ukraine has been trying to find funds from donors aside from the EC to boost its capacity to destroy the mines in a facility it says is already capable of destroying PFM mines.

States Parties have an obligation to provide international cooperation and assistance for stockpile destruction under Article 6, and have recommitted to providing support for stockpile destruction in Actions 37 and 42 of the Cartagena Action Plan 2010–2014.

Reporting on and destroying captured, seized, or newly discovered stockpiles

Some States Parties routinely discover, capture, seize, or receive turned-in arms caches containing antipersonnel mines. In this reporting period Afghanistan, Algeria, Burundi, and Uganda reported new discoveries or seizures of antipersonnel mines in their Article 7 reports.

- Afghanistan reported that 4,392 antipersonnel mines were discovered, seized, or received through turn-ins during calendar year 2009, and destroyed in 103 events in 21 provinces.
- Algeria revealed that from 2006 to early 2010, it has seized a total of 3,119 antipersonnel mines. It stated that “such munitions were picked up from mine fields to be used at the same time for illegal fishing and terrorism” and has provided information on eight cases referred to the courts as a result of these seizures.
- During a civilian disarmament campaign in Burundi from July to October 2009, 28 antipersonnel mines were surrendered by the population and subsequently destroyed by Mines Advisory Group (MAG). Burundi later reported that its police forces recovered another 76 antipersonnel mines during the civilian disarmament campaign. The mines were destroyed with technical assistance from MAG on 16 June 2010.
- In its Article 7 transparency report submitted in 2010, Uganda clarified that 120 Type 72 mines reported destroyed in its 2009 report “had not however been stockpiled, they had been abandoned by non state actors.”

There were also government reports of seizures of antipersonnel mines in Niger and Turkey, although these were not included in their transparency reports.

In addition, there were media reports of seizures of antipersonnel mines. In December 2009, the Colombian army reportedly recovered 2,700 antipersonnel mines from a Revolutionary Armed Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia-Ejército del Pueblo, FARC) camp, one of the biggest number of mines ever reported seized by a State Party. According to a media report in May 2010, the Internal Affairs Department in Iraq seized a weapons cache containing 106 antipersonnel and antivehicle mines in southern Wassit governorate. In April 2010, Macedonian police reportedly seized antipersonnel mines and other weapons from five bunkers near the border with Kosovo.

In 2009 Bosnia and Herzegovina (BiH), for the seventh consecutive year, reported an increase of 346 in the total number of stockpiled antipersonnel mines it has destroyed. Presumably these are newly discovered stocks, mines turned in by the population, or illegal mines seized from criminal elements, but BiH has not explained the changes.

It is a State Party’s responsibility to report on newly discovered or seized mines and on their destruction, both before and after the completion of stockpile destruction programs. Action 12 of the Cartagena Action Plan 2010–2014 calls on states to report on such mines and to destroy them “as a matter of urgent priority.”

States Parties agreed at the Eighth Meeting of States Parties to modify Article 7 Forms B and G to encourage such reporting. Afghanistan, Bulgaria, Burundi, Cambodia, the Republic of the Congo, Guatemala, Niger, Sudan, Tajikistan, and Uganda have used Expanded Form B to report on newly discovered mines.



Belgian campaigners meet with representatives from the US Embassy in Brussels.

© HI-B, 1 March 2010

Mines retained for training (Article 3)

Article 3 of the Mine Ban Treaty allows a State Party to retain or transfer “a number of anti-personnel mines for the development of and training in mine detection, mine clearance, or mine destruction techniques.... The amount of such mines shall not exceed the minimum number absolutely necessary for the above-mentioned purposes.”

Seventy-seven States Parties have reported that they

retain antipersonnel mines for training and research purposes. Seventy-seven States Parties have declared that they do not retain any antipersonnel mines. This includes 24 states that stockpiled antipersonnel mines in the past and have chosen not to retain any mines. Botswana has indicated its intention to retain some mines for training but has never made a formal declaration. Equatorial Guinea has never submitted an initial transparency report, so its status is uncertain, but it is not thought to retain any mines.

States Parties retaining antipersonnel mines

State	No. of mines initially retained	No. of mines retained—last known declaration (for year)	Mines reported consumed in 2009	Year of last declared consumption
Turkey	16,000	15,100 (2009)	25	2009
Bangladesh	15,000	12,500 (2009)	0	None ever
Brazil	17,000	10,051 (2009)	0	Unclear
Sweden	13,948	7,364 (2009)	0	2008
Greece	7,224	6,158 (2009)	1,066	2009
Australia	10,000	6,947 (2009)	0	Unclear
Belarus	7,530	6,030 (2009)	0	None ever
Algeria	15,030	5,970 (2009)	30	2009
Croatia	17,500	5,954 (2009)	84	2009
Tunisia	5,000	4,980 (2009)	0	2008
Venezuela	4,960	4,960 (2008)	Unknown	None ever
Bhutan	4,491	4,491 (2006)	Unknown	None ever
South Africa	4,830	4,356 (2009)	Unknown	2008
France	4,539	4,017 (2009)	127	2009
Yemen	4,000	3,760 (2009)	Unknown	Unclear
Bulgaria	10,466	3,672 (2009)	0	2007
Thailand	15,604	3,626 (2009)	12	2009
Serbia	5,000	3,159 (2009)	35	2009
Nigeria	3,364	3,364 (2009)	Unknown	None ever
Chile	28,647	3,346 (2009)	725	2009
Belgium	5,980	3,204 (2009)	41	2009
Djibouti	2,996	2,996 (2004)	Unknown	None ever
Slovenia	7,000	2,991 (2008)	Unknown	2008
Japan	15,000	2,976 (2009)	344	2009
Afghanistan	2,680	2,618 (2009)	0	Unclear
Angola	1,460	2,512 (2006)	Unknown	Unclear
Romania	4,000	2,500 (2009)	0	2003
Czech Republic	4,859	2,497 (2009)	24	2009
Indonesia	4,978	2,454 (2009)	2,524	2009
Netherlands	4,076	2,214 (2009)	0	Unclear
Germany	3,006	2,261 (2009)	150	2009
BiH	2,405	2,255 (2009)	0	Unclear
Zambia	6,691	2,120 (2009)	0	2007
Peru	9,526	2,060 (2009)	1,985	2009
Denmark	4,991	1,950 (2009)	0	Unclear
Mozambique	1,427	1,943 (2009)	Unclear	Unclear

State	No. of mines initially retained	No. of mines retained—last known declaration (for year)	Mines reported consumed in 2009	Year of last declared consumption
Sudan	5,000	1,938 (2008)	Unknown	Unclear
Canada	1,781	1,937 (2009)	3	2009
Tanzania	1,146	1,780 (2008)	Unknown	2007
Uganda	2,400	1,764 (2009)	0	2003
Spain	10,000	1,735 (2009)	Unknown	Unclear
Namibia	9,999	1,634 (2009)	100	2009
Slovakia	7,000	1,422 (2009)	0	Unclear
Kenya	3,000	1,020 (2007)	Unknown	2007
Cyprus	1,000	1,000 (2009)	0	None ever
Ecuador	170,344	1,000 (2009)	0	2007
Nicaragua	1,921	963 (2009)	41	2009
Luxembourg	998	855 (2007)	Unknown	Unclear
Jordan	1,000	900 (2009)	Unknown	2008
United Kingdom	4,437	833 (2009)	0	Unclear
Honduras	1,050	815 (2006)	Unknown	Unclear
Mauritania	5,728	728 (2009)	Unknown	2003
Cambodia	701	701 (2009)	0	Unclear
Portugal	3,523	697 (2009)	0	Unclear
Italy	8,000	674 (2009)	Unknown	2008
Mali	2,000	600 (2004)	Unknown	Unclear
Colombia	986	586 (2009)	0	2006
Zimbabwe	946	550 (2008)	Unknown	Unclear
Togo	436	436 (2003)	Unknown	None ever
Republic of the Congo	372	322 (2008)	Unknown	2008
Ethiopia	303	303 (2009)	0	None ever
Iraq	1,225	297 (2009)	Unknown	Unclear
Uruguay	500	260 (2008)	Unknown	Unclear
Ukraine	1,950	187 (2009)	24	2009
Cambodia	0	182 (2009)	0	Unclear
Eritrea	214	172 (2009)	Unknown	Unclear
Cape Verde	120	120 (2008)	Unknown	Not reported
Latvia	2,980	118 (2009)	781	2009
Gambia	100	100 (2009)	Unknown	Not reported
El Salvador	96	72 (2007)	Unknown	2007
Ireland	130	66 (2009)	1	2009
Rwanda	101	65 (2007)	Unknown	Unclear
Senegal	28	28 (2009)	0	Unclear
Benin	30	16 (2007)	Unknown	Unclear
Guinea Bissau	109	9 (2009)	Unknown	Unclear
Burundi	4	4 (2009)	49	2009
Democratic Republic of the Congo (DRC)	Unknown	"Some"	Not reported	Unknown

Key developments for calendar year 2009

One State Party that once possessed stockpiles chose not to retain any mines:

- Kuwait joined the 78 States Parties that have declared that they do not retain any antipersonnel mines.

Four States Parties declared retaining mines for the first time:

- Cambodia declared mines retained after many years of reporting no retention. Cambodia indicated that it retained 182 mines for training, but did not provide an explanation in its transparency report.
- In March 2010, a DRC government official confirmed for the first time that the DRC retains some live antipersonnel mines for training. The types and numbers have not yet been reported.
- Cape Verde and Gambia both declared retained mines in their overdue initial Article 7 reports that were submitted in 2009.

One State Party reported consuming retained mines for the first time:

- Greece reported that it consumed 1,066 mines in 2009 in training activities, leaving 6,158.

Several states reduced the amount of mines retained after a reevaluation of their requirements:

- Cyprus announced that following the adoption of the Cartagena Action Plan 2010–2014 at the Second Review Conference in December 2009, it conducted a review of the number of mines it retains for training and development purposes to ensure it is the “minimum number absolutely necessary.” As a result, Cyprus stated it had decided to reduce the number of mines it retains by destroying 494 mines in 2010, leaving a total of 500.
- Indonesia destroyed 2,524 of its 4,978 mines initially retained.
- Peru destroyed an additional 1,985 retained mines, leaving 2,060.

A major concern for the ICBL is the large number of States Parties that retain mines, but apparently are not

using those mines for permitted purposes. For these States Parties, the number of mines retained remains the same year after year, indicating none are consumed (destroyed) during training or research activities, which is typically the case for most countries, and no other details are provided about how the mines are being used.

The following States Parties have not reported consuming any mines for permitted purposes since the treaty entered into force for them: Angola, Bangladesh, Belarus, Bhutan, Burundi, Cape Verde, Cyprus, Djibouti, Ethiopia, Nigeria, Senegal, Togo, and Venezuela.

Some States Parties have reported decreases in the number of mines retained, but have not explained the reductions in their transparency reports. Among the states that reduced the number of mines retained without explanation for calendar year 2009 are: Brazil, Bulgaria, Chile, Czech Republic, Denmark, Germany, Italy, Netherlands, Portugal, Spain, and the UK.

Alternatively, other States Parties increased the number of mines they retain without providing an explanation in their transparency reports. Between the calendar years 2008 and 2009, this included the following states: Australia, Canada, Eritrea, Mozambique, and South Africa.

BiH reports that all of its retained mines do not have fuzes. Other States Parties reporting that some mines they retain are inert or fuzeless, include: Afghanistan, Australia, Belgium, Eritrea, Iraq, Portugal, and Serbia.

A total of 28 States Parties have used expanded Form D of annual Article 7 transparency reports to report on retained mines: Afghanistan, Argentina, Belgium, BiH, Canada, Chile, Croatia, Czech Republic, France, Germany, Guinea-Bissau, Indonesia, Japan, Latvia, Malawi, Mauritania, Nicaragua, Peru, Portugal, Romania, Rwanda, Serbia, Slovakia, Tajikistan, Thailand, Tunisia, Turkey, and the UK.

Transparency reporting (Article 7)

Article 7 of the Mine Ban Treaty states that “Each State Party shall report to the Secretary General of the United Nations as soon as practicable, and in any event not later than 180 days after the entry into force of this Convention for that State Party” regarding steps taken to implement aspects of the convention. Thereafter, States Parties are obligated to report annually, by 30 April, on the preceding calendar year.

As of 30 August 2010 only 56% of States Parties had submitted reports for calendar year 2009.⁵ This is the

ICBL campaigners from the Middle East strategize on victim assistance advocacy at the Second Review Conference.



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⁵ The 88 States Parties that have submitted reports for 2009 are: Afghanistan, Albania, Algeria, Argentina, Australia, Austria, Belarus, Bangladesh, Belgium, BiH, Brazil, Brunei Darussalam, Bulgaria, Burundi, Cambodia, Canada, Chad, Chile, Colombia, DRC, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, Eritrea, Estonia, Ethiopia, France, Germany, Greece, Guatemala, Guinea-Bissau, Guyana, Holy See, Hungary, Indonesia, Iraq, Ireland, Italy, Japan, Jordan, Kuwait, Latvia, Liechtenstein, Lithuania, Malawi, Malaysia, Mauritania, Mexico, Moldova, Monaco, Montenegro, Mozambique, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Paraguay, Peru, Philippines, Portugal, Qatar, Romania, San Marino, Senegal, Serbia, Slovakia, South Africa, Spain, Sweden, Switzerland, Tajikistan, Thailand, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, Uganda, Ukraine, the UK, Venezuela, Yemen, and Zambia.

lowest annual compliance rate in the past decade.⁶

More disturbingly, of the 68 States Parties that have not submitted a report for 2009, most have not submitted an annual transparency report for two or more years.

Equatorial Guinea is the only State Party to have never submitted an initial transparency report. Its report was due more than eleven years ago, on 28 August 1999.

Cape Verde and Gambia submitted long-overdue initial transparency reports in 2009, but have not submitted updates which were due in April 2010.

In 2010, treaty signatory Poland submitted its eighth voluntary transparency report, while non-signatory Morocco submitted its fourth voluntary report. In previous years, Azerbaijan (2008 and 2009), Mongolia (2007), and Sri Lanka (2005) submitted voluntary reports.⁷ Other countries have stated their intention to submit voluntary reports, including Armenia, China, and, in 2009 and 2010, Lao PDR.

National legislation (Article 9)

Article 9 of the Mine Ban Treaty states, “Each State Party shall take all appropriate legal, administrative and other measures, including the imposition of penal sanctions, to prevent and suppress any activity prohibited” by the treaty. The ICBL believes that all States Parties should have legislation that includes penal sanctions for any potential future violations of the treaty, and that provides for full implementation of all aspects of the treaty.

Only 61 of the 156 States Parties have passed new domestic laws to implement the treaty and fulfill the obligations of Article 9.⁸ Kiribati was the latest country to pass national legislation to implement the convention. Its Parliament passed the Anti-Personnel Mines (Prohibition) Act 2008 on 9 December 2008, and the President approved the law on 28 December 2008.

A total of 14 States Parties report that steps to enact legislation are underway.⁹ Mozambique joined this group this year when a proposed law was submitted to Parliament.

A total of 40 States Parties have indicated that they do not believe any new law is required to implement the treaty.¹⁰ Angola and Chile joined this category in the

Compliance with Article 7 transparency reporting obligations

Year of submission of Article 7 report	No. of States Parties	States Parties
States that have not submitted a report since 2004 or earlier	21	Antigua and Barbuda, Barbados, Botswana, Central African Republic, Comoros, Fiji, Gabon, Ghana, Grenada, Guinea, Kiribati, Liberia, Nauru, Papua New Guinea, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Sierra Leone, Solomon Islands, Timor-Leste, Togo
States that have not submitted reports for 2009, 2008, 2007, 2006, 2005	3	Djibouti, Mali, Seychelles
States that have not submitted reports for 2009, 2008, 2007, 2006	5	Belize, Bolivia, Lesotho, Maldives, Swaziland
States that have not submitted reports for 2009, 2008, 2007	6	Angola, Bhutan, Cook Islands, Honduras, Jamaica, Niue
States that have not submitted reports for 2009 and 2008	14	Benin, Burkina Faso, Dominica, Iceland, Kenya, Luxembourg, Madagascar, Mauritius, Rwanda, Samoa, São Tomé e Príncipe, Suriname, Uruguay, Vanuatu
States Parties that have not submitted a report for 2009	19	Andorra, Bahamas, Cameroon, Cape Verde, Republic of the Congo, Dominican Republic, El Salvador, Gambia, Haiti, Former Yugoslav Republic of Macedonia, Malta, Niger, Palau, Panama, Serbia, Slovenia, Sudan, Tanzania, Zimbabwe

past year. Angola’s new constitution, which the National Assembly approved on 21 January 2010 and the President promulgated on 5 February 2010, makes any international law approved and ratified by Angola an integral part of Angolan law. Chile, which has indicated at times that it is considering new legislation, stated in June 2010 that Law no. 17.798 is sufficient to implement the treaty.

The Monitor is unaware of any progress in 41 States Parties to enact appropriate domestic measures to implement the treaty.¹¹ This includes some states that have been reporting that legislation has been underway for a number of years without any specific updates on progress.

Bhutan, Bulgaria, Central African Republic, Chile, Denmark, Dominican Republic, Estonia, Ethiopia, Greece, Guinea-Bissau, Holy See, Indonesia, Jamaica, Lesotho, FYR Macedonia, Mexico, Moldova, Montenegro, Netherlands, Panama, Papua New Guinea, Paraguay, Portugal, Qatar, Romania, Samoa, San Marino, Slovakia, Slovenia, Solomon Islands, Tunisia, Turkey, Ukraine, and Venezuela.

¹¹ The 41 States Parties for which the Monitor is unaware of progress are: Afghanistan, Bahamas, Bangladesh, Barbados, Benin, Botswana, Brunei Darussalam, Cape Verde, Cameroon, Comoros, Cote d'Ivoire, Dominica, Equatorial Guinea, Eritrea, Fiji, Gabon, Gambia, Ghana, Grenada, Guinea, Guyana, Haiti, Iraq, Kenya, Liberia, Malawi, Maldives, Namibia, Nauru, Niue, Saint Kitts and Nevis, Saint Lucia, São Tomé e Príncipe, Sierra Leone, Sudan, Suriname, Swaziland, Timor-Leste, Turkmenistan, Uganda, and Uruguay.

⁶ The final rate of compliance was 64% for calendar year 2008, 62% for calendar year 2007, 64% for 2006, 71% for 2005, 74% for 2004, and 79% for 2003.

⁷ Signatories Cameroon, Gambia, and Lithuania also provided voluntary reports prior to entry into force of the treaty for them.

⁸ The 61 States Parties that have passed implementation laws are: Albania, Australia, Austria, Belgium, Belize, BiH, Brazil, Burkina Faso, Burundi, Cambodia, Canada, Chad, Colombia, Cook Islands, Costa Rica, Cyprus, Croatia, Czech Republic, Djibouti, El Salvador, France, Germany, Guatemala, Honduras, Hungary, Iceland, Ireland, Italy, Japan, Jordan, Kiribati, Latvia, Liechtenstein, Lithuania, Luxembourg, Malaysia, Mali, Malta, Mauritania, Mauritius, Monaco, New Zealand, Nicaragua, Niger, Norway, Peru, Saint Vincent and the Grenadines, Senegal, Serbia, Seychelles, South Africa, Spain, Sweden, Switzerland, Tanzania, Togo, Trinidad and Tobago, the UK, Yemen, Zambia, and Zimbabwe.

⁹ The 14 States Parties in the process of adopting legislation are: Bolivia, DRC, the Republic of the Congo, Ecuador, Kuwait, Madagascar, Mozambique, Nigeria, Palau, Philippines, Rwanda, Tajikistan, Thailand, and Vanuatu.

¹⁰ The 40 States Parties that believe existing laws are sufficient are: Algeria, Andorra, Angola, Antigua and Barbuda, Argentina, Belarus,

Special issues of concern

Since the inception of the Mine Ban Treaty, the ICBL has identified special issues of concern regarding interpretation and implementation of aspects of Articles 1, 2, and 3. These have included: what acts are permitted or not under the treaty's ban on assistance with prohibited acts, especially in the context of joint military operations with states not party; foreign stockpiling and transit of antipersonnel mines; the applicability of the treaty to antivehicle mines with sensitive fuzes or sensitive antihandling devices; and the acceptable number of mines retained for training purposes (see Mines retained for training section above).



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A campaigner discusses the merits of joining the Mine Ban Treaty with a member of the US delegation.

However, too few states have expressed their views in recent years, especially with respect to Articles 1 and 2. For detailed information on States Parties' policies and practices on these matters of interpretation and implementation, which the ICBL considers essential to the integrity of the Mine Ban Treaty, see previous editions of *Landmine Monitor*.

Article 1: Joint military operations and the prohibition on assistance

Article 1 of the 1997 Mine Ban Treaty obligates State Parties to "never under any circumstances...assist, encourage or induce, in any way, anyone to engage in any activity prohibited to a State Party under this Convention." Initially, there was a lack of clarity regarding what types of acts are permitted or prohibited within the context of the prohibition on assistance, particularly with respect to joint military operations with states not party to the treaty. States Parties recognized the need to address ambiguities about the prohibition and over the years have shared views on policy and practice. A general, albeit informal, understanding of how Article 1 applies to joint military operations and the meaning of "assist" has emerged during the years of discussion.

A total of 44 States Parties have declared that they will not participate in planning and implementation of activities related to the use of antipersonnel mines in joint operations with a state not party to the Mine Ban Treaty

that may use antipersonnel mines.¹² Eight States Parties have declared that only "active" or "direct" assistance with use or other banned acts is prohibited: Australia, Canada, Czech Republic, New Zealand, Sweden, the UK, Zambia, and Zimbabwe.

Article 1: Foreign stockpiling and transit of antipersonnel mines

With a few exceptions, States Parties have agreed that the Mine Ban Treaty prohibits "transit" and foreign stockpiling of antipersonnel mines. With respect to transit, the main issue is whether a state not party's aircraft, ships, or vehicles carrying antipersonnel mines can pass through (and presumably depart from, refuel in, and restock in) the territory of a State Party, including on their way to a conflict in which those mines would be used. Nearly all states that have addressed the issue, as well as the ICBL and ICRC, believe that if a State Party permits transit of antipersonnel mines, it is violating the Article 1 ban on assistance to an act prohibited by the treaty, and possibly violating the Article 1 prohibition on transfer.

A total of 33 States Parties have declared they prohibit transfer through, foreign stockpiling on, or authorizing foreign antipersonnel mines on national territory.¹³ Canada, Germany, Japan, and Norway believe that the Mine Ban Treaty does not prohibit the transit of antipersonnel mines, at least in certain circumstances. Tajikistan is the only State Party to declare in its Article 7 report the number of antipersonnel mines stockpiled on its territory by a state not party.

Article 2: Mines with sensitive fuzes and antihandling devices

Since the conclusion of the negotiations of the Mine Ban Treaty, many States Parties, the ICBL, and the ICRC have emphasized that, according to the treaty's definitions, any mine—even if it is labeled as an antivehicle mine—equipped with a fuze or antihandling device that causes the mine to explode from an unintentional or innocent act of a person is considered to be an antipersonnel mine and therefore prohibited.

At least 29 States Parties have expressed the view that any mine, despite its label or design intent, capable of being detonated by the unintentional act of a person

¹² The 44 States Parties that have declared that they will not participate in planning and implementation of activities related to the use of antipersonnel mines in joint operations with a state not party to the Mine Ban Treaty that may use antipersonnel mines are: Albania, Australia, Belgium, BiH, Brazil, Bulgaria, Canada, Chad, Croatia, Cyprus, Czech Republic, Denmark, Estonia, France, Germany, Hungary, Italy, Japan, Kenya, Luxembourg, FYR Macedonia, Malaysia, Mexico, Moldova, Namibia, Netherlands, New Zealand, Norway, Portugal, Qatar, Senegal, Slovenia, South Africa, Spain, Sweden, Switzerland, Tajikistan, Tanzania, Turkey, the UK, Uruguay, Yemen, Zambia, and Zimbabwe.

¹³ The 33 States Parties that prohibit transfer or foreign stockpiling are: Albania, Austria, BiH, Brazil, Cameroon, Croatia, Cyprus, Czech Republic, Denmark, Estonia, France, Guinea, Hungary, Indonesia, Italy, FYR Macedonia, Malaysia, Mexico, Moldova, Namibia, New Zealand, Portugal, Samoa, Senegal, Slovakia, South Africa, Spain, Sweden, Switzerland, Turkey, the UK, Yemen, and Zambia.

is an antipersonnel mine and is prohibited.¹⁴ Five States Parties (Czech Republic, Denmark, France, Japan, and the UK) have said that the Mine Ban Treaty does not apply to antivehicle mines at all, regardless of their employment with sensitive fuzes or antihandling devices.

In its first statement on the issue, an Indonesian Foreign Ministry official told the Monitor in June 2010 that Indonesia believes that “any mines, even antivehicle ones, which are fitted with sensitive fuzes or antihandling devices which can be triggered by the presence or proximity of human activity qualify as antipersonnel mines according to Article 2, [and] should be banned.”¹⁵

There appears to be agreement, with some exceptions, that a mine that relies on a tripwire, breakwire, or a tilt rod as its sole firing mechanism should be considered an antipersonnel mine.¹⁶ However, the Czech Republic has stated it does not consider the use of tripwires with an antivehicle mine to be a violation of the Mine Ban Treaty.¹⁷ Sweden has antivehicle mines with tilt rods, but has not formally expressed a view on their legality under the Mine Ban Treaty.

Article 2: Claymore and OZM-72 command-detonated mines

Certain types of mines are not prohibited by the Mine Ban Treaty in all instances because they are designed to be capable of being both command-detonated by electric means (which is permissible under the treaty) and victim-activated by using mechanical pull/tension release tripwire fuzes (which is prohibited by the treaty). In the past, options for both means of utilization have often been packaged with the mine.

The most common mines in this category are Claymore-type directional fragmentation munitions.¹⁸

¹⁴ The 29 States Parties expressing the view that any mine that functions as an antipersonnel mine is prohibited are: Argentina, Australia, Austria, Bolivia, BiH, Brazil, Canada, Colombia, Croatia, Estonia, Germany, Guatemala, Kenya, Indonesia, Ireland, FYR Macedonia, Mexico, Moldova, Mozambique, Netherlands, New Zealand, Norway, Peru, Slovakia, Slovenia, South Africa, Switzerland, Yemen, and Zambia. In addition, Albania has not taken a legal position, but has stated that it is destroying its antivehicle mines with sensitive fuzes.

¹⁵ Email from Luna Amanda Fahmi, Directorate for International Security and Disarmament, Indonesia Department of Foreign Affairs, 18 June 2010.

¹⁶ Several States Parties have reported that they have removed from service and destroyed certain antivehicle mines and/or ordnance items that, when used with mines, can cause them to function as antipersonnel mines. Belgium has banned pressure and tension release firing devices (igniters) used as booby-traps. Bulgaria destroyed its stock of antivehicle mines with antihandling devices. Canada, France, Hungary, Mali, and the UK have removed tilt rod fuzes from their inventories. The Netherlands and the UK retired from service mines with breakwire fuzes. France has destroyed other unspecified pressure and tension release fuzes. Germany and Slovakia have retired and destroyed antilift mechanisms that could be attached to mines. Slovakia has prohibited the use of the Ro-3 fuze as an antihandling device.

¹⁷ The Czech Republic has also acknowledged possessing tilt rod fuzes, but has stated that the mines that are capable of using them are considered to be obsolete and will be retired within 15 years. Slovenia, while stating that antivehicle mines with fuzes that cause them to function as antipersonnel mines are prohibited, has also acknowledged possessing TMRP-6 mines that are equipped with both pressure and tilt rod fuzes; it is considering how to deal with them.

¹⁸ The M18A1 (produced originally by the US but also widely copied or license-produced by other countries), MON series (produced in the former USSR and other Warsaw Pact countries), and the MRUD (pro-

duced in the former Yugoslavia) are the most well known and widely held examples of Claymore-type directional fragmentation mines.

Several States Parties have extended this command and target activation distinction to a type of bounding fragmentation mine, the OZM-72, which also possesses these inherent dual-use capabilities.

In order to be compliant and fully transparent, States Parties should take steps, and report on them in Article 7 reports, to ensure that the means for victim-activation is permanently removed and that their armed forces are instructed as to their legal obligations. States reporting on Claymore mines and OZM-72 mines and steps taken to ensure only command-detonation include Afghanistan, Algeria, Bangladesh, Belarus, Brunei, Cambodia, Canada, Denmark, Italy, Latvia, Lithuania, Moldova, Namibia, New Zealand, Norway, South Africa, Sweden, Turkey, the UK, and Zimbabwe.

Second Review Conference of the Mine Ban Treaty

The Second Review Conference of the Mine Ban Treaty (also known as the Cartagena Summit on a Mine-Free World) was held in Cartagena, Colombia from 30 November to 4 December 2009. The first three days were devoted to a review and future planning, followed by a two-day “high-level segment” with statements from high-level officials.

The main outcomes of the Second Review Conference were the adoption of a five-year review document on the operation and status of the convention from 2005–2009, a strong political declaration of ongoing commitment, and, most importantly, the Cartagena Action Plan 2010–2014.

Also notable were the declarations of four states (Albania, Greece, Rwanda, and Zambia) that they were now mine-free and the prominence placed on victim assistance during the week. It was positive also that the mine clearance deadline extension requests made during the week were not rubber-stamped by States Parties, lending credibility to the extension process.

There were some serious disappointments, however. Ukraine stated it would miss its stockpile destruction deadline in June 2010, and the three states (Belarus,



A mine survivor in India celebrates the 10th anniversary of the entry into force of the Mine Ban Treaty.

© Balakrishna Kunney/Indian CBL, 27 February 2009

A survivor protests against landmine production outside an arms fair in New Delhi.



© Control Arms Foundation India, 15 February 2010



© Nora Sheets/WVCBI/PSALM, March 2010

US students celebrate the 10th anniversary of the Mine Ban Treaty's entry into force.

Greece, and Turkey) that had already missed their stockpile destruction deadlines could not set firm deadlines for completion. Too many states said they were in danger of failing to clear contaminated areas by their deadlines and many that received extensions just one year prior were not on track to meet their planned demining targets.

The ICBL considered the Second Review Conference a great success, with a very encouraging recommitment and rededication to the work of the treaty from governments and NGOs alike. It laid a strong foundation for progress over the next five years, with an ambitious but flexible road map.

Global Overview: States not Party to the Mine Ban Treaty

Although no additional countries joined the Mine Ban Treaty in 2009 or the first half of 2010, the power of the international standard rejecting the weapon continued to be evident. Only one government (Myanmar) newly laid antipersonnel mines, no state transfers of mines were recorded, and as few as three states were actively producing mines. The Monitor removed Russia from its list of those actively using antipersonnel mines, and removed Nepal from its list of those producing.

Universalizing the Mine Ban Treaty

The Mine Ban Treaty entered into force on 1 March 1999, becoming binding international law. Since entry into force, states must accede and cannot simply sign the treaty with intent to ratify later.¹⁹ Outreach by States Parties to the treaty, the ICBL, and others has helped to expand the ban on antipersonnel mines to many countries that at one time expressed difficulties with

¹⁹ For a state that ratifies (having become a signatory prior to 1 March 1999) or accedes now, the treaty enters into force for that state on the first day of the sixth month after the date on which it deposited its instrument of ratification with the Depositary. That state (now a party) is then required to make its initial transparency report to the UN Secretary-General within 180 days (and annually thereafter), destroy stockpiled antipersonnel mines within four years, and destroy antipersonnel mines in the ground in areas under its jurisdiction or control within 10 years. It is also required to take appropriate domestic implementation measures, including imposition of penal sanctions.

joining. Of the 156 States Parties, 131 signed and ratified the treaty, and 25 acceded.²⁰ Thirty-nine countries are not yet States Parties, including two that signed long ago but have not yet ratified (Marshall Islands and Poland).

No state has joined the Mine Ban Treaty since Palau acceded on 18 November 2007.

Significant developments during the reporting period regarding the universalization of the treaty include:

- Finland confirmed its intention to accede in 2012. In May 2010, an official told the Monitor that the accession process was underway, and that a working group with representatives of the ministries of foreign affairs and defense would prepare a document for consideration by the Parliament and the Cabinet Committee on Foreign and Security Policy.
- Lao PDR told States Parties at the June 2010 intersessional Standing Committee meetings that it was “in the process of consultation with all Ministries concerned to verify [our] readiness to meet all obligations” of the treaty. “We are confident that, with all the efforts we are undertaking and the support from the international community, the Lao PDR would be able to become party [to the Mine Ban Treaty] in the coming years.”²¹
- Lebanon participated as an observer in the Second Review Conference where its representative told States Parties that Lebanon “hopes to sign...in the future,” and it “looks forward to joining the Mine Ban Treaty.”²²
- A Marshall Islands representative said in October 2009 that the country’s ratification of the Comprehensive Nuclear Test Ban Treaty would help clear the way for the government to tackle ratification of the Mine Ban Treaty.
- Poland confirmed its intention to ratify in 2012. In February 2009, Poland’s Council of Ministers formally accepted a policy that sets 2012 as the date for its ratification.
- The Sri Lanka Army commander said in October 2009 that since the end of the conflict, the government had reviewed Sri Lanka’s position on the Mine Ban Treaty, stating, “In the current post-conflict phase in Sri Lanka, it is timely that we focus our attention on the international legal instruments that limit or ban certain weapons based on humanitarian grounds.”²³

²⁰ The 25 accessions include Montenegro, which technically “succeeded” to the treaty after the dissolution of Serbia and Montenegro. Of the 131 ratifications, 43 came on or before entry into force of the treaty on 1 March 1999 and 88 came afterward.

²¹ Statement by Maythong Thammavongsa, Director, UN Political and Security Affairs Division, Department of International Organizations, Ministry of Foreign Affairs, Standing Committee on the General Status and Operation of the Convention, Geneva, 21 June 2010.

²² Statement by Gen. Mohammed Femhi, Director, Lebanon Mine Action Center, Second Review Conference, Cartagena, 4 December 2009.

²³ Keynote address by Lt. Gen. J. Jayasuriya, International Law and Explosive Remnants of War Seminar, Colombo, 27 October 2009. The text of the keynote address was carried in: “Flow of arms to terrorists must stop,” *Daily News* (Colombo), 28 October 2009.

- Tonga's ambassador to the UN in New York told the ICBL in October 2009 that the question of Mine Ban Treaty accession has been reviewed by several government departments and must now receive final approval from Cabinet and then the Privy Council. This was the first time that Tonga had indicated a process is underway to join the Mine Ban Treaty.
- The United States has been carrying out a comprehensive review of its national landmine policy and its position on the Mine Ban Treaty since late 2009. The US attended as an observer the Second Review Conference, its first ever participation in a formal Mine Ban Treaty meeting.

Annual UN General Assembly resolution

One opportunity for states to indicate their support for the ban on antipersonnel mines is their vote on the annual UN General Assembly (UNGA) resolution calling for universalization and full implementation of the Mine Ban Treaty. UNGA Resolution 64/56 was adopted on 2 December 2009 by a vote of 160 in favor, none opposed, and 18 abstentions.²⁴ Of the 39 states not party to the treaty, 19 voted in favor,²⁵ 18 abstained, and two were absent.²⁶

Since the first UNGA resolution supporting the Mine Ban Treaty in 1997, the number of states voting in favor has ranged from a low of 139 in 1999 to a high of 164 in 2007. The number of states abstaining has ranged from a high of 23 in 2002 and 2003 to a low of 17 in 2005 and 2006.²⁷ Several states that used to consistently abstain or be absent now vote in favor, including Azerbaijan, China, Kazakhstan, Lao PDR, Marshall Islands, and Morocco.

²⁴ Eighteen States abstained from voting on UNGA Resolution 64/56 in December 2009: Cuba, Egypt, India, Iran, Israel, North Korea, South Korea, Kyrgyzstan, Lebanon, Libya, Myanmar, Nepal, Pakistan, Russia, Syria, the US, Uzbekistan, and Vietnam. With the exception of Nepal, none of these states have voted in favor of a pro-Mine Ban Treaty resolution since 1999. Nepal abstained for the first time in 2007, after voting in favor of the resolution in past years, except in 2004 and 2006 when it was absent.

²⁵ This included two signatory countries (Marshall Islands and Poland) and 17 non-signatories: Armenia, Azerbaijan, Bahrain, China, Finland, Georgia, Kazakhstan, Lao PDR, Micronesia, Mongolia, Morocco, Oman, Singapore, Somalia, Sri Lanka, Tonga, and the UAE.

²⁶ The two absent were Saudi Arabia and Tuvalu. Twelve States Parties were also absent: Central African Republic, Chad, Ethiopia, Gabon, Kiribati, Nauru, Nicaragua, Rwanda, São Tomé and Príncipe, Seychelles, Timor-Leste, and Vanuatu.

²⁷ Voting results by year on the annual UNGA resolution calling for the universalization and full implementation of the Mine Ban Treaty: 1997 (Resolution 52/38 A)—142 in favor, none against, 18 abstaining; 1998 (Resolution 53/77 N)—147 in favor, none against, 21 abstaining; 1999 (Resolution 54/54 B)—139 in favor, one against, 20 abstaining; 2000 (Resolution 55/33 V)—143 in favor, none against, 22 abstaining; 2001 (Resolution 56/24 M)—138 in favor, none against, 19 abstaining; 2002 (Resolution 57/74)—143 in favor, none against, 23 abstaining; 2003 (Resolution 58/53)—153 in favor, none against, 23 abstaining; 2004 (Resolution 59/84)—157 in favor, none against, 22 abstaining; 2005 (Resolution 60/80)—158 in favor, none against, 19 abstaining; 2006 (Resolution 61/84)—161 in favor, none against, 17 abstaining; 2007 (Resolution 62/41)—164 in favor, none against, and 18 abstaining; and, 2008 (Resolution 63/42)—163 in favor, none against, and 18 abstaining.

Use of antipersonnel mines

Government forces

The Myanmar Army (Tatmadaw) have laid mines in numerous areas of the country every year since the Monitor began reporting in 1999. It appears that the army's use of mines decreased significantly in 2009 and 2010, as the level of conflict with the Karen National Liberation Army (KNLA) waned, and the army withdrew from many frontline bases where it previously laid mines.

In this edition, the Monitor for the first time is not identifying Russia as an ongoing, active user of antipersonnel mines. There have been no confirmed instances—or even serious allegations—of new use of antipersonnel mines by Russian forces in 2009 or 2010 in Chechnya or elsewhere. In December 2009, Russia said that during the previous few years it has not planted new antipersonnel mines on the territory of Russia including the Northern Caucasus republics. During interviews with the Monitor, military engineers and officers in the Northern Caucasus also denied use in recent years.

There were allegations of use of antipersonnel mines in 2009 by the armed forces of Turkey and Cambodia, both States Parties to the Mine Ban Treaty (see Prohibition on use section above).



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Non-state armed groups

Non-state armed groups (NSAGs) continued to use both antipersonnel landmines and improvised explosive devices (IEDs). An IED that is victim-activated (it explodes from the contact, presence, or proximity of a person) is considered an antipersonnel mine and prohibited under the Mine Ban Treaty. An IED that is command-detonated (the user decides when to detonate it) is not prohibited by the treaty.²⁸ Both types of IEDs are often referred to by the media, militaries, and governments as “landmines,” and the Monitor consistently attempts to determine if an IED was victim-activated or command-detonated. In the vast majority of instances around the world in recent years, IEDs were employed in command-detonated mode.

In this reporting period, since May 2009, NSAGs used antipersonnel mines or victim-activated IEDs in at least

The ICBL addresses the plenary at the Second Review Conference.

²⁸ However, command-detonated IEDs are often used in violation of international humanitarian law, such as when civilians are directly targeted. NSAG are reported to have used command-detonated IEDs in Afghanistan, Iraq, India, Pakistan, the Philippines, Russia, Somalia, Thailand, and Turkey during this reporting period.

six countries, including three States Parties (Afghanistan, Colombia, and Yemen) and three states not party to the treaty (India, Myanmar, and Pakistan). This is one fewer country than cited in the previous edition of the Monitor, with the removal of Peru and Sri Lanka, and the addition of Yemen.

Additionally, some NSAG use of landmines and victim-activated IEDs may have taken place in Peru, the Philippines, Thailand, and Turkey, but the Monitor has been unable to independently confirm from available information.

In Afghanistan, most Islamic Emirate of Afghanistan (Taliban) mine/IED attacks involved use of command-detonated IEDs, but there were a growing number of reports and allegations of new Taliban use of antipersonnel mines and victim-activated IEDs. In September 2009, US forces in northwest Kandahar province said that widespread use by the Taliban of victim-activated IEDs was leading to one of the highest US casualty rates of any area in Afghanistan.

In Colombia, FARC and the National Liberation Army (Unión Camilista-Ejército de Liberación Nacional, ELN) continued to use antipersonnel mines and IEDs on a regular basis. FARC is probably the most prolific user of antipersonnel mines among rebel groups anywhere in the world. In December 2009, the Colombian army reported recovering 2,700 antipersonnel mines from a FARC camp in Tolima.

In India, an army official stated in April 2010 that NSAGs had used IEDs against the Indian Army in Jammu and Kashmir and that government forces had recovered unspecified types of mines. Media reports identified several recoveries of antivehicle mines in Jammu and Kashmir.

In Myanmar, at least 17 NSAGs have used antipersonnel mines since 1999 including the KNLA, the Karenni Army, and the Democratic Karen Buddhist Army. The Monitor received information that the Kachin Independence Organization/Army, which has a non-hostility pact with the government, has started laying antipersonnel mines for the first time since 1991.

In Pakistan, the government alleged that “terrorists had on several occasions used mines and IEDs against army personnel and civilians.”²⁹ An army representative said in May 2009 that the army had encountered victim-activated IEDs and factory-made antipersonnel and antivehicle mines in the Swat Valley in the North-West Frontier Province, which it attributed to the Pakistani Taliban and “foreign elements.” It appears that Baloch and Taliban groups continued to use antipersonnel mines, antivehicle mines, and IEDs in 2009 and 2010.

In Yemen, following the February 2010 cease-fire and the opening up of the conflict region, it has become evident that the rebel forces led by Abdul-Malik Al-Houthi in Sa'daa governorate used antipersonnel mines during the conflict, mostly if not exclusively homemade mines (victim-activated IEDs).

²⁹ Statement of Pakistan, CCW Meeting of States Parties to Amended Protocol II, CCW/AP.II/CONF.11/SR/1, Geneva, 11 November 2009, documents-dds-ny.un.org.

With respect to the cases where the Monitor has been unable to confirm new use:

- In Peru, remnants of the Shining Path (Sendero Luminoso) have reportedly used victim-activated explosive devices, referred to as “explosive traps,” since early 2007; however, in this reporting period there was only one incident reported, which generated controversy.³⁰
- In its Article 7 report submitted in 2010, the Philippines reported that its armed forces investigated “various instances of use of Anti-Personnel Mines by Armed Non-State Actors” in 2009, but the report does not comment on any findings.
- In Thailand, the insurgency in the south has made extensive use of command-detonated IEDs and there may have been isolated instances of use of victim-activated IEDs. In May and October 2009 officials investigating other acts of armed violence in Yala province were injured reportedly after stepping on explosive devices.
- Officials in Turkey have continued to accuse the Kurdistan Workers Party (Partiya Karkerên Kurdistan, PKK)/Kurdistan People's Congress (Kongra Gel) of ongoing use of antipersonnel mines.

While there has been no further use of antipersonnel mines in Sri Lanka since the May 2009 cease-fire, it is noteworthy that the Sri Lanka Army is now claiming that the Liberation Tigers of Tamil Eelam (LTTE) laid millions of mines during the conflict, mostly antipersonnel mines.

There were reports of NSAG use of antivehicle mines in Afghanistan, India, Myanmar, Niger, Pakistan, and Yemen.

Production of antipersonnel mines

More than 50 states produced antipersonnel mines at some point in the past.³¹ Thirty-nine of these states have ceased production of antipersonnel mines, including five countries that are not party to the Mine Ban Treaty: Egypt, Finland, Israel, Nepal, and Poland.³² Among those who have stopped manufacturing and joined the Mine Ban Treaty are a majority of the major producers from the 1970s to 1990s.

The Monitor identifies 12 states as producers of antipersonnel mines: China, Cuba, India, Iran, Myanmar, North Korea, South Korea, Pakistan, Russia, Singapore, the US, and Vietnam.

³⁰ An incident reported in early October 2009 was initially attributed to the Shining Path, but a military officer later said that it had been an explosive device of the armed forces. However, after an investigation, officials again attributed the blast to “narcoterrorists.”

³¹ There are 51 confirmed current and past producers. Not included in that total are five States Parties that have been cited by some sources as past producers, but deny it: Croatia, Nicaragua, the Philippines, Thailand, and Venezuela. It is also unclear if Syria has produced.

³² Additionally, Taiwan passed legislation banning production in June 2006. The 34 States Parties that once produced antipersonnel mines are: Albania, Argentina, Australia, Austria, Belgium, BiH, Brazil, Bulgaria, Canada, Chile, Colombia, Czech Republic, Denmark, France, Germany, Greece, Hungary, Iraq, Italy, Japan, Netherlands, Norway, Peru, Portugal, Romania, Serbia, South Africa, Spain, Sweden, Switzerland, Turkey, Uganda, the UK, and Zimbabwe.



Landmine Monitor Report 2009 findings are released during a press conference at the UN in Geneva.

In some cases, the country is not actively producing mines, but reserves the right to do so. For example, China, Iran, the US, and Vietnam have all said they are not currently producing. It is unclear if Cuba, North Korea, South Korea, Russia, and Singapore were actively producing in 2009–2010. India and Pakistan acknowledge ongoing production, and it seems certain Myanmar is actively producing.

Nepal was removed from the Monitor's list of producers in this reporting period, following two official declarations that Nepal does not produce antipersonnel mines. In December 2009, the Minister for Peace and Reconstruction told States Parties at the Second Review Conference that Nepal does not produce landmines, and in June 2010, Nepal wrote to the Monitor that "Nepal does not produce any kind of antipersonnel landmines."³³

NSAGs in Afghanistan, Colombia, India, and Myanmar produce antipersonnel mines, mostly of the improvised variety. The sophistication of such mines varies greatly. Prior to its defeat in 2009, the LTTE in Sri Lanka probably produced the most sophisticated antipersonnel mines among NSAGs.

Trade in antipersonnel mines

A *de facto* ban on the transfer of antipersonnel mines has been in effect since the mid-1990s. This ban is attributable to the mine ban movement and the stigma attached to the weapon. The Monitor has not conclusively documented any state-to-state transfers of antipersonnel mines. For the past decade, global trade in antipersonnel mines has consisted solely of a low-level of illicit and unacknowledged transfers.

In February 2010, a Greek news agency reported that US Special Forces seized a vessel heading for Sudan or Somalia carrying a cargo of weapons, including antipersonnel mines. According to the report, the serial numbers of the mines indicated they were US-manufactured mines purchased by the Greek Army, then transferred to Bulgaria for destruction.³⁴ Greece stated that it considered the allegation unfounded, and Bulgarian officials undertook an investigation which concluded that the allegation was groundless.

In May 2009, Egyptian authorities seized 48 antipersonnel mines, among other weapons, allegedly destined for Palestinian groups in Gaza. Pakistan has alleged that mines and IEDs used by "terrorists...had foreign imprints, confirming the link between terrorists and actors beyond the borders of Pakistan."³⁵ Algerian authorities provided documentation on mines being



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harvested from minefields in order to be sold for other purposes from 2006 to early 2010, a period during which it intercepted 3,119 antipersonnel mines.

A significant number of states outside the Mine Ban Treaty have formal moratoria on the export of antipersonnel mines, including: China, India, Israel, Kazakhstan, South Korea, Pakistan, Poland, Russia, Singapore, and the US. Other past exporters have made statements declaring that they do not export now, including: Cuba, Egypt, and Vietnam. Iran also claims to have stopped exporting, despite evidence to the contrary.

Campaigners in Mozambique encourage the US to join the Mine Ban Treaty during a meeting at the embassy in Maputo.

Stockpiles of antipersonnel mines

The Monitor estimates that as many as 35 states not party to the Mine Ban Treaty stockpile more than 160 million antipersonnel mines. Of the 39 states not party, four have said that they do not stockpile any antipersonnel mines: Marshall Islands, Micronesia, Tonga, and Tuvalu.

States not party that stockpile antipersonnel mines

Armenia	Mongolia
Azerbaijan	Morocco
Bahrain	Myanmar
China	Nepal
Cuba	Oman
Egypt	Pakistan
Finland	Poland
Georgia	Russia
India	Saudi Arabia
Iran	Singapore
Israel	Somalia
Kazakhstan	Sri Lanka
North Korea	Syria
South Korea	United Arab Emirates (UAE)
Kyrgyzstan	US
Lao PDR	Uzbekistan
Lebanon	Vietnam

Libya

There is however some ambiguity as to whether some states not party to the treaty possess stocks. Officials from the UAE have provided contradictory information regarding its possession of stocks. A Libyan defense official said in 2004 that Libya no longer stockpiles, but

³³ Letter No. GE/2010/576 from Hati Pd. Odari, Second Secretary, Permanent Mission of Nepal to the UN in Geneva to Mark Hiznay, Final Editor, Landmine Monitor, 21 June 2010. Nepal was added to the list in 2003 following admissions by military officers that production was occurring in state factories. In recent years, in meetings with campaigners and the Monitor, Nepal officials orally denied past or current production, but the Monitor continued to list Nepal as a producer pending a formal, written declaration.

³⁴ "Smuggling of Greek landmines to African States by Bulgarians," *DefenceNet*, 19 February 2010.

³⁵ Statement of Pakistan, CCW Meeting of States Parties to Amended Protocol II, CCW/AP.II/CONF.11/SR/1, Geneva, 11 November 2009, documents-dds-ny.un.org.

that information has not been confirmed. Bahrain and Morocco have stated that they only have small stockpiles used solely for training purposes.

The vast majority of global stockpiles belong to just two states: China (estimated 110 million) and Russia (estimated 24.5 million). Based on 2002 data, the Monitor has cited a US stockpile of 10.4 million antipersonnel mines, but the Monitor was informed in 2010 that the US stockpile may be considerably smaller now. Other states with large stockpiles include Pakistan (estimated six million) and India (estimated four to five million).

Poland, a state that has signed but not yet ratified the Mine Ban Treaty, declared a stockpile of 1.05 million mines at the end of 2002 but has since reduced it to 200,013 mines, destroying 133,000 mines in 2009.

Destruction of stockpiles of antipersonnel mines in states not party to the Mine Ban Treaty routinely occurs as an element of ammunition management programs and the phasing out of obsolete munitions. In recent years, destruction has been reported in China, Israel, Russia, the US, and Vietnam.

Five States Parties still possess stockpiles: Belarus, Greece, Iraq, Turkey, and Ukraine. As of mid-2010, they collectively held about 10.7 million antipersonnel mines (see Destruction of stockpiles section above).

Non-state armed groups

Few NSAGs today have access to factory-made antipersonnel mines compared to a decade ago. This is directly linked to the halt in trade and production, and the destruction of stocks, brought about by the Mine Ban Treaty. A few NSAGs have access to the mine stocks of previous regimes (such as in Afghanistan, Iraq, and Somalia). Others produce their own improvised mines, or acquire mines by lifting them from minefields. In states not party they have also been known to capture them, steal them from arsenals, or purchase them from corrupt officials.

During this reporting period, NSAGs and criminal groups were reported to possess stocks of antipersonnel mines in Afghanistan, Myanmar, Colombia, India, Iraq, Pakistan, and Turkey. Most often, the Monitor identifies whether an NSAG possesses stocks through reports of seizures by government forces.

In June 2009, the United Somali Congress/Somali National Alliance (USC/SNA) informed the NGO Geneva Call that it had handed over its stockpiles to the African Union peacekeeping mission to Somalia (AMISOM) in Mogadishu in early 2007, and AMISOM then destroyed them. The USC/SNA, which signed the Geneva Call Deed of Commitment banning use of antipersonnel mines in 2002, previously stated it possessed 1,800 antipersonnel mines.

Convention on Conventional Weapons

The Convention on Conventional Weapons (CCW) Amended Protocol II regulates the production, transfer, and use of landmines, booby-traps, and other explosive devices. It entered into force on 3 December 1998. The

inadequacy of the 1996 protocol gave impetus to the Ottawa Process that resulted in the Mine Ban Treaty. A total of 94 states were party to Amended Protocol II as of September 2010. The Dominican Republic (21 June 2010) joined during this reporting period.

Just 11 of the 94 States Parties to CCW Amended Protocol II have not joined the Mine Ban Treaty: China, Finland, Georgia, India, Israel, South Korea, Morocco, Pakistan, Russia, Sri Lanka, and the US.³⁶ Thus, for antipersonnel mines, the protocol is only relevant for those 11 countries as the remainder are bound by the higher standards of the Mine Ban Treaty.

The 11th Annual Conference of States Parties to CCW Amended Protocol II took place in November 2009, with an informal meeting of experts in April 2010. Only 52% of States Parties to the protocol have submitted national annual reports for calendar year 2009 as required by Article 13 of Amended Protocol II.

CCW Protocol II on landmines, booby-traps, and other devices entered into force on 2 December 1983 and while it was largely superseded by Amended Protocol II, there are still twelve states that are party to it but have not joined the amended protocol: Cuba, Djibouti, Lao PDR, Lesotho, Mauritius, Mexico, Mongolia, Montenegro, Serbia, Togo, Uganda, and Uzbekistan.³⁷ During informal meetings in 2010, CCW States Parties began discussions on mechanisms to terminate Protocol II at the CCW Review Conference in late 2011.

A total of 19 states that stockpile antipersonnel mines are not party to the Mine Ban Treaty, CCW Amended Protocol II, or CCW Protocol II. Five of these states are also producers of antipersonnel mines.

States that stockpile antipersonnel mines but are not party to CCW protocols on landmines

Armenia	<i>Kyrgyzstan</i>	Saudi Arabia
Azerbaijan	Lebanon	Singapore
Bahrain	Libya	Somalia
Egypt	Myanmar	Syria
<i>Iran</i>	Nepal	UAE
Kazakhstan	Oman	Vietnam
<i>North Korea</i>		

Note: States denoted in italics also produce antipersonnel mines.

³⁶ Mine Ban Treaty signatory Poland is party to CCW Amended Protocol II. Though it has not yet ratified the Mine Ban Treaty, as a signatory, it cannot do anything contrary to the object and purpose of the Mine Ban Treaty, so is already bound by a higher standard than Amended Protocol II.

³⁷ Djibouti, Lesotho, Mauritius, Mexico, Montenegro, Serbia, Togo, and Uganda are party to the Mine Ban Treaty and are thus bound to the higher standard.



Mine Action

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Summary

In 2009, mine action programs cleared at least 198km² of mined areas,¹ by far the highest total ever recorded by the Monitor. A further 359km² of battle areas² were also cleared in 2009, including 38km² of cluster munition contaminated areas.³

As of September 2010, 66 states, as well as seven areas not internationally recognized, were confirmed or suspected to be mine-affected. In June 2010, Nicaragua formally declared that it had completed its clearance obligations under the Mine Ban Treaty, making it the 16th State Party to do so, in addition to being the first State Party that had been granted an extension to its original deadline to meet its revised deadline.⁴ In 2009, Albania, Greece, Rwanda, Tunisia, and Zambia made similar declarations of completion of their Article 5 clearance obligations (see Compliance with Article 5 obligations section below).⁵ In addition, China, a state not party, declared it had cleared all mined areas from its territory.

Significant challenges remain, however, in clearing all mined areas. Mine-affected States Parties to the Mine Ban Treaty are required to clear all antipersonnel mines from mined areas on territory under their jurisdiction or control as soon as possible but within 10 years of joining the treaty. The first clearance deadlines expired on 1 March 2009, but 15 States Parties with 2009 deadlines failed to meet them and were granted extensions.⁶ In 2009, a further three States Parties with 2010 deadlines and one with a 2009 deadline that had already expired (Uganda) formally requested and received extensions, with periods ranging from three to ten years.⁷

In 2010, as of late September, three States Parties sought extensions of between two months and ten years: Colombia, Guinea-Bissau, and Mauritania.⁸ Thus, as of September 2010, a total of 22 States Parties were already benefiting from additional time for clearance (one of which had reported fulfilling its obligations) or were formally seeking more time. In stark contrast, the First Review Conference of the Mine Ban Treaty had pledged that by the Second Review Conference in 2009 “few, if any, States Parties” would require an extension to their treaty deadlines.⁹

Deminers at work in Casamance, Senegal.

¹ The term “clearance of mined areas” refers to physical coverage of an area to a specified depth using manual deminers, mine detection dogs, and/or machines to detect and destroy (or remove for later destruction) all explosive devices found.

² A “battle area” is an area of combat affected by ERW but which does not contain mines. The term “explosive remnants of war” (ERW) includes both unexploded ordnance (UXO) and abandoned explosive ordnance (AXO). “Battle area clearance,” as described below, may under certain circumstances involve only a visual inspection of a SHA by professional clearance personnel, but is more often an instrument-assisted search of ground to a set depth, for example using detectors.

³ The figures are conservative, owing to concerns about data, and probably understate total clearance.

⁴ The others that have reported completing clearance are: Albania, Bulgaria, Costa Rica, El Salvador, France, Greece, Guatemala, Honduras, FYR Macedonia, Malawi, Rwanda, Suriname, Swaziland, Tunisia, and Zambia. As discussed below, Djibouti’s status is unclear and the Monitor does not consider that Djibouti has made a formal declaration of compliance.

⁵ Fulfilling the requirements of Article 5 does not mean that a country is “mine-free,” a status that very few countries actually achieve. It is a statement that all known mined areas have been cleared of antipersonnel mines to humanitarian standards, and that all reasonable efforts have been made to identify all mined areas within a state’s jurisdiction or control. Thus, a small residual mine threat may be believed to exist even after a declaration of compliance with Article 5 has been made.

⁶ In accordance with the treaty, BiH, Chad, Croatia, Denmark, Ecuador, Jordan, Mozambique, Nicaragua, Peru, Senegal, Thailand, the UK, Venezuela, Yemen, and Zimbabwe all made requests for an extension to their Article 5 deadlines ranging from one to 10 years, the maximum period permitted for any extension period (though more than one extension period can be requested). All of these requests were granted by the Ninth Meeting of States Parties in Geneva in November 2008.

⁷ Argentina, Cambodia, Tajikistan, and Uganda were formally granted an extension by the Second Review Conference of the treaty in December 2009.

⁸ It was not clear whether the Republic of the Congo would also be submitting an Article 5 deadline extension request. Chad, Denmark and Zimbabwe, in accordance with the short extension requests submitted in 2008, made second requests in 2010 seeking further time (see Extension requests submitted in 2010 section).

⁹ Nairobi Action Plan, Action #27, “Final Report of the First Review Conference,” APLC/CONF/2004/5, 9 February 2005, p. 99.

Mine-affected states and other areas as of September 2010¹⁰

Africa	Americas	Asia-Pacific	Europe and CIS	Middle East-North Africa
Angola	Argentina*	Afghanistan	Armenia	Algeria
Burundi	Chile	Cambodia	Azerbaijan	Egypt
Chad	Colombia	India	BiH	Iran
DRC	Cuba	Lao PDR	Croatia	Iraq
Congo, Republic of	Ecuador	Myanmar	Cyprus	Israel
Djibouti	Peru	Nepal	Denmark	Jordan
Eritrea	Venezuela	Korea, North	Georgia	Lebanon
Ethiopia		Korea, South	Kyrgyzstan	Libya
Guinea-Bissau		Pakistan	Moldova	Morocco
Mauritania		Philippines	Montenegro	Oman
Mali		Sri Lanka	Russia	Syria
Mozambique		Thailand	Serbia	Yemen
Namibia		Vietnam	Tajikistan	<i>Palestine</i>
Niger		<i>Taiwan</i>	Turkey	<i>Western Sahara</i>
Senegal			UK*	
Somalia			Uzbekistan	
Sudan			<i>Abkhazia</i>	
Uganda			<i>Nagorno-Karabakh</i>	
Zimbabwe			<i>Kosovo</i>	
<i>Somaliland</i>				
19 states and 1 area	7 states	13 states and 1 area	16 states and 3 area	12 states and 2 areas

Note: Other areas are indicated by italics. States not party to the Mine Ban Treaty are indicated in bold.
 * Argentina and the UK both claim sovereignty over the Falkland Islands/Malvinas, which still contain mined areas.

The Extent of the Problem

More than a decade after the Mine Ban Treaty entered into force, a reliable determination of the size of the global landmine problem still does not exist. Early estimates of the numbers of mines laid often proved to be very inaccurate. Similarly, subsequent surveys have often overestimated the size of contaminated areas. Nonetheless, a better understanding has been obtained more recently of the extent of contamination in both mined areas and battle areas, with estimates reduced significantly, largely as a result of enhanced land release procedures, including better survey.

Mine contamination

As of September 2010, 66 states, as well as seven areas not internationally recognized, were confirmed or suspected to be mine-affected.

¹⁰ States with a residual mine problem not in known areas are not included, such as Belarus, Honduras, Kuwait, Poland, Ukraine, and, since their declarations of compliance with Article 5, Greece and Tunisia. The precise extent to which Mali, Moldova, Namibia, Niger, Oman, the Philippines, and the Republic of the Congo are mine-contaminated remained unclear as of September 2010. Both Argentina and the UK claim sovereignty over the Falkland Islands/Malvinas, which are mine-affected, and so both are included in the list. It is believed that Djibouti and Namibia have completed mine clearance operations, but they have not made a formal declaration under the treaty so remain on the list.

Although any estimate should be treated with due caution, the Monitor believes that less than 3,000km² of land remained contaminated with mines as of September 2010. Increasingly, data gathering efforts are—rightly—seeking to define more accurately the perimeters of suspected hazardous areas (SHAs)¹¹ and to ensure there is sufficient evidence of contamination for these SHAs to be entered into national mine action databases.¹²

Mine clearance in 2009

There are continuing problems in discerning true mine clearance from battle area clearance (BAC) or land release by survey, in large part due to poor quality of reporting. However, the Monitor believes at least 198km² of mined areas were cleared in 2009 (compared with 158km² in 2008), with the destruction of at least more than 255,000

¹¹ According to the International Mine Action Standards (IMAS) on land release, a SHA refers to “an area suspected of having a mine/ERW hazard. An SHA can be identified by an impact survey, other forms of national survey, or a claim of presence of explosive hazard.” UNMAS, “IMAS o8.20: Land release, First Edition,” June 2009, p. 1. Often, these are very rough estimates represented by a large circle in the national database that overestimate the size of an SHA.

¹² States Parties noted the importance of this step in fulfilling Mine Ban Treaty obligations in the Cartagena Action Plan (Action #14), which calls on affected States Parties to: “Identify ... the precise perimeters and locations, to the extent possible,” of all areas in which mines are known or are suspected to be emplaced and to report this information to other States Parties no later than the Tenth Meeting of States Parties.

antipersonnel mines and 37,000 antivehicle mines. This certainly understates the total clearance achieved.¹³ The largest cleared areas were by mine action programs in Afghanistan, Cambodia, Croatia, Iraq, and Sri Lanka, which accounted for more than 80% of the total recorded clearance.¹⁴

Mine clearance in 2009

Country/area	Mined area cleared (km ²)
Afghanistan	52.29
Cambodia	44.73*
Croatia	37.89**
Sri Lanka	17.78*
Iraq	9.90***
<i>Nagorno-Karabakh</i>	5.95
Sudan	5.65
Angola	3.75****
Yemen	3.10

Note: Other areas are indicated by italics.

* Very large area clearance reported for the army is not included in these totals as it has not been independently verified and it is not known how much of the reported clearance is either BAC or the result of area reduction or cancellation.

** The figure for clearance includes land released by "mine search techniques," the term Croatia gives to clearance conducted on land suspected to be contaminated as a result of general survey and for which the Croatian Mine Action Centre (CROMAC) issues clearance certificates.

*** Clearance was only in Kurdistan region in 2009.

**** Major clearance reported for the Angolan National Demining Institute (Instituto Nacional de Desminagem) is not included as it is not known how much of the reported clearance is either BAC or the result of area reduction or cancellation.

Land release

Despite enhanced use of land release procedures in many affected countries, there continues to be far too much clearance of land that is not contaminated with any form of explosive ordnance. For example, reported clearance of 2.63km² in Mozambique in 2009 includes 1km² cleared by the Mozambique National Demining Institute (Instituto Nacional de Desminagem) for a commercial company, but no ordnance was found.

In part, land release is a recognition that some surveys have led to excessive estimates of SHAs.¹⁵ There is also now a better understanding that an array of tools short of full clearance enables SHAs to be addressed

efficiently and with a high degree of safety for both program personnel and the intended beneficiaries. These tools and techniques include better information gathering and verification, and greater use of high-quality non-technical¹⁶ and technical survey.¹⁷

Care must be taken however when applying land release to ensure that certain basic principles are followed.¹⁸ In particular, any land confirmed to be contaminated must be fully cleared to humanitarian standards to meet the requirements of the Mine Ban Treaty, and the process of cancellation of SHAs by non-technical survey and release of confirmed hazardous areas (CHAs) by technical survey must be accountable and follow applicable mine action standards.¹⁹

Compliance with Article 5 Obligations

Article 5 of the Mine Ban Treaty requires that each State Party destroys all antipersonnel mines in mined areas under its jurisdiction or control as soon as possible, but not later than 10 years after becoming party to the treaty. Ensuring full compliance with these mine clearance obligations is one of the greatest challenges facing States Parties to the treaty.

In 2009, five States Parties declared fulfillment of their Article 5 obligations: Albania, Greece, Rwanda, Tunisia, and Zambia.²⁰ In June 2010, Nicaragua did the same. This makes a total of 16 States Parties that have declared fulfillment of their Article 5 obligations. In addition, the situation in Djibouti, with a deadline that expired on 1 March 2009, remains unclear, ostensibly due to an unresolved border conflict with Eritrea.²¹ The Philippines, which has alleged use of antipersonnel mines by non-state armed groups (NSAGs), has not

¹⁶ Non-technical survey "describes an important survey activity which involves collecting and analysing new and/or existing information about a hazardous area. Its purpose is to confirm whether there is evidence of a hazard or not, to identify the type and extent of hazards within any hazardous area and to define, as far as is possible, the perimeter of the actual hazardous areas without physical intervention. A non-technical survey does not normally involve the use of clearance or verification assets. Exceptions occur when assets are used for the sole purpose of providing access for non-technical survey teams. The results from a non-technical survey can replace any previous data relating to the survey of an area." UNMAS, "IMAS o8.21: Non-Technical Survey, First Edition," New York, June 2009, pp. 1–2.

¹⁷ The IMAS defines technical survey as "a detailed intervention with clearance or verification assets into a CHA [Confirmed Hazardous Area], or part of a CHA. It should confirm the presence of mines/ERW leading to the definition of one or more DHA and may indicate the absence of mines/ERW which could allow land to be released when combined with other evidence." UNMAS, "IMAS o8.20: Land release, Draft First Edition," 10 June 2009, p. 2.

¹⁸ See *Landmine Monitor Report 2007*, p. 32.

¹⁹ There are three draft IMAS dealing with land release: IMAS o8.20: Land release, Draft First Edition, 10 June 2009; IMAS o8.21: Non-Technical Survey, Draft First Edition, 10 June 2009; and IMAS o8.22: Technical Survey, Draft First Edition, 10 June 2009. All are available for download at: www.mineactionstandards.org.

²⁰ See the relevant country profiles for more information.

²¹ Djibouti completed its clearance of known mined areas in 2003 and France declared it had cleared a military ammunition storage area in Djibouti in November 2008, but there are concerns that there may be mine contamination along the Eritrean border following a border conflict between Djibouti and Eritrea in June 2008.

¹³ Ethiopia, which is believed to have cleared large areas in 2009 as it did the year before, did not formally report on its clearance during 2009, despite significant donor funding and external technical support. No figures for clearance (as opposed to cancellation or release by survey), or at least no credible figures, were made public by a number of states, such as Iran and Morocco.

¹⁴ This excludes the land reportedly cleared by the Royal Cambodian Armed Forces as the quality of clearance and the extent of area cleared have not been independently verified.

¹⁵ See, for example, Coordinator of the Resource Utilization Contact Group (Norway), "Applying all available methods to achieve the full, efficient and expedient implementation of Article 5," Discussion paper (Revision), July 2008.

formally reported the presence of mined areas. There is also believed to be contamination in the breakaway Transnistrian Republic in Moldova, over which Moldova (2011 Article 5 deadline) asserts its jurisdiction.

States Parties reporting compliance with treaty clearance obligations

State Party	Year of reported compliance	Article 5 deadline
Albania	2009	2010
Bulgaria	1999	2009
Costa Rica	2002	2009
El Salvador	1994*	2009
France	2008	2009
Greece	2009	2014
Guatemala	2006	2009
Honduras	2005	2009
FYR Macedonia	2006	2009
Malawi	2008	2009
Nicaragua	2010	2010 (extended from 2009)
Rwanda	2009	2010
Suriname	2005	2012
Swaziland	2007	2009
Tunisia	2009	2010
Zambia	2009	2011

* Date of completion of demining program prior to entry into force of the Mine Ban Treaty.

States Parties requesting an extension to their Article 5 deadline for the first time in 2010

State Party	Estimated area of mine contamination (km ²)	Extension period sought
Colombia	No credible estimate	10 years
Guinea-Bissau	Survey being initiated	Two months
Mauritania	64.8	Five years

Set against this progress, more than ten years after the entry into force of the Mine Ban Treaty, 22 mine-affected States Parties have either missed their deadlines or have formally declared that they are not in a position to complete clearance operations before the ten-year deadline (see Summary of Article 5 deadline extension requests table below). One State Party—Uganda—declared at the intersessional Standing Committee meetings in May 2009 that it would meet its 1 August 2009 deadline, only to submit a three-year extension request to the treaty’s Implementation Support Unit on 19 August 2009.²² One State Party—Venezuela—has yet to begin demining 11 years after joining the treaty, which cannot be considered compliant with Article 5’s requirement to clear mined areas “as soon as possible.”

²² Uganda Article 5 deadline Extension Request, 17 August 2009.

Extension requests submitted in 2010

Three States Parties formally requested an extension to their Article 5 deadlines in 2010 for the first time.

Under Article 5 of the treaty, Colombia is required to destroy all antipersonnel mines in mined areas under its jurisdiction or control as soon as possible, but not later than 1 March 2011. On 29 March 2010, Colombia submitted a request for a ten-year extension to its deadline and then on 5 August 2010 submitted a revised request. The major differences between the original and the revised extension request were: a decrease in the forecast number of NGO demining teams from 85 to 49 in 2014–2020, and a decrease of almost US\$150 million in the funds required during the same period. However, the operational plan and the assets and funding needed in 2011–2013 remained at 17 NGO teams and \$25 million. During this period the government of Colombia would contribute \$21 million for 14 demining squads.²³

Guinea-Bissau’s Article 5 deadline is 1 November 2011. In September 2010, it requested a two-month extension until January 2012, noting “Although Guinea-Bissau is still positive that it will be able to complete its implementation of Article 5 in known areas by its deadline of 1 November 2011, it is unknown what will be discovered by an upcoming survey that will begin in mid-September 2010. Unfortunately the results of this survey will not be available until the first quarter of 2011, the year of Guinea-Bissau’s deadline and after the last formal meeting of the States Parties before Guinea-Bissau’s deadline.”²⁴

Mauritania’s Article 5 deadline is 1 January 2011. On 10 April 2010, Mauritania submitted a request for a five-year extension to the deadline. Mauritania explained that the reasons were a lack of financial resources, insufficient progress in demining operations, use of only manual demining techniques, and difficult soil and climatic factors.²⁵ In presenting the request to the intersessional Standing Committee meetings in June 2010, Mauritania stated that it had a “coherent plan” that combined land release by survey and clearance and that it hoped to involve Handicap International and Norwegian People’s Aid in its demining program.²⁶ Only minimal mine clearance occurred in 2009, however.²⁷ In September 2010, Mauritania submitted a revised request but did not amend the extension period it was seeking.²⁸

On 18 June 2010, Denmark submitted a second extension request, seeking an additional 18 months through July 2012 to enable it to complete mine clearance

²³ Colombia Article 5 deadline Extension Request, 29 March 2010, pp. 52–53; and Colombia Article 5 deadline Extension Request (Revision), 5 August 2010, pp. 57–58.

²⁴ Guinea-Bissau Article 5 deadline Extension Request, 7 September 2010, p. 6.

²⁵ Mauritania Article 5 deadline Extension Request, 3 February 2010, pp. 3–4.

²⁶ Statement of Mauritania, Standing Committee on Mine Clearance, Mine Risk Education and Mine Action Technologies, Geneva, 23 June 2010.

²⁷ See Statement of Mauritania, Standing Committee on Mine Clearance, Mine Risk Education and Mine Action Technologies, Geneva, 23 June 2010, p. 28 (Annex 3).

²⁸ Mauritania Article 5 deadline Extension Request (Revision), 6 September 2010.

Summary of Article 5 deadline extension requests

States Parties	Original deadline	Extension period	New deadline	Status
Argentina	1 March 2010	10 years	1 March 2020	No information
BiH	1 March 2009	10 years	1 March 2019	Falling behind
Cambodia	1 January 2010	10 years	1 January 2020	On track
Chad	1 November 2009	14 months*	1 January 2011	Falling behind; second request submitted
Colombia	1 March 2011	10 years requested	N/A	N/A
Croatia	1 March 2009	10 years	1 March 2019	Slightly behind
Denmark	1 March 2009	22 months**	1 January 2011	On track; second request submitted as expected
Ecuador	1 October 2009	Eight years	1 October 2017	Falling behind
Guinea-Bissau	1 November 2011	Two months requested	N/A	N/A
Jordan	1 May 2009	Three years	1 May 2012	On track
Mauritania	1 January 2011	Five years requested	N/A	N/A
Mozambique	1 March 2009	Five years	1 March 2014	Slightly behind
Nicaragua	1 May 2009	One year	1 May 2010	Completed
Peru	1 March 2009	Eight years	1 March 2017	Slightly behind
Senegal	1 March 2009	Seven years	1 March 2016	Falling behind
Tajikistan	1 April 2010	10 years	1 April 2020	On track
Thailand	1 May 2009	9.5 years	1 November 2018	Falling behind
Uganda	1 August 2009	Three years	1 August 2012	On track
UK	1 March 2009	10 years	1 March 2019	Falling behind
Venezuela	1 October 2009	Five years	1 October 2014	Behind—no progress indicated
Yemen	1 March 2009	Six years	1 March 2015	Unclear
Zimbabwe	1 March 2009	22 months***	1 January 2011	Falling behind; second request submitted

* Additional three years requested

** Additional 18 months requested

*** Additional two years requested

N/A = Not applicable

operations.²⁹ On 22 June 2010, in its presentation of the request to the Standing Committee on Mine Clearance, Mine Risk Education and Mine Action Technologies, Denmark stated that a clearance contractor had been identified in a competitive tender process in May 2010 and that mine clearance would commence by 1 July 2010. It further stated that the contractor had been “given until the end of 2011 to complete the clearance. We have then added a six months buffer-period to allow weather-caused delays as well as to complete quality control of the area. Consequentially, Denmark will be able to release the area at latest by 1 of July 2012.”³⁰

At the Second Review Conference, Zimbabwe said that since the beginning of 2009 “no significant progress has been made” due to the lack of both international and national support. As a result, the extension to the deadline for re-surveying approved by States Parties as part of its Article 5 extension request will not be completed until 2012, and only then if sufficient support is made available.³¹ At the Standing Committee meetings in June

2010 Zimbabwe repeated that it would not be able to complete the surveying in the 22-month extension period and noted that it would be requesting another extension.³² On 3 August 2010, Zimbabwe submitted a second extension request for a further two years—particularly to enable additional survey, but not with a view to completing clearance—through 1 January 2013.

Defective rocket heads handed over by authorities are carefully moved and prepared for demolition in Katanga province, DRC.



© Gwern Dubourthour/MIAC, May 2009

²⁹ Denmark Second Article 5 deadline Extension Request, 18 June 2010, p. 3.

³⁰ Statement of Denmark, Standing Committee on Mine Clearance, Mine Risk Education and Mine Action Technologies, Geneva, 22 June 2010.

³¹ Statement of Zimbabwe, Second Review Conference, Cartagena, 2 December 2009.

³² Statement of Zimbabwe, Standing Committee on Mine Clearance, Mine Risk Education and Mine Action Technologies, Geneva, 22 June 2010.

Progress in States Parties granted extensions in 2008 and 2009

Many of the States Parties granted extensions in 2008 and 2009 have since made disappointing progress. Of greatest concern is Venezuela, which has not taken any meaningful steps to implement its Mine Ban Treaty Article 5 obligations either before or following the granting of a five-year extension to its Article 5 deadline in 2008. Venezuela is the only mine-affected State Party that has yet to initiate formal clearance operations, more than 10 years after adhering to the treaty. Four-year clearance operations at the six contaminated naval bases were planned to begin in October 2010, but in June 2010, at the Standing Committee meetings, Venezuela claimed a severe drought as one of the reasons demining could not begin as planned,³³ as well as a fall in its Gross National Product and new priorities for the government. In response, the ICBL stated that “the time for excuses is over; the time for clearance is now.”³⁴



© Dinesh Subedi/ICBL, 4 February 2010

Police meet with Constituent Assembly Members and Nepalese campaigners.

BiH has so far failed to meet the targets set in the BiH Mine Action Strategy 2009–2019 which provides for completing clearance within BiH’s revised Article 5 deadline. Demining organizations manually cleared 1.94km² in 2009, barely one-fifth of planned clearance for the year and 1.22km² (63%) less than the amount cleared in 2008.³⁵ In 2010, BiH planned manual clearance of 9.27km² but in June it reported it had completed clearance of only 1km².³⁶ The BiH Mine Action Center

(BHMAC) has continued to assert that it could achieve the targets set for that period by 2012, and then continue working as planned in its extension request, if it received adequate external financing.³⁷

In Cambodia, which received a 10-year extension in 2009, the extent of contamination is still not known with any precision, although the first phase of a baseline survey of the country’s 21 most mine-affected districts (in the northwest of the country along the border with Thailand) was due for completion by the end of 2010 and is expected to provide a more precise definition of the residual mine problem.³⁸ Contamination includes the 1,046km-long K5 mine belt installed by the Vietnamese-backed government in the mid-1980s to block insurgent infiltration, which constitutes the densest contamination in the country with, reportedly, up to 2,400 mines per linear kilometer.³⁹

In December 2009, Chad urged UNDP “to reduce the administrative burdens” that had delayed the implementation of the planned contamination survey, the conduct of which was the aim of its initial extension request. In March 2009, Japan had made a grant of almost \$5.6 million through the UN Voluntary Trust Fund for Assistance in Mine Action (VTF), managed by the UN Mine Action Service (UNMAS). After prolonged delays by the UN in processing the funds,⁴⁰ a contract was signed with Mines Advisory Group (MAG) in April 2010. The delays caused MAG to leave Chad in January 2010, but it returned under the new contract to conduct the survey and further demining later in the year, beginning work in September 2010 after a period of re-accreditation and retraining, and the arrival of equipment.⁴¹

At the June 2010 intersessional Standing Committee meetings, Chad announced that it would be submitting a second, short extension request to enable the survey to be conducted.⁴² The ICBL expressed deep disappointment that the UN’s internal processes in managing the funds had prevented the survey from being conducted during the existing extension period, as had been planned.⁴³ Chad’s first extension was due to expire in January 2011. In September 2010, Chad submitted a request for an additional three years to conduct both survey and clearance, but without an expectation to finish clearance.

³⁷ Interview with Dusan Gavran, Director, and Tarik Serak, BHMAC, Sarajevo, 13 May 2010.

³⁸ Cambodia Article 5 deadline Extension Request (Revision), 24 August 2009, p. 6.

³⁹ HALO, “Mine clearance in Cambodia–2009,” January 2009, p. 8.

⁴⁰ According to the UN Mine Action Service (UNMAS), this was due to “prolonged internal discussions between the UN and UNDP on financial management of the project.” Email from Gustavo Laurie, Acting Chief of Policy and Advocacy Support, UNMAS, 29 September 2010. According to UNDP, the “bureaucracy of the VTF [UN Voluntary Trust Fund, managed by UNMAS] had led to delays in transferring the funds to UNDP for programme implementation.” Email from Sara Sekkenes, Senior Programme Advisor and Team Leader for Mine Action and Small Arms, Bureau for Crisis Prevention and Recovery, UNDP, 29 September 2010.

⁴¹ Email from Sara Sekkenes, UNDP, 29 September 2010.

⁴² Statement of Chad, Standing Committee on Mine Clearance, Mine Risk Education and Mine Action Technologies, Geneva, 22 June 2010.

⁴³ Statement of the ICBL, Standing Committee on Mine Clearance, Mine Risk Education and Mine Action Technologies, Geneva, 22 June 2010.

© J.B. Russell/MAC, October 2009



Croatia plans to reduce 688km² of suspected mined area by the end of its extension period, including 311km² through clearance and 377km² through “mine search.”⁴⁴ However, it has failed to achieve the targets set out in its Article 5 deadline extension request in the two years since it was approved. In 2008, it released 42.5km² compared with the target of 53km² and in 2009 it released 62.59km², significantly less than the 73km² projected in the extension request. As a result, Croatia still had 887.8km² of suspected mined area at the start of 2010 compared with the 871km² projected in the extension request.⁴⁵

At the Second Review Conference of the treaty, Ecuador said it had made “a conscious commitment” to the international community through its Article 5 deadline extension request to clear all its mines as soon as possible.⁴⁶ In the past decade, however, Ecuador has cleared a total of only 133,316m² of mined areas, including only 8,191m² in 2009, leaving 463,006m² of mined areas to be released.⁴⁷

In Jordan, mine clearance dropped significantly in 2009, primarily as a result of funding shortfalls. At the Second Review Conference, Jordan said it planned to complete clearance of its northern border with Syria by the end of 2011 but that the project faced a financial gap, and if it could not raise the required funds for 2010 and 2011, “the deadline for completing the project will in all probability have to be revisited.” Jordan also said it needed to mobilize additional financial, technical, and human resources in order to complete clearance of mines in the Jordan Valley within its Article 5 deadline.⁴⁸ At the intersessional Standing Committee meetings in June 2010, Jordan said it had attracted funding for 2010 and the first half of 2011 and, although it still needed to raise \$1.5 million to ensure completion, it expressed confidence it would meet its extended clearance deadline.⁴⁹

Despite finding new suspected hazardous areas through community liaison and from the HALO survey on the Zimbabwe border, and receiving almost \$2 million less overall than it had hoped for from donors, it was claimed that Mozambique was still on schedule as of the end of 2009 to meet its extended Article 5 deadline by 2014.⁵⁰

Peru’s revised deadline is 1 March 2017. Peru appears to be on track with its extension request for clearing national infrastructure that is contaminated (three prisons and two police bases), though falling slightly behind on clearance of the border area with Ecuador. In order to complete clearance faster than the extension period, as encouraged by the decision by the Ninth Meeting of States Parties on Peru’s request, the ICBL has suggested to Peru that it redeploy police demining personnel to the border once it has finished clearing the mined infrastructure.

Senegal, which received a seven-year extension to its deadline in 2008, has not reported in detail on its progress in demining in 2009 and has still to determine the extent of remaining contamination. At the Second Review Conference, Senegal expressed its hope that it would fulfill its Article 5 obligations before 2015 if the peace process continues.⁵¹ Senegal previously stated its intention not to seek a second extension period, except for “truly exceptional circumstances.”⁵² In the past five years, demining has cleared only a very small extent of mine contamination, and the total estimate for mined areas to be released has almost doubled, leading to concerns that Senegal will not even meet its revised Article 5 deadline. In June 2010, Senegal stated that if additional funding were secured, it expected to meet its obligations in time.⁵³



© Gretchen Murphy, 2009 Peace Follow/The Advocacy Project, 18 June 2009

⁴⁴ Croatia Article 5 deadline Extension Request, 2 June 2008, pp. 35–36.

⁴⁵ Interview with Miljenko Vahtarić, Assistant Director, and Nataša Matesa Mateković, Head, Planning and Analysis Department, CROMAC, Sisak, 24 March 2010.

⁴⁶ Statement of Ecuador, Second Review Conference, Cartagena, 3 December 2009.

⁴⁷ For details on inconsistencies in Ecuador’s reporting on data see the Country Profile for Ecuador, www.the-monitor.org/cp/ec.

⁴⁸ Statement of Jordan, Second Review Conference, Cartagena, 2 December 2009.

⁴⁹ Statement of Jordan, Standing Committee on Mine Clearance, Mine Risk Education and Mine Action Technologies, 22 June 2010.

⁵⁰ Responses to Monitor questionnaire by operators, February–March 2010.

⁵¹ Statement of Senegal, Second Review Conference, Cartagena, 2 December 2009.

⁵² Statement of Senegal, Ninth Meeting of States Parties, Geneva, 25 November 2008; see also Senegal, “Observations on the Report of the Analysing Group,” 11 September 2008, pp. 2–3; and response to Monitor questionnaire by Papa Omar Ndiaye, Centre National d’Action Antimines du Sénégal (Senegalese National Mine Action Center), 1 May 2009.

⁵³ Statement of Senegal, Standing Committee for Mine Clearance, Mine Risk Education and Mine Action Technologies, Geneva, 22 June 2010.

A rocket-propelled grenade is removed from the edge of a road in Payawa, Sudan.

UXO found scattered throughout Quang Binh province is prepared for demolition in Dong Hoi, Vietnam.



© Sean Sutton/NAC, May 2010

Mined areas are cleared in Iraq.

Thailand has not made much progress during its extension period. Thailand's extension request said it would increase the area cleared in a single year to 43km² in 2009—it actually cleared only 2.54km²—and to achieve this target the Thailand Mine Action Center (TMAC) envisaged increasing its human resource capacity to 800 deminers by the end of April 2009.⁵⁴ TMAC, however, has not had access to the financial or human resources it needs to fulfill the objectives set out in its extension request. The inadequate army and government support for TMAC calls into question the relevance of the plans for tackling its remaining contamination set out in its Article 5 extension request and signals the probable need to submit an amended extension request taking realistic account of available resources.

The UK is not complying with part of the terms of its 10-year extension request, granted in 2008. Although it finished clearance of the three mined areas, as committed to as part of the decision on its request, the UK did not, however, announce any further clearance plans for the 113 remaining mined areas. The UK had committed to providing “as soon as possible, but not later than 30 June 2010 a detailed explanation of ... the implications for future demining” in order to meet the UK's obligations under Article 5 of the treaty.⁵⁵ At the June 2010 intersessional Standing Committee meetings, the UK stated that the Foreign and Commonwealth Office “will now analyse the data gathered from this project and make recommendations for future work based on this analysis to the new Government. We intend to report the findings of our analysis and agreed next steps to States Parties at the Meeting of States Parties in November 2010.”⁵⁶ In a statement to the meeting, the ICBL regretted the failure of the UK to meet its commitment by the stated deadline, noting that detailed plans for completing clearance had been expected by 30 June.

In granting Yemen's five-year extension request, the

Ninth Meeting of States Parties had noted the “value of further clarity regarding the extent of Yemen's remaining challenge and on steps taken by Yemen to overcome the technical challenges that have posed as impeding circumstances in the past.” Nonetheless, despite significant concerns about the reliability of its data, Yemen has made significant progress in mine clearance since becoming a State Party to the treaty.⁵⁷ Yemen did not update the Standing Committee on Mine Clearance, Mine Risk Education and Mine Action Technologies in June 2010 on its progress in implementing its Article 5 obligations, despite the undertaking of States Parties under Action Point 13 of the Cartagena Action Plan to report at such meetings.

In certain cases, there has been a lack of progress in demining contested borders (particularly in the case of Thailand/Cambodia, and Tajikistan and its neighbors). This is partly a result of a lack of clear delineation or demarcation of the border. Jordan, however, informed the Standing Committee meetings in May 2009 that although a dispute over the border with Syria had not been fully resolved, the two countries had agreed that demining could proceed unhindered.⁵⁸

Compliance with Article 5 among States Parties with later deadlines

Without enhanced efforts, future compliance with Article 5 deadlines seems likely to be similarly disappointing. Based on progress to date, the Monitor believes that the following States Parties are not on track to comply with their treaty obligations by their deadlines, indicated below in parentheses: Afghanistan (2013); Algeria (2012); Angola (2013); Chile (2012); Cyprus (2013); DRC (2012); Eritrea (2012); Sudan (2014); and Turkey (2014). In some cases, the problem is inadequate funding; more often, delays in initiating a program, poor management, and insufficient political will are the root causes. Regrettably, Article 5 clearance deadline extension requests are becoming the norm rather than the exception.

Algeria's latest Article 7 report notes that they have “deferred” clearance from their plan to complete demining operations in 2007 of mines they laid in the north as a result of the “continuing threat from terrorist groups.”⁵⁹ It is not lawful to maintain minefields for the



© Gretchen Murphy, 2009 Peace Fellow/The Advocacy Project, 18 June 2009

A bomb cleared from Dong Hoi, Vietnam.

⁵⁴ Thailand Article 5 deadline Extension Request (Revision), 7 August 2008, p. 23; and interview with Lt-Gen. Tumrongsak Deemongkol, Director-General, TMAC, in Geneva, 26 November 2008.

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ See the Country Profile for Yemen, www.the-monitor.org/cp/ye.

⁵⁸ Statement of Jordan, Standing Committee on Mine Clearance, Mine Risk Education and Mine Action Technologies, Geneva, 27 May 2009.

⁵⁹ Algeria Article 7 Report, April 2010, Section 5.3.

purpose of protecting infrastructure against unlawful infiltration, which, in the view of the ICBL, would constitute prohibited use under the Mine Ban Treaty.⁶⁰

At the end of 2009, Serbia (2014 Article 5 deadline) reported it had completed clearance of the border with Croatia and its most recent Article 7 report for calendar year 2009 does not report any mined areas. However, Serbia has stated repeatedly that it has not completed mine clearance and that it needed to survey areas on the border with Kosovo, where it had received information that there might be some remaining mined areas.

Among States Parties with later deadlines, Iraq (2018 Article 5 deadline) is a particular concern. Less than a year after it became party to the treaty as one of the world's worst affected countries, Iraq had made scant effort to mobilize resources needed to address its contamination—indeed, no national contributions were reported for 2009. Worse, it had even suspended all clearance by demining operators outside Kurdish areas, raising serious concerns about the extent to which political leaders understood the severity and socio-economic significance of the problem, or their treaty obligations.

Clearance operations in the center and south of Iraq were halted by a suspension of operations order imposed by the Ministry of Defense on 23 December 2008. The ministry halted operations on grounds of security and in order to vet personnel engaged by demining operators who would therefore have access to mines and/or explosive ordnance.⁶¹ The Ministry of Defense partially lifted the suspension in May 2009 to allow operators to conduct non-technical survey and risk education, but the ban on clearance and demolitions of cleared items remained in place until August 2009. Even then, however, accrediting organizations for operations was slow, and no demolitions of cleared items by any organization except the military were possible until May 2010.⁶² Despite these problems, some positive steps have been recorded. For example, the Iraq Mine Action Strategy, 2010 to 2012 was approved and launched on 21 February 2010.⁶³

Montenegro (2017 Article 5 deadline) reported to the media in November 2007 that it had completed clearance of mines on its territory.⁶⁴ Its Article 7 report for 2008 stated, "There are no areas under Montenegro's jurisdiction or control in which anti-personnel mines are known or suspected to be emplaced."⁶⁵ However, Montenegro still had to survey a mountainous area on its

borders with BiH and Croatia to clarify if the contamination that affects the Croatian side of the border also affects Montenegro.⁶⁶ By September 2010, Montenegro had not officially declared completion of its Article 5 obligations.



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In addition, certain States Parties have still to acknowledge that they are legally obliged by the treaty to clear areas they either control or over which they assert jurisdiction.⁶⁷ As of September 2010, Turkey had not yet formally acknowledged its responsibility for clearance in northern Cyprus, which is controlled by Turkish forces. Should Turkey fail to fulfill its legal obligations, the ICBL believes that in accordance with Article 5 of the treaty, the Republic of Cyprus, as the State Party asserting jurisdiction over the whole territory of the island of Cyprus, including the areas occupied by the Turkish Armed Forces, will be obliged to seek an extension to its deadline. The government of Cyprus has not yet declared whether it will seek an extension. In July 2010, Cyprus stated that "[T]he government of Cyprus considers Turkey responsible under the Convention for the clearance of mines in areas north of the buffer zone, since the government of the Republic of Cyprus is prevented from exercising effective control in the occupied areas of Cyprus due to the illegal presence of the Turkish occupation forces, and since the mines were laid by the Turkish occupation forces in 1974."⁶⁸

In the case of Moldova, which has a 1 March 2011 Article 5 deadline, a statement in June 2008 by a government official had raised hopes that it had acknowledged its responsibility for clearance of any mined areas in the breakaway republic of Transnistria, where it continues to assert its jurisdiction. This statement was, however, later disavowed by the Ministry of Foreign Affairs.

Monitor researcher receives a briefing from the Thailand Mine Action Center in Mae Hong Son province.

⁶⁰ See, for example, ICBL Intervention on Compliance with the Mine Ban Treaty, delivered by Stephen Goose, Human Rights Watch, Head of the ICBL delegation, Standing Committee on the General Status and Operation of the Convention, Geneva, 27 April 2007.

⁶¹ Interview with Kent Paulusson, Senior Mine Action Advisor for Iraq, UNDP, in Geneva, 27 May 2009.

⁶² Ibid, 16 March 2010; and telephone interview, 23 August 2010.

⁶³ Email from Sara Sekkenes, UNDP, 29 September 2010.

⁶⁴ "Montenegro is the only one without mines in Balkans," *Pobjeda* (Montenegrin daily newspaper), 8 November 2007; "Montenegro cleared," *Dan* (Montenegrin daily newspaper), 9 November 2007; and interview with Veselin Mijajlovic, Director, Regional Centre for Divers' Training and Underwater Demining (RCUD), Podgorica, 16 March 2008.

⁶⁵ Montenegro Article 7 Report (for calendar year 2008), Forms C and I.

⁶⁶ Interview with Veselin Mijajlovic, RCUD, 18 February 2009.

⁶⁷ See Article 5 of the Mine Ban Treaty, which lays down the obligation to clear areas under the jurisdiction or control of a State Party; and statement of the ICBL, Standing Committee on Mine Clearance, Mine Risk Education and Mine Action Technologies, Geneva, 28 May 2009. Thus, for example, a statement in June 2008 from Moldova, which had raised hopes that it had acknowledged its responsibility for clearance of any mined areas in the breakaway republic of Transnistria, where it continues to assert its jurisdiction, was later disavowed by the Ministry of Foreign Affairs.

⁶⁸ Email from Maria Michael, Deputy Permanent Representative, Permanent Mission of Cyprus to the UN in Geneva, 2 July 2010.

Clearance by states not party

There has also been significant progress in demining in certain states not party to the treaty to the Mine Ban Treaty, notably in China, Iran, Lebanon, Morocco, Nepal, and Sri Lanka, as well as in Taiwan. In 2009, at the Second Review Conference of the Mine Ban Treaty, China said its completion of demining along the Yunnan section of its border with Vietnam “represents the completion of mine clearance of mine-affected areas within China’s territory.”⁶⁹ Mine clearance operations were initiated by HALO Trust in Georgia in 2009, and Israel and Libya have been considering engaging in further mine clearance operations on their territory.

UXO, mines, and scrap metal recovered by the Thailand Mine Action Center in Mae Hong Son province.



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Explosive Remnants of War Contamination

There are certainly tens and probably hundreds of millions of items of explosive remnants of war (ERW) contaminating countries affected by armed conflict.⁷⁰ For example, Lao PDR and Vietnam are still massively contaminated as a result of United States bombing campaigns four decades earlier, although no credible estimates of the full extent of contamination currently exist. Afghanistan and Cambodia, two of the world’s most mine-affected nations, are today suffering more casualties from ERW than from mines.

The entry into force of the Convention on Cluster Munitions on 1 August 2010 highlighted a specific

⁶⁹ Statement by Amb. Cheng Jingye, Director-General, Department of Arms Control and Disarmament, Ministry of Foreign Affairs, Second Review Conference, Cartagena, 4 December 2009.

⁷⁰ There are also a number of states (for example, Albania, India, Kenya, and the Republic of the Congo) in which UXO contamination has occurred as a result of military training or the explosion of ammunition in an ammunition storage area. AXO can result from a lack of proper ammunition storage area management and control.

threat that the Monitor has reported on for many years—that of cluster munition remnants, especially unexploded submunitions.⁷¹ Although the full extent of contamination is still to be determined, the Monitor identified at least 23 states and three areas with some degree of unexploded submunition contamination on their territory.⁷² It is hoped that reporting under the convention will clarify further the extent of contamination from cluster munition remnants.

Battle area clearance

Battle area clearance (BAC) seeks to clean up former combat areas of ERW.⁷³ BAC tends to be far quicker than mine clearance for two main reasons. First, in certain circumstances visual inspection of an area may be sufficient without the need to conduct instrument-assisted search. Second, even when sub-surface clearance is deemed necessary, as BAC is seeking to detect far greater quantities of metal than occur in common antipersonnel mines and as it does not normally have to leave an area metal free, it does not need such sensitive detectors as are used for mine clearance. Accordingly, operations endure far fewer false positive signals from harmless metal fragments and coverage of a SHA tends to be far quicker than mine clearance.

Battle area clearance in 2009

Despite problems in ensuring that BAC is not double reported (i.e. sub-surface clearance is repeated in surface clearance figures), the Monitor believes at least 359km² of battle areas (other than those containing cluster munition remnants) were cleared in 2009, with the destruction of 2.2 million other items of ERW. This total includes clearance of at least 38km² of cluster munition-contaminated land, with the destruction of 55,156 submunitions.⁷⁴ Among affected states and areas, the largest amount of BAC was reported by only four mine action programs—in Sri Lanka, Afghanistan, Nagorno-Karabakh, and Lao PDR—which together accounted

⁷¹ The convention defines cluster munition remnants as including the following: unexploded submunitions, unexploded bomblets (submunition dropped from a fixed-wing dispenser), failed cluster munitions (for example the canister failed to disperse the submunitions as intended during deployment), and abandoned cluster munitions.

⁷² States and areas contaminated with cluster munition remnants include: Afghanistan Angola, Argentina, Azerbaijan, BiH, Cambodia, Chad, DRC, the Republic of the Congo, Croatia, Georgia (only in South Ossetia), Guinea-Bissau, Iraq, Lao PDR, Lebanon, Mauritania, Montenegro, Russia, Serbia, Sudan, Syria (Golan Heights), Tajikistan, the UK, and Vietnam, as well as Kosovo, Nagorno-Karabakh, and Western Sahara. Argentina and the UK dispute sovereignty of the Falkland Islands/Malvinas. For details of contamination see *Cluster Munition Monitor 2010* (Ottawa: Mines Action Canada, October 2010). The following 13 states are either only suspected to contain contamination or contamination is believed to be only a relatively small residual problem: Colombia, Chile, Eritrea, Grenada, Iran, Israel, Jordan, Kuwait, Libya, Malta, Mozambique, Saudi Arabia, and Yemen. Ethiopia, Sierra Leone, and Uganda are not believed to be affected by cluster munition remnants, but the possibility is not excluded.

⁷³ Thus, as mentioned above, it is conducted on areas that do not contain a mine threat. Care must be taken in making this determination: casualties occurred in Lebanon, for example, as a result of the wrong decision being made.

⁷⁴ For details see *Cluster Munition Monitor 2010* (Ottawa: Mines Action Canada, October 2010).

for 90% of the total recorded clearance (see Battle area clearance in 2009 table below).

Battle area clearance in 2009

States/areas	BAC (km ²)
Sri Lanka	107.55
Afghanistan	104.33
<i>Nagorno-Karabakh</i>	38.96
Lao PDR	37.13

Note: Other areas are indicated by italics.

Information Management

Reliable land release—and efficient mine clearance and BAC—is dependent on an effective information management system.⁷⁵ This begins with systematic, high-quality data gathering, a fundamental pre-requisite that has too often been lacking in mine action, despite the huge sums of money that donors have contributed to the sector. It also befits a sector receiving half a billion dollars annually to report accurately and promptly on its achievements.

The quality of reporting on the precise amount of contaminated areas and land released through clearance or survey is uneven but is generally poor. Strictly, the Mine Ban Treaty only requires reporting on locations of areas cleared and the number of antipersonnel mines destroyed, but at the Second Review Conference States Parties adopted the Cartagena Action Plan 2010–2014, which requires that each affected State Party:

- “Identify, if they have not yet done so, the precise perimeters and locations, to the extent possible, of all areas under their jurisdiction or control in which anti-personnel mines are known or are suspected to be emplaced, report this information as required by Article 7, no later than the Tenth Meeting of the States Parties, and incorporate the information into national action plans and relevant broader development and reconstruction plans.”⁷⁶
- “Provide annually, in accordance with Article 7, precise information on the number, location and size of mined areas, anticipated particular technical or operational challenges, plans to clear or otherwise release these areas and information on the areas already released, disaggregated by release through clearance, technical survey and non-technical survey.”⁷⁷

In 2010, Algeria, Angola, Ethiopia, Nigeria, and Turkey, among others, all failed to report appropriately on their clearance during the previous calendar year.

To look at one example, the lack of a functioning national mine action database is one of the most protracted problems in the mine action program in Angola.

Despite years of international technical assistance, huge quantities of data from surveys, trained data entry personnel, the provision of computer equipment, and the establishment of provincial mine action center offices to facilitate data management, Angola is unable to accurately report its annual achievements or to state its remaining problem in quantifiable terms such as the number of SHAs, the number of impacted communities, or the estimated size of the contaminated area. In May 2009, Angola appealed for international assistance under Article 6 of the Mine Ban Treaty to help it solve its data management problem.⁷⁸ The coordinator of the national mine action center told the Monitor in April 2010 that Angola would not submit an Article 7 report until the database problems were sorted out.⁷⁹

Mine Action by Non-State Armed Groups

NSAGs have sometimes carried out limited mine clearance or explosive ordnance disposal operations. In India, the Zomi Re-unification Organisation, has reported to the NGO Geneva Call that it has marked a number of dangerous areas that have not been cleared by the Indian Army in the northeast of the country.⁸⁰

In Senegal, the Movement of Democratic Forces of Casamance (Mouvement des Forces Démocratiques de Casamance, MFDC) is not known to have carried out any humanitarian demining. In May 2010, however, Geneva Call and a local Senegalese NGO, the Association for the Promotion of the Rural Borough of Nyassia–Solidarity, Development, Peace (Association pour la Promotion Rurale de l’Arrondissement de Nyassia–Solidarité, Développement, Paix), met with senior commanders of the MFDC “Kassolol” faction, who reiterated their agreement in principle with progressive humanitarian demining of the Casamance region. Previously, the MFDC had categorically refused demining until a final settlement of the conflict was reached with the government.⁸¹



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A deminer at work in Iraq.

⁷⁵ As the IMAS state, “Proper management procedures, including adequate decision-making mechanisms, recording, training, monitoring and adjustment, are essential requirements of the process.” UNMAS, “IMAS o8.20: Land release, Draft First Edition,” 10 June 2009, p. 6.

⁷⁶ Cartagena Action Plan 2010–2014, Action #14, 11 December 2009.

⁷⁷ Ibid, Action #17.

⁷⁸ Statement of Angola, Standing Committee on Mine Clearance, Mine Risk Education and Mine Action Technologies, Geneva, 27 May 2009.

⁷⁹ Interview with Balbina da Silva, Coordinator, CNIDAH, Luanda, 15 April 2010.

⁸⁰ Email from Katherine Kramer, Programme Director Asia, Geneva Call, 28 April 2010.

⁸¹ Ibid, 22 July 2010.

Deminer Security

Deminers continue to be the targets or victims of armed violence in a number of countries. In Afghanistan, Danish Demining Group (DDG) experienced two attacks in 2009, the first on 15 July and the second five days later on 20 July in Balkh province, which resulted in the death of a group supervisor.⁸² Seven people working for MineTech International were killed in armed violence in 2009, including three armed security guards killed in an ambush in April. Four other MineTech staff were killed in an ambush the next month as they transported equipment. In addition, a total of 30 deminers were abducted in six separate incidents in 2009, although all were subsequently released. A total of 18 other attacks on deminers resulted in loss of or damage to equipment and/or vehicles.⁸³ Attacks continued in 2010. In April, a targeted Taliban attack on the Demining Agency for Afghanistan involved two command-detonated improvised explosive device blasts in quick succession resulting in five deminers being killed and another 15 injured—probably the worst attack on deminers anywhere in recent years.

*Deminer in
Casamance, Senegal.*



© www.Simple REGARD.org/HI, February 2009

On 12 April 2010, two HALO national staff were killed and two others injured in Somaliland when a HALO vehicle detonated a PRBM-3 antivehicle mine on a track the organization often used in Dabagorayaale in Togdheer region. The incident occurred while staff were returning to base camp from demining operations. There was no information to suggest the track was mined. This was

⁸² Telephone interview with Pi Tauber, Program Assistant, DDG, 12 August 2009.

⁸³ Email from Mine Action Coordination Center of Afghanistan, 15 July 2010.

the first death from a mine accident in HALO's ten years of operation in Somaliland.⁸⁴ An internal investigation concluded HALO had been deliberately targeted as a result of employment issues with national staff. As of mid-2010, the Somaliland authorities were continuing their own investigation into the incident.⁸⁵

Mine/ERW Risk Education

Mine/ERW risk education (RE) continues to be conducted in affected states and other areas, with some new programs or projects being initiated in 2009, although globally the extent of RE appears to be reducing in line with the threat.

In Algeria in 2009, on the basis of an earlier needs assessment, Handicap International (HI) initiated a two-year RE and victim assistance capacity-building project in partnership with the authorities and 10 local disability associations.⁸⁶ The project is focused on three affected regions in the east of the country (El Tarf, Souk-Ahras, and Tebessa) and three in the west (Bechar, Naama, and Tlemcen).⁸⁷

In 2009, Chad continued to provide RE in refugee camps, at sites with internally displaced persons (IDPs), schools, and high-risk areas. Following new hazards emerging from actions by NSAGs in central and eastern Chad, the National Demining Center (Centre National de Déminage, CND) deployed RE teams to affected areas to warn of the dangers of ERW.⁸⁸ As of July 2010, the UN Mission in the Central African Republic and Chad (MINURCAT), had developed an RE strategy, which they were hoping to implement during the remainder of the year. Linked to this initiative has been the setting up of an ERW "Hot Line" reporting system. As of mid-2010 the system had only been tested within Abéché, but "due to its success" it was planned to conduct the initiative in all major towns across eastern Chad.⁸⁹

In Iraq, UNICEF was working with the regional mine action centers on finalizing a national strategy for RE in 2010, holding a workshop on strategy, standards, and guidelines in June 2010 that involved implementing partners and representatives of government ministries. However, the program was said to face an array of major challenges from poor funding (and decreasing government allocations) for RE, limited local human and other resources, slow accreditation procedures, lack of government policy enforcing the roles of concerned ministries, and continuous changes at the policy-making level.⁹⁰

In Pakistan, since July 2009, UNICEF has supported a Pakistani NGO, the Sustainable Peace and Development

⁸⁴ HALO, "Landmine Incident Kills Two," Press release, 17 April 2010, somalilandpress.com.

⁸⁵ Email from Valon Kumnova, Desk Officer, Horn of Africa, HALO, 19 July 2010.

⁸⁶ Email from Valentina Crini, Risk Education Advisor, HI, 23 April 2010.

⁸⁷ Presentation by the HI Capacity Building Project, provided by email from Valentina Crini, HI, 23 April 2010.

⁸⁸ Chad Article 7 Report, Form I, 20 May 2010.

⁸⁹ Email from Mark Frankish, Chief, Mine Action Unit, MINURCAT, 9 July 2010.

⁹⁰ Email from Fatumah Ibrahim, Chief, Child Protection, UNICEF, 17 August 2010.

Organisation (SPADO), and other NGOs in developing and implementing RE activities in Malakand division and other conflict-affected areas in the northwest. After an initial training jointly conducted by UNICEF and HI, NGOs received technical assistance through a coordination mechanism that meets monthly.⁹¹

Also in Pakistan, HI started an emergency RE program for IDPs in the North-West Frontier Province (NWFP) in August 2009, funded by the European Commission initially for six months, but this funding was later extended. The program, comprising a manager and eight agents, delivered RE to 1.5 million IDPs in camps and temporary schools, mainly in Mardi and Swabi districts but also in Swat and Buner. The program distributed RE materials and prepared radio spots and messages broadcast on local radio and cable television.⁹²

The Swiss Foundation for Mine Action (FSD) started community-based RE in March 2009 in partnership with SPADO and as of June 2010 was operating 15 four-person teams, including three all-women teams, in four districts of Buner, Dir, Shangla, and Swat.⁹³ In five months (through June 2010), FSD reported that the program had conducted 3,869 RE sessions, reaching some 419,271 people. As a result of its RE, 228 items of UXO had been reported to the military for destruction.⁹⁴

MAG started an RE project in Pakistan in March 2010, also in partnership with SPADO. MAG provided RE training for SPADO staff as a first step towards training community personnel in the Federally Administered Tribal Areas and the NWFP. The initial project was due to run for five months up to August 2010, but MAG planned to apply for an extension.⁹⁵

⁹¹ Email from Sharif Baaser, Programme Specialist, Mine Action and Small Arms, Child Protection, UNICEF, 18 June 2010.

⁹² Email from Aneesa Pasha, Risk Education Technical Advisor, HI, 23 June 2010.

⁹³ Telephone interview with Dan Bridges, Program Manager, FSD, 10 June 2010.

⁹⁴ Email from Sadia Sadiq, Database Officer, FSD, 10 June 2010.

⁹⁵ Interview with Stephen Pritchard, Project Manager, MAG, Pakistan, 31 March 2010; and email, 2 April 2010.



Casualties and Victim Assistance

© Giovanni Diffidenti, November 2009

Casualties in 2009¹

The Monitor identified 3,956 casualties occurring in 2009 that were caused by mines, victim-activated improvised explosive devices (IEDs), cluster munition remnants, and other explosive remnants of war (ERW) in 64 states and areas.² At least 1,041 people were killed, 2,855 were injured, and the status of 60 casualties was unknown.³

As in 2008, Afghanistan had the greatest number of casualties (859), followed by Colombia (674). Despite decreasing casualty figures, in part due to successful clearance and awareness-raising, many thousands of people face the risk of injury from mines, ERW and, increasingly, IEDs while trying to carry out their daily activities.

¹ Figures include individuals killed or injured in incidents involving devices detonated by the presence, proximity, or contact of a person or a vehicle, such as all antipersonnel mines, antivehicle mines, abandoned explosive ordnance (AXO), UXO, and victim-activated IEDs. Not included in the totals are: estimates of casualties where exact numbers were not given; incidents caused or reasonably suspected to have been caused by remote-detonated mines or IEDs that were not victim-activated; and people killed or injured while manufacturing or emplacing devices. In many states and areas, numerous casualties go unrecorded and thus, the true casualty figure is likely significantly higher.

² The 58 states and six areas where casualties were identified in 2009 are: Afghanistan, Albania, Algeria, Angola, Armenia, Azerbaijan, Belarus, BiH, Burundi, Cambodia, Chad, China, Colombia, DRC, Croatia, Cyprus, Egypt, El Salvador, Eritrea, Ethiopia, Georgia, Guinea-Bissau, India, Iran, Iraq, Israel, Jordan, Kenya, South Korea, Kuwait, Lao PDR, Lebanon, Libya, Mali, Mauritania, Mozambique, Myanmar, Nepal, Nicaragua, Niger, Pakistan, Peru, Philippines, Russia, Senegal, Somalia, Sri Lanka, Sudan, Syria, Tajikistan, Thailand, Turkey, Uganda, Ukraine, Vietnam, Yemen, Zambia, Zimbabwe, as well as Abkhazia, Kosovo, Nagorno-Karabakh, Palestine, Somaliland, and Western Sahara.

³ For 2009, the Monitor actively collected victim assistance and casualty data for states with significant numbers of survivors (more than 1,000) and/or where there have been 10 or more casualties per year for the previous three reporting years. While passive monitoring of other states was maintained, the change in the Monitor's methodology and coverage for 2010 makes it possible that a small number of casualties may have occurred in states no longer profiled, which have not been included in the totals above. However, these small numbers would not significantly affect the decreasing casualty trend, which is more related to decreased new use of mines and IEDs, a reduction in global armed violence since the 1990s, and more effective mine action programs.

States with 100 casualties or more in 2009

State	No. of casualties in 2009
Afghanistan	859
Colombia	674
Pakistan	421
Myanmar	262
Cambodia	244
Lao PDR	134
Somalia	126

A survivor undergoing physical rehabilitation in Colombia.

The region with the greatest number of casualties by far was Asia-Pacific.

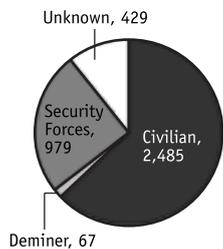
2009 casualties by region

Region	No. of casualties	No. of states and areas in the region with casualties
Asia-Pacific	2,153	13
Americas	682	4
Africa	534	19
Middle East-North Africa	324	13
Europe and CIS	263	15
Total	3,956	64

It needs to be stressed that the 3,956 figure only includes recorded casualties and, due to incomplete data collection, the true casualty figure is definitely higher. The 2009 figure represents by far the lowest number of recorded casualties worldwide since the Monitor began reporting in 1999 and it is the first time the global casualty figure has fallen below 5,000.⁴ This decline

⁴ Recorded casualties gradually reduced throughout the decade from more than 8,000 per year between 1999 and 2003 to just over 7,000 in 2005, and fewer than 5,500 per year since 2007. The total casualty figure for 2008 was revised upward as updated information became available. *Landmine Monitor Report 2009* reported a total of 5,197 casu-

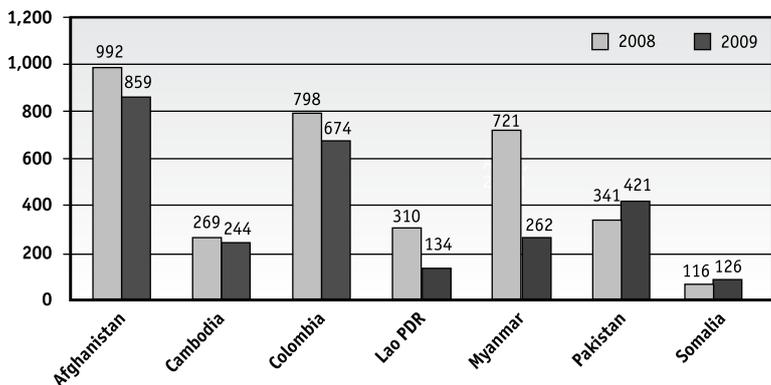
Mine/ERW casualties by civilian/military status 2009



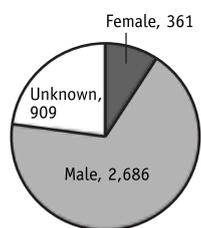
is, in part, a continuation of a steady global decline in mine/ERW casualties; the continued trend of decreasing casualties in Colombia is one of the major contributors to this global decline. Also, in 14 of the states that recorded casualties for 2008, no casualties were identified for 2009.⁵ Two states that did not report casualties in 2008 reported casualties in 2009: Albania and Mauritania.

However, the decline can in large part be attributed to a decline in availability of casualty data for 2009 in various countries such as Afghanistan, Iraq, Lao PDR, and especially in Myanmar where in 2008 one-off information on military casualties resulted in 508 additional reported casualties (which is 12% of the 2009 casualty total). In some cases, data collection is severely hindered by conflict, such as in Pakistan, where the Monitor needs to rely on media reports, and likely also in Afghanistan, where the mine action center recorded significantly fewer casualties in 2009 compared to previous years.

Total mine/ERW casualties for most affected countries: 2008–2009



Casualties by gender: 2009



Casualty demographics

In 2009, civilians made up 70% of all casualties for which the civilian/military status was known (2,485 of 3,531).⁶ This was an increase from 2008 when civilians made up 61% of all casualties, though it was nearly identical to the proportion of civilian casualties in 2007 (71%). However, this fluctuation can mainly be attributed to one-time information on military casualties in Myanmar available for 2008 which included a number that was significant enough to affect the global proportion of

alties. Casualty data for 2008 was revised in nine countries, two of which were revised downward and seven increased. These changes are indicative of the fluctuating nature of casualty data as new information is gathered and also as some data collection mechanisms improve and others decline.

⁵ No casualties were identified in 2009 in: Bangladesh, Cote d'Ivoire, Greece, Indonesia, Kyrgyzstan, Malaysia, Moldova, Mongolia, Montenegro, Morocco, Poland, Rwanda, Serbia, and the United States. Morocco, Rwanda, Serbia, and the US were profiled by the Monitor in 2010; the remaining ten were not. Of those not profiled in 2010, it is almost certain that a limited number of ERW casualties occurred in Poland and some IED casualties occurred in Bangladesh. Passive monitoring of the other states not profiled did not reveal any casualties in 2009.

⁶ The category of "civilian casualties" did not include humanitarian clearance personnel, who are also civilians but were, as in previous years, recorded in a separate category for deminers, to enable drawing more detailed research conclusions.

civilian to military casualties.⁷ The vast majority (80%) of military casualties for 2009 were identified in just three states, where there was ongoing armed conflict/violence: Colombia (442), Afghanistan (237), and Pakistan (103).

There were 67 casualties among humanitarian deminers in 14 states/areas⁸ in 2009, a 30% decrease compared to 2008, when there were 96 deminer casualties. As in 2008, by far the most clearance casualties occurred in Afghanistan (34 casualties), followed by Bosnia and Herzegovina (BiH), Cambodia, and Yemen, each with five. In each of these states, the number of casualties among deminers declined from 2008.⁹ One female demining casualty was recorded in Cambodia.¹⁰

As in previous years, the vast majority of casualties where the gender was known were male (2,686 of 3,047, or 88%), and 361 (or 12% of casualties) were female, which is a small increase compared to 2008.¹¹ Among civilian casualties for whom the gender was known, female casualties made up 16% of the total (336 of 2,081). In 2009, there were no states where girls and/or women were the majority of casualties, though female casualties increased as a proportion of total casualties in seven states.¹²

Children made up almost a third of all casualties for whom the age was known (1,001 of 3,164)—a slight increase from 2008. For 20% of casualties (792) information about their age was unknown, which was nearly the same as in 2008. When looking only at civilian casualties for whom the age was known, children made up nearly half of all casualties, 45% compared to 41% in 2008. The vast majority of child casualties were boys (73%, equal to 2008), 18% were girls (up from 16% in 2008), and the gender of 72 child casualties was not recorded.

In 11 states/areas, children made up half or more of all civilian casualties, including in Afghanistan, with 288 child casualties, and Chad, where children made up 95% of all casualties.¹³ In the Philippines, child casualties, accounting for more than 50% of all casualties, were identified for the

⁷ The year 2008 marked the first reporting period that the Monitor had access to information on substantial numbers of government military casualties in Myanmar (508 casualties). In comparison, just three military casualties were identified in Myanmar for 2009 and nine for 2007. Data on government military casualties was not provided for 2009.

⁸ States/area with casualties among deminers in 2009 are: Abkhazia, Afghanistan, Angola, BiH, Cambodia, Croatia, Cyprus, Iraq, Lebanon, Mozambique, Russia (Chechnya), Tajikistan, Ukraine, and Yemen.

⁹ In 2008, eight demining casualties were identified in Iran. No casualty data for deminers in Iran was available for 2009 but there was one report stating that mines and ERW continued to cause "countless" casualties among deminers. See the Country Profile for Iran, www.the-monitor.org/cp/ir.

¹⁰ The gender of five deminers was unknown (three in Ukraine, one in Cyprus, and one in Angola).

¹¹ The gender of 909 casualties was unknown (23% of the total compared to 21% for 2008).

¹² The 7 states where the proportion of female casualties increased in 2009 are: Afghanistan, Chad, Georgia, Guinea-Bissau, Jordan, Pakistan, and Thailand. In the case of Guinea-Bissau, female casualties increased from none in 2008 to 10 in 2009, but all occurred in the same ERW incident.

¹³ The 11 states/areas where children made up half or more of all civilian casualties in 2009 are: Afghanistan, Chad, Eritrea, Guinea-Bissau, India, Jordan, Mozambique, Nepal, Somalia, Somaliland, and Sudan.

first time since 2005. In BiH, the number of child casualties was the highest since 2004. In Eritrea, while overall casualty figures decreased significantly in 2009, the number of child casualties remained consistent and increased from 50% of civilian casualties in 2008 to 76% in 2009.

Items causing casualties

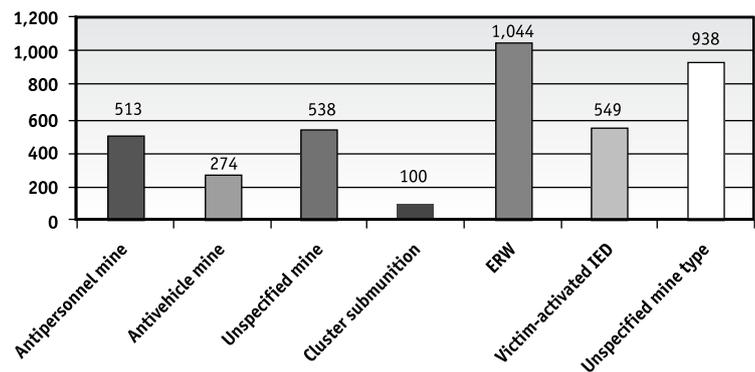
In 2009, for 24% of all casualties (938), the item that caused the casualty was unknown.¹⁴ For 3,018 casualties, the item type was known. Of these:

- Mines, including antipersonnel mines, antivehicle mines, and mines of unspecified types were the most common, at 1,325 (44% of the 2009 total), a slight decrease as compared to 2008:
 - antipersonnel mines caused 513 casualties (17% of the 2009 total), a continued decrease from 2008 and 2007;¹⁵
 - unspecified types of mines caused 538 casualties (18% of the 2009 total), a continued increase from 2008 and 2007; and
 - antivehicle mines caused 274 casualties (9% of the 2009 total), down from 2008 and 2007.¹⁶
- ERW, including cluster munition remnants, caused 1,144 (or 38%), compared to 44% in 2008:
 - cluster munition remnants caused 100 casualties (3% of the 2009 total), a decrease from 2008 and from 2007; and
 - ERW caused 1,044 casualties (35% of the 2009 total), down from 2008 but similar to the 2007 level.¹⁷

A sharp increase in casualties from victim-activated IEDs, which function like *de facto* antipersonnel mines, is the main reason for the decreased proportion of mine and ERW casualties. Victim-activated IEDs caused 549 or 18% of casualties in 2009 (where the device type was known), compared to less than 3% in 2008 and 10% in 2007. This increase is explained by the leaking of a new source of detailed information on IED casualties in Afghanistan in 2009.¹⁸ Some 293 victim-activated IED casualties were

identified for Afghanistan in 2009, compared to just three in 2008, accounting for more than 50% of worldwide victim-activated IED casualties in 2009.¹⁹

Casualties by item: 2009



States/areas with casualties, by item type where known²⁰

Item type	State/area with casualties in 2009
Antipersonnel mines	<i>Abkhazia</i> , Afghanistan, Angola, Azerbaijan, BiH, Cambodia, China, Colombia, Croatia, India, Iraq, Israel, South Korea, Lebanon, Mozambique, Myanmar, Nepal, Nicaragua, Pakistan, Philippines, Russia, Senegal, <i>Somaliland</i> , Sri Lanka, Tajikistan, Thailand, <i>Western Sahara</i> , and Yemen.
Antivehicle mines	<i>Abkhazia</i> , Afghanistan, Algeria, Angola, Azerbaijan, Cambodia, Cyprus, Mauritania, <i>Nagorno-Karabakh</i> , Niger, Pakistan, Russia, <i>Somaliland</i> , Sri Lanka, Syria, <i>Western Sahara</i> , and Yemen.
Unspecified mine type (antipersonnel or antivehicle)	Afghanistan, Algeria, Angola, Armenia, Burundi, Cambodia, Chad, Eritrea, Ethiopia, India, Iran, Iraq, Jordan, Kuwait, Lebanon, Libya, Myanmar, Niger, Philippines, Somalia, Turkey, <i>Western Sahara</i> , Yemen, and Zimbabwe.
ERW	<i>Abkhazia</i> , Afghanistan, Albania, Angola, Azerbaijan, Belarus, BiH, Cambodia, Chad, Democratic Republic of the Congo (DRC), El Salvador, Eritrea, Georgia, Guinea-Bissau, India, Iraq, Jordan, <i>Kosovo</i> , Kuwait, Lao PDR, Mali, Lebanon, Mozambique, Nepal, Nicaragua, Pakistan, <i>Palestine</i> , Philippines, Russia, Somalia, <i>Somaliland</i> , Sri Lanka, Tajikistan, Turkey, Uganda, Ukraine, Vietnam, <i>Western Sahara</i> , Yemen, and Zambia.
Submunitions	Afghanistan, BiH, Cambodia, DRC, Iraq, <i>Kosovo</i> , Lao PDR, Lebanon, Sudan, and Vietnam.
Victim-activated IEDs	Afghanistan, Cambodia, Colombia, DRC, India, Iraq, Nepal, Pakistan, and Peru.

Note: Other areas are indicated by italics.

¹⁴ This includes all 674 casualties identified in Colombia. While these casualties are registered by the Presidential Program for Mine Action as having been caused by antipersonnel mines, it is widely accepted that these casualties are caused by both antipersonnel mines and victim-activated IEDs, which act as antipersonnel mines. These 674 Colombian casualties have been excluded from the total number of antipersonnel mine (and victim-activated IED) casualties, as in previous years. In 2008, for nearly 41% of casualties the device causing the incident was unknown, of these, casualties in Colombia made up 15%.

¹⁵ The decline of 202 antipersonnel mine casualties from 2008 to 2009 is related to a significant decline in these casualties, from 210 to 29, in Afghanistan, mostly due to a change in the way data was collected.

¹⁶ The decline of 166 antivehicle mine casualties from 2008 to 2009 is related to a significant decline in these casualties, from 136 to 20, in Afghanistan, mostly due to a change in the way data was collected.

¹⁷ ERW including UXO and AXO, but excluding cluster munitions remnants.

¹⁸ For more detailed information see the Country Profile for Afghanistan, www.the-monitor.org/cp/af.

¹⁹ However, information on casualties in Afghanistan in 2008 included 128 casualties for which the device type was unknown and were possibly victim-activated IED casualties.

²⁰ While data collection practices in Colombia make it impossible to determine the exact number of antipersonnel mine casualties, there were known to have been some in the country in 2009. Sudan is the only state with casualties from unexploded submunitions but without casualties reported from other ERW, but the high number of casualties caused by unknown devices makes it likely that in Sudan there were also ERW casualties. While the specific number of victim-activated IED casualties in Colombia is not known, there were known to have been some.

As in 2008, where age was known, most antipersonnel mine casualties were adults (87%, up from 80% in 2008), and nearly all of those (91%) were men.²¹ Antipersonnel mines caused two-thirds (or 44 of 67) of all demining casualties, but just 53 military casualties (5%).²²

In 2009, 64% of casualties caused by unexploded submunitions were adults, and 36% were children (when the age of the casualty was known), compared to a 50-50 ratio in 2008. When looking at all other types of ERW, children constituted 61% of casualties where the age was known (582 of 953), compared to 57% in 2008. When the gender was known,²³ boys were the largest casualty group at 49% (up from 45% in 2008). Some 32% were men (down from 42%), 11% were girls (up from 9%), and 8% were women (up from 4%).



© Giovanni Diffidenti, December 2009

US and Colombian teams compete in a wheelchair rugby match to mark International Day of Persons with Disabilities.

Victim Assistance

Introduction

In an otherwise mostly static year for service provision to survivors of landmines and explosive remnants of war (ERW), the greatest change was seen in the international framework for responding to their needs, with three major developments.

First, States Parties to the Mine Ban Treaty agreed to the Cartagena Action Plan 2010–2014 at the Second Review Conference in December 2009.²⁴ The Nairobi Action Plan 2005–2009, the blueprint for the implementation of the Mine Ban Treaty since the First Review Conference in December 2004, reached its end. This prompted States Parties, NGOs, and international

organizations to review progress made towards the plan's commitments. They also assessed what actions were needed to ensure more effective implementation of victim assistance initiatives post-2010, resulting in the Cartagena Action Plan 2010–2014.

Second, after entering into force on 3 May 2008, implementation of the UN Convention on the Rights of Persons with Disabilities (UNCPRD) began in several states with significant numbers of mine/ERW survivors. Finally, the entry into force of the Convention on Cluster Munitions on 1 August 2010, which includes strong victim assistance obligations as one of its central components, increased the standards for assistance to survivors, their families, and affected communities. Each of these instruments solidified legal obligations and commitments to survivors, making 2009 an important transitional year for the future orientation of victim assistance.

In the lives of most survivors, however, 2009 was much like previous years, with some progress but also persistent obstacles that varied for each state, program, and individual. Improvements in the quality and accessibility of services for survivors in 2009 were seen in a small number of countries. Unfortunately, nearly as many countries reported a decline in services, due mostly to changed security situations and global economic conditions.

In this reporting period, the Monitor profiled 56 countries²⁵ and six areas²⁶ with the largest number of mine/ERW survivors, providing a thorough picture of the victim assistance situation in 2009 in the context of the Mine Ban Treaty and other relevant legal instruments.²⁷ The Monitor measured progress in victim assistance in 2009 in four key areas:

- *Survivors' needs assessments*, because the completeness of information on mine/ERW casualties, the needs of survivors, and existing services is essential to planning and implementing an effective victim assistance program that addresses survivors' real needs.

²¹ Based on information for 342 antipersonnel mine casualties. For 171 of the total 513 antipersonnel mine casualties (33%) the age was unknown.

²² These figures again exclude data from Colombia.

²³ The gender was known for 871 casualties due to other ERW.

²⁴ See UN, "Review of the Operation and Status of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Antipersonnel Mines and on Their Destruction: 2005–2009," Cartagena, 30 November–4 December 2009, APLC/CONF/2009/WP.2, 18 December 2009, (hereafter referred to as "Cartagena Review Document"); and *Voices from the Ground: Landmine and Explosive Remnants of War Survivors Out on Victim Assistance* (Brussels: Handicap International, 2 September 2009).

²⁵ The 56 profiled countries are: Afghanistan, Albania, Algeria, Angola, Armenia, Azerbaijan, Belarus, BiH, Burundi, Cambodia, Chad, China, Colombia, Croatia, DRC, Egypt, El Salvador, Eritrea, Ethiopia, Georgia, Guinea-Bissau, India, Iran, Iraq, Israel, Jordan, Lao PDR, Lebanon, Libya, Morocco, Mozambique, Myanmar, Nepal, Nicaragua, Niger, Pakistan, Peru, Philippines, Russia, Rwanda, Senegal, Serbia, Somalia, Sri Lanka, Sudan, Syria, Tajikistan, Thailand, Turkey, Uganda, Ukraine, the UK, US, Vietnam, Yemen, and Zambia. Of these, 33 were States Parties and 23 were states not party to the Mine Ban Treaty.

²⁶ The other areas not recognized as states by the UN are: Abkhazia, Kosovo, Nagorno-Karabakh, Palestine, Somaliland, and Western Sahara.

²⁷ Each of the 62 countries and areas profiled had at least 1,000 mine/ERW survivors on their territory by the end of 2009 and/or had had 10 or more casualties per year, consistently, for the previous three reporting years (2006–2008). These included the 26 countries that self-identified as having significant numbers of mine survivors, and the greatest responsibility to act, but also the greatest needs and expectations for assistance in providing adequate services for the care, rehabilitation, and reintegration of survivors in the 2005–2009 period. The 26 self-identifying countries are: Afghanistan, Albania, Angola, BiH, Burundi, Cambodia, Chad, Colombia, Croatia, DRC, El Salvador, Eritrea, Ethiopia, Guinea-Bissau, Iraq, Jordan, Mozambique, Nicaragua, Peru, Senegal, Serbia, Sudan, Tajikistan, Thailand, Uganda, and Yemen.

- *Victim assistance coordination* includes the planning, monitoring, and coordination of all aspects of victim assistance, with all relevant stakeholders, such as government ministries, survivors and their representative organizations, and civil society actors.
- *Survivor inclusion* is meaningful, and that there is full participation of survivors and their representative organizations in all aspects of the Mine Ban Treaty (and other relevant legal mechanisms) and in all aspects of victim assistance decision-making, coordination, implementation, and monitoring.²⁸
- *Quality and accessibility of services* means that a variety of services (including emergency and continuing medical care, physical rehabilitation, psychological support, and social and economic inclusion) are available and accessible and must meet minimum quality standards. Equal access should also be guaranteed by a national legal framework that promotes the rights of survivors and other persons with disabilities.



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Assessing Survivors' Needs

The Nairobi Action Plan 2005–2009 called on States Parties to “[d]evelop or enhance national mine victim data collection capacities” and to ensure access to data by relevant victim assistance stakeholders and service providers as a baseline for appropriate victim assistance. By the end of 2009, “many relevant States Parties still know little about the specific needs of survivors and the assistance received or needed.”²⁹ Just four of the

²⁸ In 2010, the Monitor aimed to systematically establish a baseline for survivor inclusion at the national level so that progress in this area, called for by survivors themselves, and in new norms, can be measured.

²⁹ UN, “Cartagena Review Document,” Cartagena, 30 November–4 December 2009, APLC/CONF/2009/WP.2, 18 December 2009, p. 44.



© Control Arms Foundation India, 15 February 2010

26 relevant States Parties reported that comprehensive information was available on the numbers and location of mine survivors to support the priority-setting of service providers and other victim assistance stakeholders.³⁰

In the reporting period, only 14 of 62 countries and areas initiated and/or completed survivor surveys or needs assessments.³¹ Seven of these were nationwide surveys³² and the remainder were limited to a geographic area or time period.³³ In six states, collected data was used by victim assistance stakeholders for planning purposes and/or to improve referral of survivors to existing services.³⁴ In four other states, plans to use data to improve victim assistance had not yet materialized by the end of 2009.³⁵ In one state (BiH) data collected was not accessible to service providers.³⁶

- In Algeria, the Interministerial Committee on the Implementation of the Mine Ban Treaty, in cooperation with the National Research Center in Social and Cultural Anthropology, completed a survey on the socio-economic impact of mines/ERW that included an assessment of survivors and victim assistance services. Full results were not yet available by the end of 2009.
- BiH completed a national casualty database revision and needs assessment started in 2008, though several key actors were unable to access the information and one service provider found the data to be inaccurate and requiring re-verification before use.

A landmine survivor participates in an activity denouncing landmine and cluster munition production during an arms fair in India.

The leader of the Fish Sauce Business Group tests a batch of sauce which will be sold to generate income for the survivors who make it.

³⁰ Ibid. The report did not specify which these four states were.

³¹ For information about needs assessments and survivor surveys carried out prior to 2009, please see previous editions of Landmine Monitor.

³² States Parties: Algeria, BiH, Jordan, Peru, and Thailand. States not party: Lao PDR and Lebanon.

³³ States Parties: Iraq, Mozambique, Senegal, Sudan, and Uganda. States not party: Iran and Sri Lanka. The Sudan Landmine Impact Survey (LIS), completed in 2009, collected recent casualty data in the 16 most mine/ERW affected states and surveyed survivors in those same states as to whether or not they had received emergency medical care, physical rehabilitation, and/or vocational training.

³⁴ Iran, Lao PDR, Lebanon, Mozambique, Senegal, and Uganda.

³⁵ Iraq, Peru, Sri Lanka, and Thailand.

³⁶ In the case of Jordan, the survey was completed in March 2010 and, by the time of the publication it was not yet known how the data was being used. Information was also not available regarding the use of LIS data on survivors' needs in Sudan. No information was available on Algeria.

An Iraqi mine survivor.

- The Network for Mine Victims in Mozambique, with support from the National Demining Institute, surveyed survivors and their needs in four districts in Maputo province. Consultations with the Ministry of Women and Social Action ensured that the results of the survey would be considered as admissible criteria to receive relevant government benefits.
- In Peru, the Peruvian Center for Mine Action worked with the National Council for the Integration of Disabled Persons and the National Institute of Rehabilitation to interview 99 of 117 registered civilian mine survivors in February 2010. The results were to be used to design a national victim assistance plan and refer survivors to available services.
- In Senegal’s Casamance region, a three-day casualty data verification and needs assessment of civilian mine/ERW survivors served as the basis for the National Victim Assistance Action Plan 2010–2014. Due to the short timeframe for the survey there were concerns about the comprehensiveness of the results.



© Sean Surtton/MAC, May 2010

In Angola and Croatia, steps were taken in 2009 to prepare survivor needs assessments launched in 2010. In Palestine and Nicaragua, surveys on the needs of persons with disabilities, including mine/ERW survivors were started in 2009. In Colombia, victim assistance services were mapped but no attempt was made to match these services with survivor needs.

Additionally, numerous NGOs and service providers continued to collect data on survivors’ needs and the services they had received. In several countries and areas, service providers reported ongoing collection of data on beneficiaries’ needs³⁷ and, in Serbia, the national survivors’ association, Assistance Advocacy Access, launched a national survivor needs assessment at the end of 2009.

Campaigners meet the President of Iraq’s Parliament to discuss the rights of persons with disabilities.



© IADO, 11 September 2009

³⁷ Such data collection occurred in Abkhazia, Afghanistan, Albania, Nepal, and Yemen, but this list cannot be considered exhaustive as Monitor research did not explicitly request information about efforts by service providers to collect data on survivors’ needs.

However, recognizing that severe data collection challenges persisted, States Parties, at the end of 2009, committed under the Cartagena Action Plan 2010–2014 to “Collect all necessary data, disaggregated by sex and age, in order to develop, implement, monitor and evaluate adequate national policies, plans and legal frameworks”³⁸ and to be sure that such data includes information on both the needs of survivors and the availability of relevant services. This action also calls for “such data [to be made] available to all relevant stakeholders and that it contribute to other relevant, national data collection systems.”³⁹

Victim Assistance Coordination

While the Nairobi Action Plan 2005–2009 did not explicitly address issues related to the coordination of victim assistance, by the end of 2009, States Parties had to recognize that the most identifiable achievements since 2005 had been “process-related.”⁴⁰ The Cartagena Action Plan 2010–2014 underscored the importance of these organizational aspects by calling on States Parties to “Establish, if they have not yet done so, an inter-ministerial/inter-sectoral coordination mechanism for the development, implementation, monitoring and evaluation of relevant national policies, plans and legal frameworks...”⁴¹

³⁸ “Cartagena Action Plan 2010–2014: Ending the Suffering Caused by Anti-Personnel Mines,” Cartagena, 11 December 2009, Action 25, (hereafter referred to as the “Cartagena Action Plan”).

³⁹ “Cartagena Action Plan,” Cartagena, 11 December 2009, Action 25.

⁴⁰ UN, “Cartagena Review Document,” Cartagena, 30 November–4 December 2009, APLC/CONF/2009/WP.2, 18 December 2009, p. 40.

⁴¹ “Cartagena Action Plan,” Cartagena, 11 December 2009, Action 24.

Coordination mechanisms

The Monitor found that at least 19 states, about one-third of the profiled countries, had specific victim assistance coordination mechanisms.⁴² One of these was officially initiated in 2009: in Uganda, the Ministry of Gender, Labour and Social Development established a victim assistance coordination mechanism, which only met once. Also, in Colombia new thematic committees were created within the national mine action center's existing victim assistance coordination mechanism to improve coordination, socio-economic reintegration, and psychosocial support.

In addition, two states started mine action coordination that included victim assistance in 2009. Eritrea re-initiated meetings of the Technical Working Group on the Mine Action Program which included victim assistance and the non-governmental Explosive Remnants of War Coordination Centre in Georgia included victim assistance among its coordination activities.⁴³

Some countries made steps to integrate or transform victim assistance coordination into coordination for the broader disability sector.

- Afghanistan's disability sector coordination mechanism, which also covers victim assistance, improved and expanded by establishing two new regional stakeholder coordination groups in addition to the existing group in Kabul.
- In Cambodia, the Steering Committee for Landmine Victim Assistance was in a process of transformation into a National Disability Coordination Committee (NDCC), with a broader coordination role for the disability sector.⁴⁴
- In Jordan, responsibility for victim assistance was assumed by the Higher Council on the Affairs of Persons with Disabilities which formally established a Steering Committee on Survivor and Victim Assistance. Victim assistance was also included in the National Mine Action Plan 2010–2015 and integrated into the National Disability Strategy.
- A National Disability Council was established in Mozambique with the inclusion of the National Demining Institute as well as the Network for Mine Victims.⁴⁵

In the 19 states with coordinating mechanisms, frequency of meetings was one indicator of activity levels and varied significantly by state. Victim assistance coordination in 12 states consisted of mostly regular

meetings of the coordination body in 2009.⁴⁶ In Lebanon and Senegal the coordination body met as needed. In other states, such as Albania, the DRC, and Chad, informal meetings took place between the victim assistance mine action coordination body and key actors, such as international organizations, NGOs, and survivor organizations. In Thailand and Colombia the main victim assistance body met only once, but additional meetings were held by subcommittees. Victim assistance coordination bodies in Nicaragua and Yemen remained mostly inactive. In Lao PDR, Peru, and Thailand, coordination meetings were focused primarily on data collection and needs assessment.

In preparation for the Second Review Conference several states, including Angola, El Salvador, Sudan, and Thailand, used victim assistance meetings to prepare presentations on victim assistance progress and challenges.



© ICRC, 30 September 2009

Victim assistance focal points

At least 33 states had some sort of national victim assistance focal point. Twenty were mine action centers,⁴⁷ 11 were government ministries (usually social affairs or health, but also defense),⁴⁸ 11 were disability coordination bodies,⁴⁹ and one was a state hospital.⁵⁰ Little change in focal points was reported in 2009. Jordan designated a new focal point, as mentioned above, and the focal point (within the national mine action center) in Lebanon gained full responsibility for coordination of victim assistance. Government victim assistance focal points in Nicaragua, Serbia, and Zambia were inactive in 2009.

A young boy who lost his leg after stepping on a mine in Dir district, Pakistan with a nurse at a hospital in Peshawar.

⁴² States Parties: Albania, Algeria, Angola, Azerbaijan, BiH, Cambodia, Colombia, El Salvador, Guinea-Bissau, Iraq, Jordan, Nicaragua, Peru, Senegal, Uganda, and Yemen. States not parties: Georgia, Lao PDR, and Lebanon.

⁴³ Other countries which included victim assistance in mine action coordination, but did not have a distinct victim assistance coordination mechanism in 2009 included State Party Croatia and states not parties Nepal, Sri Lanka, and Vietnam.

⁴⁴ Approval for the NDCC was granted in August 2009 but the first official meeting of the committee was not held until the first quarter of 2010.

⁴⁵ The National Disability Council was not yet operational at the end of 2009.

⁴⁶ Nine States Parties: Afghanistan, BiH, El Salvador, Eritrea, Iraq, Jordan, Nepal, Sudan, and Tajikistan. Three states not parties: Lao PDR, Sri Lanka, and Vietnam.

⁴⁷ States Party: Albania, Angola, BiH, Burundi, Chad, Colombia, Croatia, Guinea-Bissau, Iraq, Mozambique, Peru, Senegal, Sudan (northern), Tajikistan, Thailand, and Yemen. States not parties: Azerbaijan, Lao PDR, Lebanon, and Libya.

⁴⁸ States Parties: Afghanistan, Algeria, Cambodia, DRC, Eritrea, Ethiopia, Nicaragua, Sudan (southern), and Uganda. States not party: Georgia, US.

⁴⁹ States Parties: Afghanistan, Cambodia, El Salvador, and Jordan. In the cases of Afghanistan and Cambodia, the victim assistance focal point was based within a ministry that coordinated disability issues.

⁵⁰ State Party: Serbia.

Development of national plans

At least 14 states were identified as having victim assistance or broader disability plans used in a victim assistance framework.⁵¹ Of these, three reported having adopted new multiyear plans in 2009:

- The National Plan of Action for Persons with Disabilities including Landmine/ERW Survivors 2009–2011 was adopted by Cambodia's Prime Minister in August 2009 and sub-decrees were being formulated under the plan, including restructuring of the national Disability Action Council.
- Nepal's Ministry of Peace and Reconstruction led the development of a five-year national strategic framework for victim assistance by the government and key national and international stakeholders.
- On 25 November 2009, Senegal approved the National Victim Assistance Plan 2010–2014. It was developed through the Ad Hoc Victim Assistance Committee, involving government ministries, service providers, and the Senegalese Association of Mine Victims and was based on data gathered through the October 2009 civilian survivor needs assessment. It included provisions to monitor the implementation of the plan that include key victim assistance stakeholders, including survivors and their representative organizations.

Despite the importance of monitoring progress in the implementation of victim assistance plans, El Salvador was the only state to report a specific monitoring mechanism through regular meetings of the Council for Integrated Attention for Persons with Disabilities sub-committee on victim assistance, which was also responsible for monitoring national implementation of the UNCRPD.

economic reintegration, of mine victims. While not made explicit in the treaty, subsequent action plans have clarified that mine survivors, their families, and representative organizations should not just be recipients of assistance but active participants in all aspects of treaty implementation. However, monitoring this inclusion has been difficult, particularly at the national level—the level at which survivors have the greatest impact on victim assistance.⁵²

At the Second Review Conference of the Mine Ban Treaty in December 2009, States Parties renewed the call for survivors to participate in treaty meetings as part of government delegations but also made it clear that survivors and their representative organizations should be meaningfully involved in all victim assistance activities. Action 29 of the Cartagena Action Plan says, "Ensure the continued involvement and effective contribution in all relevant convention related activities by health, rehabilitation, social services, education, employment, gender and disability rights experts, including mine survivors, inter alia by supporting the inclusion of such expertise in their delegations."⁵³

In 2009, at least seven States Parties—Australia, BiH, Colombia, Jordan, Peru, Tajikistan, and Thailand— included a mine/ERW survivor or other person with a disability in their delegations to the intersessional Standing Committee meetings or the Second Review Conference.

At the national level, in 2009, mine/ERW survivors, or their representative organizations, participated in victim assistance coordination and implementation in 23 states.⁵⁴ The quality of this participation varied, often in correlation with the effectiveness of the coordinating mechanism itself. In El Salvador some relevant disability organizations noted that they were not included in coordination meetings, though other organizations were. In other countries, such as China, India, and Mozambique, there were disability coordination mechanisms that included persons with disabilities and/or their representative organizations.⁵⁵

In 29 states survivors were involved in the implementation of victim assistance;⁵⁶ in 22 there was no information available about their involvement; and in 11

⁵² Action 38 of the Nairobi Action Plan calls on States Parties to "Ensure effective integration of mine victims in the work of the Convention, inter alia, by encouraging States Parties and organizations to include victims on their delegations." Nairobi Action Plan, "Final Report of the First Review Conference," 29 November–3 December 2004, APLC/CONF/2004/5, 9 February 2005, Action 38.

⁵³ "Cartagena Action Plan," Cartagena, 11 December 2009, Action 29.

⁵⁴ States Parties: Afghanistan, Albania, Angola, BiH, Cambodia, Chad, Colombia, El Salvador, Ethiopia, Jordan, Peru, Philippines, Senegal, Sudan, Tajikistan, and Uganda. States not parties: Azerbaijan, Lao PDR, Lebanon, Sri Lanka, Syria, the US, and Vietnam.

⁵⁵ In Mozambique, there was some coordination of victim assistance related to the pilot survivor needs assessment in Maputo province which involved survivors. In China and India there were no coordination mechanisms specific to mine/ERW victim assistance.

⁵⁶ States Parties: Afghanistan, Albania, Angola, BiH, Cambodia, Colombia, DRC, Croatia, El Salvador, Ethiopia, Iraq, Jordan, Mozambique, Nepal, Nicaragua, Peru, Senegal, Sudan, Tajikistan, Uganda, the UK, and Yemen. States not parties: Azerbaijan, Lao PDR, Lebanon, Sri Lanka, Syria, US, and Vietnam.



Students in Iraq participate in an awareness-raising campaign about the rights of persons with disabilities.

Survivor Inclusion

The Mine Ban Treaty requires States Parties to provide assistance for the care and rehabilitation, and social and

⁵¹ States Parties: Afghanistan, Albania, Angola, BiH, Cambodia, El Salvador, Eritrea, Sudan, Tajikistan, Thailand, and Uganda. States not parties: Azerbaijan, Nepal, and the US.

states and areas, they were known not to be included.⁵⁷ Often this participation was through NGOs, survivor's associations, or international organizations, such as the ICRC.⁵⁸ In states where survivors were included in the implementation of victim assistance, it was not necessarily systematic or widespread. For example, in Colombia peer support and survivor-led initiatives were exceptions rather than the norm, and in Peru, survivor involvement was mainly limited to advocacy activities.

Survivors were most often active in peer support, social inclusion, and advocacy on survivors' rights, but in several states they also active in the fields of physical rehabilitation and economic inclusion.⁵⁹

Quality and Accessibility of Services

Although States Parties committed to provide a holistic set of services and respect the rights of mine/ERW survivors, by the end of 2009, they recognized that, by and large, most survivors had not experienced significant overall improvements in quality or access to a range of necessary services.⁶⁰ The Cartagena Action Plan 2010–2014 stressed the continued need to dedicate efforts to improving the quality of and access to services, by calling to “remov[e] physical, social, cultural, economic, political, and other barriers, including by expanding quality services in rural and remote areas and paying particular attention to vulnerable groups.”⁶¹

Quality

In 2009, an overall improvement in the quality of victim assistance services was reported in just four states: Eritrea, Lao PDR, Tajikistan, and Vietnam. However, in Lao PDR and Tajikistan, this improvement was only slight. In Pakistan and Palestine, the overall quality of services decreased, mainly due to continued armed violence and increasing numbers of war-injured people overwhelming existing services.

Accessibility

Access to services improved in 10 states and areas, while nine saw an overall decrease in accessibility.⁶² In Abkhazia



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A mine survivor at an orthopaedic center in Herat, Afghanistan plays sports.

and Lao PDR, better accessibility was attributed to an increase in service providers and/or an expansion in the services offered. In Senegal, expanded mobile outreach services removed transport and security concerns for some survivors in need of services. In El Salvador, Nicaragua, and Vietnam, government efforts to decentralize services and/or increase funding for services for persons with disabilities promoted accessibility. Decreases in accessibility were most often related to ongoing armed conflict or a lack of security, such as in Pakistan. Decreased access was also seen in the most volatile regions of Afghanistan and Sudan. The departure of international organizations providing assistance decreased accessibility in Chad and Jordan,⁶³ and continued to adversely affect physical rehabilitation services in Angola.

International Legislation and Policies

As the Mine Ban Treaty lacked detail on what constituted victim assistance obligations for States Parties, the Nairobi Action Plan was the operational framework from 2005–2009. In this time period, progress was made mostly on coordination, but there was also a greater understanding of the numerous remaining challenges. Drawing lessons from the Nairobi Action Plan 2005–2009, the Cartagena Action Plan 2010–2014 includes firmer and more comprehensive commitments for States Parties on issues such as survivor inclusion, coordination, progress reporting, and, most importantly, appropriate, qualitative, and accessible services based on assessed needs of survivors, in the geographic areas where they are most needed. The raised benchmark should provide a more solid basis to monitor the extent to which affected states and the international community address the real needs of survivors.

Other international mechanisms with relevance to victim assistance include the UNCRPD, the Convention on Cluster Munitions, and Protocol V on ERW of the

⁵⁷ States Parties: Burundi, Guinea-Bissau, Serbia, Thailand, and Turkey. States not parties and areas: China, Georgia, India, Iran, and Russia, as well as Kosovo.

⁵⁸ Most information on survivor inclusion in the implementation of services was provided by NGOs, not governments.

⁵⁹ Some examples of countries where survivors were involved in providing physical rehabilitation include: Afghanistan, DRC, El Salvador, Georgia, and Nicaragua; and in economic inclusion activities include: BiH, Cambodia, Colombia, El Salvador, and Senegal.

⁶⁰ See, UN “Cartagena Review Document,” Cartagena, 30 November–4 December 2009, APLC/CONF/2009/WP.2, 18 December 2009, pp.41–43; and *Voices from the Ground: Landmine and Explosive Remnants of War Survivors Out on Victim Assistance* (Brussels: Handicap International, 2 September 2009).

⁶¹ UN, “Cartagena Action Plan,” Cartagena, 11 December 2009, Action 31.

⁶² States and areas with increased accessibility included: Abkhazia, El Salvador, Eritrea, Iraq, Lao PDR, Myanmar (just within physical rehabilitation), Nicaragua, Senegal, the US, and Vietnam. States and areas with decreased accessibility included: Afghanistan, Angola, Chad, Colombia, DRC, Guinea-Bissau, Jordan, and Pakistan, as well as Palestine.

⁶³ In Jordan, the closure of Survivor Corps, an international NGO providing peer support and other services, was seen to have an impact on access to overall services since it had served as an important information source to refer survivors to other service providers.

One of the first landmine casualties in Turkey, injured crossing the Turkey-Syria border between 1956 and 1962.



© Ali Balıkcı/Dzmir Dokuz Eylül University/IMFT, 23 May 2010

A young Colombian mine survivor whose family has moved to Bogotá, hoping to starting a new life.

Convention on Conventional Weapons. The Nairobi Action Plan 2005–2009 laid the ground work for the inclusion of principles of non-discrimination, the integration of survivors in the larger group of persons with disabilities, and the broad definition of “a victim” in these legal instruments. The enhanced legal framework and the development of common understandings were reflected in the Cartagena Action Plan 2010–2014 which calls for a holistic and integrated approach to victim assistance in accordance with applicable international humanitarian and human rights law.

UN Convention on the Rights of Persons with Disabilities

The UNCPRD is considered to “provide the States Parties with a more systematic, sustainable, gender sensitive and human rights based approach by bringing victim assistance into the broader context of persons with disabilities.”⁶⁴ Of the 56 states⁶⁵ profiled, over half (29) had ratified the UNCPRD by 1 August 2010 including 20 States Parties to the Mine Ban Treaty (10 of these ratified the UNCPRD in 2009 or 2010 through August).⁶⁶

⁶⁴ UN, “Cartagena Review Document,” Cartagena, 30 November–4 December 2009, APLC/CONF/2009/WP.2, 18 December 2009, pp. 54–55.

⁶⁵ Of the 62 states and areas profiled, six areas are not recognized by the UN and cannot join international conventions, therefore they have not been included in this count.

⁶⁶ The 20 Mine Ban Treaty States Parties that have ratified the UNCPRD are: Algeria (2009), BiH (2010), Croatia (2007), El Salvador (2007),

Another nine states not party to the Mine Ban Treaty had ratified the UNCPRD by 1 August 2010; six did so in 2009 or in 2010 through August.⁶⁷ Another six Mine Ban Treaty States Parties and 10 states not party had signed but not yet ratified the convention as of 1 August 2010, including three who did so in 2009.⁶⁸

In 2009, Mine Ban Treaty States Parties reported taking steps to implement the UNCPRD, which impacted mine/ERW survivors as well. For example in El Salvador, the victim assistance focal point was also the focal point for the implementation of the UNCPRD and monitored implementation of both instruments. In Nicaragua, a needs assessment of persons with disabilities initiated in October 2009 also included mine/ERW survivors. Thailand strongly connected its victim assistance coordination with its efforts to implement the UNCPRD.

Convention on Cluster Munitions

Influenced by the challenges experienced under the Mine Ban Treaty, the victim assistance provisions in the Convention on Cluster Munitions are more precise and comprehensive, making victim assistance a central component of the treaty’s humanitarian goals. The Convention on Cluster Munitions ensures the full realization of rights of all persons in communities affected by cluster munitions by obligating states to adequately provide assistance, without discriminating between people affected by cluster munitions and those who have suffered injuries or disabilities from other causes.

As of 10 September 2010, four profiled states with cluster munition victims⁶⁹ and four without known victims had ratified the Convention on Cluster Munitions.⁷⁰ Another



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Ethiopia (2010), Jordan (2008), Nicaragua (2007), Niger (2008), Peru (2008), Philippines (2008), Rwanda (2008), Serbia (2009), Sudan (2009), Thailand (2008), Turkey (2009), Uganda (2008), Ukraine (2010), the UK (2009), Yemen (2009), and Zambia (2010).

⁶⁷ The nine states not party to the Mine Ban Treaty that have ratified the UNCPRD are: Azerbaijan (2009), China (2008), Egypt (2008), India (2007), Iran (2009), Lao PDR (2009), Morocco (2009), Nepal (2010), and Syria (2009).

⁶⁸ The six Mine Ban Treaty States Parties that have signed the UNCPRD are: Albania (2009), Burundi (2007), Cambodia (2007), Colombia (2007), Mozambique (2007), and Senegal (2007). States not parties: Armenia (2007), Georgia (2009), Israel (2007), Lebanon (2007), Libya (2008), Pakistan (2008), Russia (2008), Sri Lanka (2007), the US (2009), and Vietnam (2007).

⁶⁹ Mine Ban Treaty States Parties: Albania, BiH, and Croatia. State not party: Lao PDR.

⁷⁰ Mine Ban Treaty States Parties: Nicaragua, Burundi, Niger, and Zambia.

17 had signed, but not yet ratified, the Convention on Cluster Munitions—including Lebanon, which has both mine and cluster munition victims but has not joined the Mine Ban Treaty—and 15 were Mine Ban Treaty States Parties.⁷¹

Protocol V of the Convention on Conventional Weapons

Protocol V on ERW of the Convention on Conventional Weapons addresses victim assistance in a similar manner to the Mine Ban Treaty. However in November 2008, the High Contracting Parties to Protocol V adopted a specific plan of action on victim assistance, which is more in line with the Mine Ban Treaty Action Plans as well as the Convention on Cluster Munitions, albeit of a less binding nature.⁷² Protocol V, with its plan of action on victim assistance, creates the opportunity for synergies in victim assistance within states with ERW survivors as well as responsibilities for mine survivors.



© Gretchen Murphy, 2009. Peace Fellow/The Advocacy Project, 30 June 2009

*A landmine survivor
in Dong Hoi,
Vietnam.*

⁷¹ Afghanistan, Angola, Chad, Colombia, DRC, El Salvador, Guinea-Bissau, Iraq, Mozambique, Peru, Philippines, Rwanda, Senegal, Uganda, and the UK.

⁷² The Monitor has victim assistance profiles on 10 High Contracting Parties to Protocol V that are also Mine Ban Treaty States Parties: Albania, Belarus, BiH, Croatia, El Salvador, Guinea-Bissau, Nicaragua, Peru, Tajikistan, and Ukraine. Five High Contracting Parties that are not Mine Ban Treaty States Parties are also profiled: Georgia, India, Pakistan, Russia, and the US. Georgia, Pakistan, and Russia reported on victim assistance in their Protocol V national annual reports for 2009; Ukraine reported on casualties.



Support for Mine Action

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Article 6 of the Mine Ban Treaty on international cooperation and assistance recognizes the right of each State Party to seek and receive assistance from other States Parties in fulfilling its treaty obligations. The Monitor reports annually on support for mine action by affected countries and on international mine action assistance reported by donor states. The Monitor relies in most cases on responses to requests for information from donors and affected states.

Key Developments in 2009

Donors and affected states devoted approximately US\$622 million to mine action in 2009.

National mine action contributions from affected states increased from \$144 million in 2008 to \$173 million in 2009, with Croatia and Angola accounting for 56% of the total.

In 2009, 33 donors contributed US\$449 million to 54 countries and areas. This is approximately the same as in 2008 when contributions totaled \$455 million and the fourth consecutive year that contributions were over \$400 million.¹ Twenty-six states received less support in 2009 and 27 states received more compared to 2008.

In 2009:

- Contributions from the top five mine action donors—the United States, European Commission (EC), Japan, Norway, and Germany—accounted for 61% of all donor funding.
- The top five recipient states—Afghanistan, Iraq, Cambodia, Sri Lanka, and Sudan—received almost

50% of all international mine action contributions in 2009.

- Of the 33 donors reporting contributions to mine action in 2009, 15 reported supporting victim assistance, totaling \$38 million, or 9% of the global total, with 25% going to the ICRC and national Red Cross and Red Crescent Societies. The US (\$10.9 million), Norway (NOK44.3 million/\$7 million), and Australia (A\$6.4 million/\$5 million) provided 60% of all reported victim assistance funding in 2009.

New donors included Oman, Poland, and South Korea. The largest new recipient was Pakistan, which received €1.3 million (\$1.8 million) from the EC for risk education. Other new recipients included Belarus, Gambia, Mali, Niger, Palau, Philippines, Syria, and Ukraine.

Assessments from the UN General Assembly totaling \$69 million bolstered funding for mine action operations within peacekeeping operations. Of that, approximately \$50 million in 2009 was allocated to the UN-African Union Hybrid operation in Darfur (UNAMID) and the UN Mission in Sudan (UNMIS).

Residents of a village near Hargeisa, Somaliland, participate in a risk education session.

A mine survivor and his wife opened a store in their home with NGO support.



© Angela Sanabria González/CCCM, 4 June 2010

¹ The EC revised its 2008 contribution downward to reflect only funds allocated in 2008, rather than a mix of future commitments and actual allocations. The revised EC figure for 2008 is €15,478,721 (\$22,793,965), a reduction of €45,321,279 (\$66,740,115) from what the Monitor reported in 2009, resulting in a revised total for 2008 global contributions. Emails from Maria Cruz Cristóbal, Mine Action Desk, Security Policy Unit, Directorate-General for External Relations, EC, 10 June and 29 August 2010. See also, *Landmine Monitor Report 2009*, p. 83. Average exchange rate for 2009: €1=US\$1.3935. US Federal Reserve, "List of Exchange Rates (Annual)," 4 January 2010.

International Contributions

Contributions by donor: 2005–2009²

Rank	Donor	Contribution (\$ million)					Total
		2009	2008	2007	2006	2005	
1	United States	118.7	85.0	69.8	94.5	81.9	449.9
2	EC	48.1	22.8	45.7	87.3	47.7	251.6
3	Japan	48.0	51.4	35.5	25.3	39.3	199.5
4	Norway	35.7	36.7	50.2	34.9	36.5	194.0
5	Germany	23.7	26.7	18.4	18.6	21.2	108.6
6	Australia	19.4	18.2	16.7	16.5	8.9	79.7
7	Canada	18.8	43.2	45.8	28.9	20.5	157.2
8	Netherlands	18.4	28.3	23.5	26.9	19.3	116.4
9	United Kingdom	17.9	24.9	25.2	19.4	21.5	108.9
10	Switzerland	15.0	15.1	12.0	14.0	12.1	68.2
11	Sweden	14.9	18.9	17.5	14.9	11.7	77.9
12	Spain	14.6	15.6	11.8	8.5	1.9	52.4
13	Denmark	11.2	14.7	12.1	14.5	11.3	63.8
14	Belgium	10.4	10.5	10.8	7.0	6.5	45.2
15	Finland	6.9	7.4	4.9	6.3	5.9	31.4
16	Ireland	5.2	7.2	7.0	4.8	2.1	26.3
17	France	4.5	3.9	2.3	3.3	3.9	17.9
18	Italy	3.9	10.2	4.1	5.4	4.5	28.1
19	Bosnia and Herzegovina (BiH)	2.5	0.0	0.0	0.0	0.0	2.5
20	New Zealand	2.2	2.7	2.0	0.8	0.9	8.6
21	Austria	2.1	7.2	7.0	4.8	2.1	23.2
22	Qatar	2.0	0.0	0.0	0.0	0.0	2.0
23	Czech Republic	1.3	1.2	1.2	1.2	1.4	6.3
24	Saudi Arabia	1.0	1.5	0.0	3.0	0.0	5.5
25	Luxembourg	1.0	1.2	0.9	1.3	1.3	5.7
	Eight other donors*	1.5	0.6	0.7	25.5	8.1	36.4
	Total	448.9	455.1	425.1	467.6	370.4	2,167.2

* The eight other donors include Andorra, Cyprus, South Korea, Liechtenstein, Lithuania, Oman, Poland, and Slovenia.

Thirty-three donors provided \$449 million to mine action in 2009, compared to \$455 million in 2008. The US, the EC, Japan, Norway, and Germany provided 61% of international support, compared to 49% in 2008.

Australia, BiH, Czech Republic, EC, France, Qatar, and the US increased their contributions from 2008. Eight countries decreased their contributions by 20% or more. For example, Canada decreased its contribution by \$24.4 million (a decrease of 57%), and eight European countries and Japan had a cumulative decline totaling \$44 million, ranging in percentage terms from a 71% decline in support by Austria to a 7% decline in support from Japan.

Donors with the largest decreases in contributions from 2008 to 2009

Donor	Amount of decrease (\$ million)	Percentage decrease from 2008 to 2009
Canada	24.40	57%
Netherlands	9.85	35%
UK	7.02	28%
Italy	6.37	62%
Austria	5.16	71%
Sweden	3.99	21%
Denmark	3.48	24%
Japan	3.39	7%
Germany	3.00	11%
Ireland	2.00	28%

² The amount for each donor has been rounded to the nearest tenth. Source information can be found in the respective Country Profiles at www.the-monitor.org/cp.

Though it is difficult to ascertain clear funding strategies based on funding in 2008 and 2009, several donors provided indications of their intentions through statements at international fora. In June 2010, Canada called on states to ensure that funding is “consistent, synergistic and mutually reinforcing,” to minimize overlap and maximize the impact of contributions in support of the implementation of both the Mine Ban Treaty and the Convention on Cluster Munitions.³ Switzerland and Germany noted they follow a holistic approach in their mine action strategies and do not differentiate between action on mines/ERW and cluster munitions. Germany said the same holistic approach applies to victim assistance. Japan stated it intended to support the clearance of cluster munitions and victim assistance through partnerships and post-conflict peace building. Norway planned to support the Convention on Cluster Munitions under its humanitarian disarmament budget, the same channel it uses to support the Mine Ban Treaty.

Recipients

A total of 54 countries and areas received \$449 million from 33 donors in 2009. This is approximately the same as in 2008 when contributions totaled \$455 million.

A Geneva International Centre for Humanitarian Demining (GICHD) study⁵ on the motivation of donors in 2010 found that although donors continue to fund mine action based on the Mine Ban Treaty, they no longer view mine contamination strictly as an emergency issue requiring a humanitarian response. Most donors, the study found, consider mine action support as part of a broader development funding strategy which includes humanitarian assistance. More than three-quarters of the 25 donors that participated in the study indicated countries receiving assistance for mine action were also receiving other forms of aid. The study concluded the mine action community faced growing competition for financial resources from the broader peace and security field, and the integration of mine action into development plans.

International contributions by recipient: 2009⁴

Recipient	Contribution (\$ million)					Total
	2009	2008	2007	2006	2005	
Afghanistan	106.6	105.1	86.3	87.5	66.8	452.3
Iraq	34.7	35.9	37.3	35.3	27.8	171.0
Cambodia	33.3	28.1	30.8	29.6	23.9	145.7
Sri Lanka	24.8	8.2	7.6	9.9	19.5	70.0
Sudan	23.0	39.1	29.2	28.9	46.9	167.1
Lebanon	21.2	27.8	28.3	68.8	6.3	152.4
Angola	18.8	22.1	19.8	48.1	35.8	144.6
BiH	18.5	24.6	17.1	15.4	15.0	90.6
Lao PDR	11.0	12.7	12.2	13.3	7.2	56.4
Colombia	10.5	9.1	8.8	4.3	2.3	35.0
Ethiopia	7.6	9.5	7.1	7.9	2.6	34.7
Chad	7.1	2.1	0.7	2.4	1.1	13.4
Mozambique	6.5	3.2	3.5	6.2	10.0	29.4
Jordan	6.4	7.1	5.7	5.6	2.0	26.8
Croatia	4.6	6.6	8.8	8.9	11.5	40.4
Vietnam	4.2	7.6	3.9	8.3	5.7	29.7
DRC	3.6	12.4	5.9	5.1	4.8	31.8
Cyprus	3.5	0.0	5.5	1.3	0.0	10.3
Tajikistan	3.5	1.9	1.3	1.1	0.9	8.7
<i>Somaliland</i>	3.0	3.8	1.9	2.9	3.7	15.3
Peru	2.7	1.3	0.3	1.6	0.0	5.9
Somalia	2.6	0.8	3.2	1.8	1.0	9.4
Albania	2.2	5.7	1.2	2.3	5.3	16.7
Azerbaijan	2.2	1.7	3.7	4.5	4.1	16.2
<i>Nagorno-Karabakh</i>	2.2	2.7	1.9	1.2	1.4	9.4

³ Statement of Canada, Special Session on Cooperation and Assistance, intersessional Standing Committee meetings, Geneva, 25 June 2010.

⁴ The amount for each donor has been rounded to the nearest tenth. Source information can be found in the respective Country Profiles at www.the-monitor.org/cp.

Note: Other areas are indicated by italics.

⁵ Jean Devlin, “Mine Action Funding: Trends, Modalities and Future Prospects,” GICHD, November 2010.

Recipient	Contribution (\$ million)					Total
	2009	2008	2007	2006	2005	
Georgia	2.1	8.7	0.0	0.0	0.0	10.8
Guinea-Bissau	2.1	1.7	1.9	0.9	0.3	6.9
Nicaragua	2.0	3.3	4.5	5.5	3.5	18.8
Pakistan	1.8	0.0	0.0	0.0	0.0	1.8
<i>Palestine</i>	1.7	5.1	0.0	0.0	0.0	6.8
<i>Kosovo</i>	1.6	2.0	0.5	2.0	1.9	8.0
Serbia	1.4	2.8	2.7	2.6	1.5	11.0
<i>Abkhazia</i>	1.3	0.7	1.8	3.1	3.3	10.2
<i>Western Sahara</i>	1.2	0.3	0.9	0.0	0.0	2.4
Yemen	1.0	1.0	1.1	4.1	2.5	9.7
Nepal	0.83	1.10	1.76	0.21	0.09	4.0
Myanmar	0.80	1.02	0.18	0.00	0.00	2.0
Uganda	0.57	0.78	1.80	1.70	1.76	6.6
Philippines	0.57	0.00	0.00	0.00	0.00	0.6
Ecuador	0.45	0.66	0.20	0.95	0.82	3.1
Eritrea	0.38	0.34	0.00	0.00	0.00	0.7
Senegal	0.34	0.66	4.60	0.92	0.81	7.3
Niger	0.14	0.00	0.00	0.00	0.00	0.1
Thailand	0.11	0.00	1.60	0.80	0.61	3.1
Palau	0.09	0.00	0.00	0.00	0.00	0.1
Belarus	0.04	0.00	0.00	0.00	0.00	0.0
Ukraine	0.04	0.00	0.00	0.00	0.00	0.0
Gambia	0.02	0.00	0.00	0.00	0.00	0.0
Global*	62.1	43.1	66.1	35.6	47.5	254.4

Note: Other areas are indicated by italics.

* Global refers to funds from donors allocated to institutions, NGOs, trust funds, and UN agencies without a designated recipient state or territory such as the ICRC, GICHD, NGOs, and all advocacy activities.

Trends observed in 2009 include:

- 10 countries and two areas received at least 15% more funds in 2009: Azerbaijan, Cambodia, Chad, Colombia, Guinea-Bissau, Mozambique, Peru, Somalia, Sri Lanka, and Tajikistan, as well as Abkhazia and Western Sahara.
- 17 countries and four areas received at least 15% less funds in 2009: Angola, BiH, Burundi, Croatia, DRC, Ecuador, Ethiopia, Georgia, Lebanon, Mauritania, Myanmar, Nepal, Senegal, Serbia, Sudan, Uganda, and Vietnam, as well as Kosovo, Nagorno-Karabakh, Palestine, and Somaliland.
- 13 countries received support in 2009 that did not receive or report support in 2008: Armenia, Belarus, Cyprus, Gambia, Mali, Niger, Pakistan, Palau, Philippines, Syria, Thailand, Ukraine, and Zambia.

Recipients receiving 15% or more increased support in 2009

Recipient	Percentage increase	Amount of increase (\$ million)
<i>Western Sahara</i>	300%	0.9
Chad	238%	5.0
Somalia	225%	1.8
Sri Lanka	202%	16.6
Peru	108%	1.4
Mozambique	103%	3.3
<i>Abkhazia</i>	86%	0.6
Tajikistan	84%	1.6
Azerbaijan	29%	0.5
Guinea-Bissau	24%	0.4
Cambodia	19%	5.2
Colombia	15%	1.4

Note: Other areas are indicated by italics.

Recipients receiving at least 15% less support in 2009

Recipient	Percentage decrease	Amount of decrease (\$ million)
Georgia	76%	6.6
Burundi	75%	0.8
DRC	71%	8.8
<i>Palestine</i>	67%	3.4
Serbia	50%	1.4
Senegal	48%	0.3
Vietnam	45%	3.4
Sudan	41%	16.1
Mauritania	40%	0.2
Ecuador	32%	0.2
Croatia	30%	2.0
Uganda	27%	0.2
BiH	25%	6.1
Lebanon	24%	6.6
<i>Somaliland</i>	21%	0.8
Myanmar	22%	0.2
Nepal	25%	0.3
<i>Kosovo</i>	20%	0.4
<i>Nagorno-Karabakh</i>	19%	0.5
Ethiopia	20%	1.9
Angola	15%	3.3

Note: Other areas are indicated by italics.

National Contributions

Contributions from affected countries to domestic mine action programs increased from 2008, but remained underreported. In 2009, 24 states reported \$173 million in government financial support.⁶ This compares to 24 states which contributed \$144 million in 2008. Rwanda, Thailand, and Zimbabwe reported national contributions in 2008, but not in 2009. Denmark, Egypt, and Eritrea reported national contributions in 2009, but not in 2008. The UK began clearing mined areas in the Falkland Islands/Malvinas in 2009 and contracted BACTEC International Ltd. to conduct clearance operations but the value of the contract, which was completed in May 2010, was not available.

Despite the increases in national contributions reported in 2008 and 2009, an analysis of the data provides a mixed overall picture of national contributions. Angola, BiH, Colombia, and Croatia accounted for 75% of all national contributions in 2009. While Croatia funds almost 95% of its mine action program from national sources, the large contributions from Angola, BiH, and Colombia represented approximately 50% of the total cost of mine action in those countries in 2009.

Furthermore, while 24 affected states reported national contributions, 32 affected states and areas did not report making national contributions.

Better reporting and more transparency are the two primary reasons for the increase in known national contributions. For example, Angola and Colombia reported mine action budgets and expenditures of \$30 million and \$16 million, respectively, on government websites. Of the \$16 million reported by Colombia, \$10 million was for making social security payments to landmine survivors, a type of victim assistance that goes largely unreported by most countries. Angola reported \$8 million of \$30 million in national contributions was directed for victim assistance, most of which went to funding the country's largest orthopedic hospital and rehabilitation center.

Spotlight on countries with stable and/or significant national mine action contributions

Croatia and Angola illustrate two very different ways of funding mine action at the national level. Since 2000 Croatia has taken out three World Bank loans to fund demining. Angola, on the other hand, is one of the world's leading oil producers and invests billions of dollars in [development] projects for which clearing landmines is a major priority. There are also countries with smaller budgets that contribute a large portion of the overall annual cost of mine action. The mine action program in Chile is completely funded by the government and in Azerbaijan government support provided 80% of the funding needed in 2009. In an innovative national fundraising effort, the Lebanon Mine Action Center (LMAC) and Blom Bank, one of Lebanon's largest banks, in May 2010 launched a strategic public-private partnership that will earn LMAC a percentage of each national and international transaction with a Blom MasterCard Giving Affinity credit card.

Affected states with a large revenue base or with the Ministry of Defense providing personnel to the mine action program as required military duty—most commonly to support the operations of the national mine action center and a contingent of deminers—have had stable funding from the national government. For example, Angola, Chad, and Sudan are major oil producers while the mine action programs in Nicaragua, Lebanon, and Jordan are under each country's Ministry of Defense and military personnel serve as both managers and deminers.

⁶ The amount for each donor has been rounded to the nearest tenth. Source information can be found in the respective Country Profiles at www.the-monitor.org/cp.

Funding by Thematic Sector

Contributions by donor and thematic sector: 2009

Donor	Total contribution (\$ million)	Advocacy (%)	Clearance/risk education (%)	Victim assistance (%)	Other (%)
US	118.7	0	91	9	0
EC	48.1	0	99	0	1
Japan	48.0	1	96	3	0
Norway	35.7	15	51	20	14
Germany	23.7	2	85	2	11
Australia	19.4	3	71	26	0
Canada	18.8	5	91	4	0
Netherlands	18.4	0	96	4	0
UK	17.9	0	100	0	0
Switzerland	15.0	7	34	4	55
Sweden	14.9	3	97	0	0
Spain	14.6	1	72	26	1
Denmark	11.2	2	90	0	8
Belgium	10.4	7	65	28	0
Finland	6.9	0	79	10	11
Ireland	5.2	11	88	0	1
France	4.5	0	53	0	47
Italy	3.9	4	53	38	5
BiH	2.5	0	100	0	0
New Zealand	2.2	0	29	71	0
Austria	2.1	6	74	20	0
Qatar	2.0	0	100	0	0
Czech Republic	1.4	2	98	0	0
Saudi Arabia	1.0	0	100	0	0
Luxembourg	1.0	21	64	15	0

Mine clearance and risk education

Eight of the seventeen largest donors allocated at least 90% of their support to clearance and risk education.

Most donors reported clearance and risk education as a combined figure, which makes it impossible to get a clear picture of the funding allocated specifically to risk education. Of the donors who reported risk education separately, the US led with its funding of 13 risk education projects in 10 countries for \$2.4 million, followed by the EC in Pakistan with €1.26 million/\$1.8 million, Japan with projects in two countries for ¥72.35 million/\$770,000, Australia in Sri Lanka for A\$200,000/\$158,540, Spain to UNICEF in Colombia for \$557,000, and Switzerland in Lao PDR for CHF520,000/\$478,821.⁷ All other risk education funding was reported together with funding for clearance.

⁷ Average exchange rates for 2009: ¥1=US\$0.01067; A\$1=US\$0.7927; CHF1=US\$0.92081. US Federal Reserve, "List of Exchange Rates (Annual)," 4 January 2010.

Victim assistance

Of the 33 donors that reported support to mine action, 15 reported funding victim assistance for a total of \$38 million, or 9% of all funding. Seven donors (Australia, Austria, Belgium, Italy, New Zealand, Norway, and Spain) allocated at least 20% of their funding to victim assistance. Austria provided €85,000/\$118,448 to Handicap International for its *Voices from the Ground* study on victim assistance from a survivor's perspective. The European Union (EU) reported it supports victim assistance through its broader development programs but did not report the amount of support. At the Special Session on Cooperation and Assistance held during the intersessional Standing Committee meetings in Geneva in June 2010, the EU said only by integrating mine action into the development agenda can sustainable results be achieved, especially in regard to victim assistance.⁸

However, the significance of the international amount of the victim assistance funding is difficult to

⁸ Statement of the EU, Special Session on Cooperation and Assistance, intersessional Standing Committee meetings, Geneva, 25 June 2010.

determine. The majority of all victim assistance funding assists people of all disabilities and most of the victim assistance support is provided at the local level through a wide range of government ministries and agencies, NGOs, social service agencies, and advocacy groups.

The US, Norway, and Australia provided 60% of all victim assistance funding in 2009. Of the \$10.9 million from the US, the United States Agency for International Development (USAID) Patrick Leahy War Victims Fund provided \$6.9 million in 2009 to projects in Colombia, Lao PDR, Lebanon, Ethiopia, and the Philippines, the ICRC Special Fund for the Disabled (SFD), and the International Society of Prosthetics and Orthotics (ISPO). Norway contributed \$7 million to VA and Australia \$5 million. Austria, Australia, Belgium, New Zealand, Norway, Spain, Sweden, and the US reported \$13.7 million, or approximately one-third of all VA funding, in support to the ICRC or to national Red Cross and Red Crescent Societies. The remainder of the victim assistance funding was for small projects with a narrow beneficiary base, illustrated by the \$152,000 Japan provided to a national NGO in Syria to make artificial limbs for landmine survivors and the \$56,000 provided by Germany to the Albanian Pain Association.

Seven donors (Australia, Austria, Liechtenstein, Norway, Spain, Switzerland, and the USAID Patrick Leahy War Victims Fund) supported the ICRC SFD, which supported 63 projects in 30 countries in 2009, with CHF5,417,583 (\$4.99 million). However, the amount raised from donors fell short and resulted in a shortfall of CHF606,727 (\$558,680).⁹

Advocacy

Fifteen governments contributed \$11 million, or 3% of all funding, to advocacy efforts. More than 10% of the support from Norway, Ireland, and Luxembourg went towards advocacy, including support for the Second Review Conference of the Mine Ban Treaty in Cartagena, regional meetings held in the lead-up to the Second Review Conference in 2009, and government travel sponsorship through UNDP and the sponsorship program of the Implementation Support Unit at GICHD. The CMC, ICBL, GICHD, and Landmine and Cluster Munition Monitor also received donor support for advocacy.

Other Funding Paths

The \$449 million in support to mine action in 2009 represents government contributions under bilateral and international programs and in accordance with international treaty obligations. It does not represent the complete expenditures for field operations. Other funding sources include foundations, private fundraising by NGOs, and mine action allocations in countries with peacekeeping operations.

Twenty governments, the EC, and the Office of the UN High Commissioner for Refugees (UNHCR) contributed

approximately \$90 million to the UN Voluntary Trust Fund for Assistance in Mine Action (UN VTF) for activities in 18 countries and UN Mine Action Service (UNMAS) coordination; almost all of this was earmarked by the donor for a specific country. The donors with the largest contributions to the UN VTF were Canada, EC, Japan, and the Netherlands. Several small donors used the UN VTF to contribute to mine action. They included: Andorra, South Korea, Liechtenstein, Lithuania, Luxembourg, Oman, Saudi Arabia, and UNHCR.¹⁰

Donors also contributed \$31.9 million to the International Trust Fund for Demining and Mine Victims Assistance (ITF) and \$6.9 million to the Organization of American States (OAS) for regional mine action programs in southeastern Europe and Latin America, respectively.¹¹

Eleven governments reported contributing nearly \$12 million to GICHD in 2009, with Switzerland providing 75% of the total.¹²

In 2009 donors also funded mine action through UNDP's Bureau for Crisis Prevention and Recovery for Afghanistan, Albania, Angola, BiH, Cambodia, Ethiopia, Lao PDR, Mozambique, Lebanon, Sri Lanka, and Sudan.¹³ UNICEF reported funding for risk education projects in Albania, Cambodia, Colombia, Eritrea, Guinea-Bissau, Iraq, Lao PDR, Nepal, Niger, Pakistan, Senegal, Sri Lanka, Sudan, and Yemen.¹⁴

¹⁰ UNMAS, "Annual Report 2009," September 2010, New York, p.6, www.mineaction.org.

¹¹ Email from Carl Case, Director, Humanitarian Mine Action, OAS, 24 February 2010; and ITF, www.itf-fund.si.

¹² Responses to Monitor questionnaire by Ira Amin, Intern, Multilateral Peace Policy Section, Directorate of Political Affairs, Political Affairs Division IV, Human Security, Federal Department of Foreign Affairs of Switzerland, 20 April 2010; Amb. Lars-Erik Wingren, Department for Disarmament and Non-proliferation, Ministry for Foreign Affairs of Sweden, 17 March 2010; and Vilde Rosén, Advisor, Humanitarian Disarmament Department for UN, Peace and Humanitarian Affairs, Royal Norwegian Ministry of Foreign Affairs, 13 April 2010. Emails from Sirpa Loikkanen, Secretary, Ministry of Foreign Affairs of Finland, 17 May 2010; Hanne B. Elmelund Gam, Department of Humanitarian and NGO Cooperation, Ministry of Foreign Affairs of Denmark, 10 May 2010; Derek Taylor, Acting Director, Iraq and Middle East Section, AusAID, 27 May 2010; and Amb. Alain Girma, Ambassador on action against mines and explosive remnants of war to Handicap International France, 4 May 2010. Italy CCW Amended Protocol II Article 13 Report, Form B, 25 September 2009; Belgium, Article 7 Report, Form J, 30 April 2010; Spain Article 7 Report, Form J, 30 April 2010; and Canada Article 7 Report (for the period 19 April 2009 to 20 April 2010), Form J.

¹³ UNDP, www.undp.org.

¹⁴ Emails from Ghada Kachachi, Chief, Child Protection, UNICEF, 18 May 2010; Amy Delneuve, Child Protection Officer, UNICEF, 4 April 2010; Kutloano Leshomo, Communication and Donor Relations Specialist, UNICEF, 14 June 2010; Christina de Bruin, Head of Field Office, UNICEF, 16 May 2010; Aurora Bushati, Education Officer, UNICEF, 30 March 2010; Nguyen Thi Thanh An, Childhood Injury Prevention Specialist, UNICEF, 12 May 2010; Sebastian Kasack, Mine Action Specialist, UNICEF, 25 April 2010; Djanabou Mahonde, Chief, Child Protection, UNICEF, 10 May 2010; Sonia Polonio, Child Protection Specialist, UNICEF, 23 April 2010; Plong Chhaya, Project Officer Child Protection and Office Emergency Focal Point, UNICEF, 10 May 2010; Fatuma H. Ibrahim, Chief, Child Protection, UNICEF, 5 May 2010; Farman Ali, Child Protection Officer, UNICEF, 2 May 2010; and Danee Luhar, Child Protection Officer, Mine Action, UNICEF, 30 April 2010. Colombia Article 5 deadline Extension Request, 29 March 2010, p. 31; and UN, "2010 Portfolio of Mine Action Projects," New York, p. 324.

⁹ ICRC SFD, "2009 Annual Report," Geneva, pp. 11 and 49. Average exchange rate for 2009: 1CHF=US\$0.92081. US Federal Reserve, "List of Exchange Rates (Annual)," 4 January 2010.

Peacekeeping operations

Peacekeeping operations in Chad, Cyprus, DRC, Lebanon, Somalia, Sudan (Darfur and South Sudan), and Western Sahara have mine action programs that are partially funded by appropriations assessments by the UN General Assembly as part of its peacekeeping mission budgets. The appropriation increased by 6% from \$65 million in 2008 to \$69 million in 2009. Approximately \$50 million in 2009 was allocated to the UNAMID and UNMIS missions. The mine action program in Darfur in 2009 was funded through UNAMID at \$10.8 million which included three rapid response teams and the deployment of one route verification team to conduct emergency surveys, battle area clearance, and route verification as well as risk education for the local population and internally displaced persons.¹⁵

States Parties Granted Extension Requests

At the end of 2009 States Parties had approved Article 5 extension requests from 17 countries and, as of August 2010, Colombia, Guinea-Bissau, and Mauritania had submitted requests totaling \$2.8 billion in both international and national projected funding needs. From 2011 to 2020 the amount of international assistance needed for 14 countries (not including Guinea-Bissau) to meet their Article 5 obligations is \$841 million, representing approximately 30% of all support needed to clear all mined areas as planned in the extension requests. The financial commitment from affected countries represents \$1.9 billion, or 70% of the total costs reflecting progress made towards achieving national ownership of mine action programs. Venezuela, Denmark, and the UK indicated they did not need international support to meet their Article 5 obligations.

An analysis of the amount of international support needed for clearance in each country indicates that several countries fell far short of support received in 2009 than they had planned. For example, Thailand received less than 1% (\$111,272) of its planned international support in 2009.

BiH committed to provide \$37 million from national and local sources, but only provided \$15 million in 2009. BiH's capacity to meet its national commitment became more problematic in May 2010 when its parliament defeated a measure for funding demining on the grounds that a three-year mine action strategy had not been approved and that no new budget lines could be approved due to difficult economic times in 2009 and 2010.¹⁶

In 2009, Thailand committed THB900 million (\$26.4 million) to the first year of its extension period, but no figures are available on the actual expenditures.¹⁷ Thailand cleared 2.5km² in 2009, but fell short of targets

set out in its Article 5 extension request, which called for demining of 43km² in 2009.

The national commitments reflected in the Article 5 extension requests are impressive, and are best illustrated by Croatia, through its plan to maintain its national contribution at 95%, and by Peru and Yemen, which have made commitments to provide at least 75% of the support needed from the national government. However, actual funds committed in 2009 by some countries are a cause for concern. BiH and Thailand both made large national commitments in their extension requests, but in 2009 fell well short of meeting their commitments.

¹⁵ UNMAS, "Annual Report 2009," September 2010, New York, p.121, www.mineaction.org.

¹⁶ Ibid.

¹⁷ Average exchange rate for 2009: THB1=US\$0.02936. Oanda, www.oanda.com.

Article 5 extension request international funding needs¹⁸

State	International funds needed (\$)	National funding planned (\$)	Years of extension request	Average amount of international support needed per year	International support received in 2009	National support provided in 2009
Cambodia	329,396,790	0	10	32,939,679	33,275,767	3,500,000
Thailand	172,370,360	370,000,000	10	17,237,036	111,272	N/R
BiH*	106,932,000	464,068,000	10	10,693,200	18,513,072	15,482,575
Croatia	55,740,000	975,450,000	10	5,574,000	4,720,812	52,296,549
Tajikistan	36,270,000	6,050,000	10	3,627,000	3,483,332	650,582
Senegal	32,070,000	0	7	4,581,429	342,250	300,000
Mozambique	17,789,640	10,500,000	5	3,557,928	6,470,727	1,608,087
Jordan	13,000,000	14,000,000	4	3,250,000	6,436,305	3,500,000
Yemen	10,495,000	20,721,667	6	1,749,167	1,042,102	3,500,000
Chad	9,000,000	6,000,000	3	3,000,000	7,071,214	1,500,000
Ecuador	8,031,040	8,640,000	8	1,003,880	454,911	N/R
Peru	7,621,200	16,559,906	8	952,650	2,705,807	1,468,842
Uganda	5,656,000	1,250,000	3	1,885,333	578,646	N/R
Venezuela	0	14,000,000	4	0	0	0
UK	0	Unknown	Unknown	Unknown	Unknown	Unknown
Pending Approval						
Colombia	24,829,892	22,642,913	3	8,276,631	10,502,603	16,486,260
Mauritania	12,310,000	4,250,000	5	2,462,000	257,366	846,000
Denmark	0	18,291,000	18 months	0	0	683,217
Zimbabwe	500,000	0	2	250,000	0	N/R
Guinea-Bissau	Unknown	Unknown	Three months	Unknown	2,068,000	0
Total	842,011,922	1,952,423,486		101,039,933	98,034,186	101,822,112

N/R = Not reported

* In 2009, BiH fell 50% short in meeting its goal in national funding and a three-year mine action strategy had not been adopted as of 13 May 2010 and without approval, the government could not allocate funding to support the strategy.¹⁹

¹⁸ GICHD, "States Parties' Requests for Extension," www.apminebanconvention.org.

¹⁹ Interview with Fuad Kasumovic, Deputy Minister of Finance and Treasury, Jasmina Karisik, Advisor of Deputy Minister of Finance and Treasury, and Huse Sepic, Head, Budget Planning Department, Ministry of Finance, Sarajevo, 13 May 2010.



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Status of the Convention

1997 Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (1997 Mine Ban Treaty)

Risk education presentation in Iraq.

Under Article 15, the treaty was open for signature from 3 December 1997 until its entry into force, which was 1 March 1999. On the following list, the first date is signature; the second date is ratification. Now that the treaty has entered into force, states may no longer sign rather they may become bound without signature through a one step procedure known as accession. According to Article 16 (2), the treaty is open for accession by any State that has not signed. Accession is indicated below with (a) and succession is indicated below with (s).

As of 1 October 2010 there were 156 States Parties.

States Parties

Afghanistan 11 Sep 02 (a)
 Albania 8 Sep 98; 29 Feb 00
 Algeria 3 Dec 97; 9 Oct 01
 Andorra 3 Dec 97; 29 Jun 98
 Angola 4 Dec 97; 5 Jul 02
 Antigua and Barbuda 3 Dec 97; 3 May 99
 Argentina 4 Dec 97; 14 Sep 99
 Australia 3 Dec 97; 14 Jan 99
 Austria 3 Dec 97; 29 Jun 98
 Bahamas 3 Dec 97; 31 Jul 98
 Bangladesh 7 May 98; 6 Sep 00
 Barbados 3 Dec 97; 26 Jan 99
 Belarus 3 Sep 03 (a)
 Belgium 3 Dec 97; 4 Sep 98
 Belize 27 Feb 98; 23 Apr 98
 Benin 3 Dec 97; 25 Sep 98
 Bhutan 18 Aug 05 (a)
 Bolivia 3 Dec 97; 9 Jun 98
 Bosnia and Herzegovina 3 Dec 97; 8 Sep 98
 Botswana 3 Dec 97; 1 Mar 00
 Brazil 3 Dec 97; 30 Apr 99
 Brunei Darussalem 4 Dec 97; 24 Apr 06

Bulgaria 3 Dec 97; 4 Sep 98
 Burkina Faso 3 Dec 97; 16 Sep 98
 Burundi 3 Dec 97; 22 Oct 03
 Cambodia 3 Dec 97; 28 Jul 99
 Cameroon 3 Dec 97; 19 Sep 02
 Canada 3 Dec 97; 3 Dec 97
 Cape Verde 4 Dec 97; 14 May 01
 Central African Republic 8 Nov 02 (a)
 Chad 6 Jul 98; 6 May 99
 Chile 3 Dec 97; 10 Sep 01
 Colombia 3 Dec 97; 6 Sep 00
 Comoros 19 Sep 02 (a)
 Congo (Brazzaville) 4 May 01 (a)
 Congo, DR 2 May 02 (a)
 Cook Islands 3 Dec 97; 17 Mar 06
 Costa Rica 3 Dec 97; 17 Mar 99
 Cote d'Ivoire 3 Dec 97; 30 Jun 00
 Croatia 4 Dec 97; 20 May 98
 Cyprus 4 Dec 97; 17 Jan 03
 Czech Republic 3 Dec 97; 26 Oct 99
 Denmark 4 Dec 97; 8 Jun 98
 Djibouti 3 Dec 97; 18 May 98
 Dominica 3 Dec 97; 26 Mar 99
 Dominican Republic 3 Dec 97; 30 Jun 00
 Ecuador 4 Dec 97; 29 Apr 99
 El Salvador 4 Dec 97; 27 Jan 99
 Equatorial Guinea 16 Sep 98 (a)
 Eritrea 27 Aug 01 (a)
 Estonia 12 May 04 (a)
 Ethiopia 3 Dec 97; 17 Dec 04
 Fiji 3 Dec 97; 10 Jun 98
 France 3 Dec 97; 23 Jul 98
 Gabon 3 Dec 97; 8 Sep 00
 Gambia 4 Dec 97; 23 Sep 02
 Germany 3 Dec 97; 23 Jul 98
 Ghana 4 Dec 97; 30 Jun 00

Greece 3 Dec 97; 25 Sep 03
 Grenada 3 Dec 97; 19 Aug 98
 Guatemala 3 Dec 97; 26 Mar 99
 Guinea 4 Dec 97; 8 Oct 98
 Guinea-Bissau 3 Dec 97; 22 May 01
 Guyana 4 Dec 97; 5 Aug 03
 Haiti 3 Dec 97; 15 Feb 06
 Holy See 4 Dec 97; 17 Feb 98
 Honduras 3 Dec 97; 24 Sep 98
 Hungary 3 Dec 97; 6 Apr 98
 Iceland 4 Dec 97; 5 May 99
 Indonesia (20 Feb 07)
 Iraq (15 Aug 07) (a)
 Ireland 3 Dec 97; 3 Dec 97
 Italy 3 Dec 97; 23 Apr 99
 Jamaica 3 Dec 97; 17 Jul 98
 Japan 3 Dec 97; 30 Sep 98
 Jordan 11 Aug 98; 13 Nov 98
 Kenya 5 Dec 97; 23 Jan 01
 Kiribati 7 Sep 00 (a)
 Kuwait (30 Jul 07) (a)
 Latvia 1 Jul 05 (a)
 Lesotho 4 Dec 97; 2 Dec 98
 Liberia 23 Dec 99 (a)
 Liechtenstein 3 Dec 97; 5 Oct 99
 Lithuania 26 Feb 99; 12 May 03
 Luxembourg 4 Dec 97; 14 Jun 99
 Macedonia FYR 9 Sep 98 (a)
 Madagascar 4 Dec 97; 16 Sep 99
 Malawi 4 Dec 97; 13 Aug 98
 Malaysia 3 Dec 97; 22 Apr 99
 Maldives 1 Oct 98; 7 Sep 00
 Mali 3 Dec 97; 2 Jun 98
 Malta 4 Dec 97; 7 May 01
 Mauritania 3 Dec 97; 21 Jul 00
 Mauritius 3 Dec 97; 3 Dec 97
 Mexico 3 Dec 97; 9 Jun 98
 Moldova 3 Dec 97; 8 Sep 00
 Monaco 4 Dec 97; 17 Nov 98
 Montenegro (23 Oct 06) (s)
 Mozambique 3 Dec 97; 25 Aug 98
 Namibia 3 Dec 97; 21 Sep 98
 Nauru 7 Aug 00 (a)
 Netherlands 3 Dec 97; 12 Apr 99
 New Zealand 3 Dec 97; 27 Jan 99
 Nicaragua 4 Dec 97; 30 Nov 98
 Niger 4 Dec 97; 23 Mar 99
 Nigeria 27 Sep 01 (a)
 Niue 3 Dec 97; 15 Apr 98
 Norway 3 Dec 97; 9 Jul 98
 Palau 18 Nov 08 (a)
 Panama 4 Dec 97; 7 Oct 98
 Papua New Guinea 28 Jun 04 (a)
 Paraguay 3 Dec 97; 13 Nov 98
 Peru 3 Dec 97; 17 Jun 98
 Philippines 3 Dec 97; 15 Feb 00
 Portugal 3 Dec 97; 19 Feb 99
 Qatar 4 Dec 97; 13 Oct 98
 Romania 3 Dec 97; 30 Nov 00
 Rwanda 3 Dec 97; 8 Jun 00
 Saint Kitts and Nevis 3 Dec 97; 2 Dec 98
 Saint Lucia 3 Dec 97; 13 Apr 99
 Saint Vincent and the Grenadines 3 Dec 97; 1 Aug 01

Samoa 3 Dec 97; 23 Jul 98
 San Marino 3 Dec 97; 18 Mar 98
 Sao Tome e Principe 30 Apr 98; 31 Mar 03
 Senegal 3 Dec 97; 24 Sep 98
 Serbia 18 Sep 03 (a)
 Seychelles 4 Dec 97; 2 Jun 00
 Sierra Leone 29 Jul 98; 25 Apr 01
 Slovak Republic 3 Dec 97; 25 Feb 99
 Slovenia 3 Dec 97; 27 Oct 98
 Solomon Islands 4 Dec 97; 26 Jan 99
 South Africa 3 Dec 97; 26 Jun 98
 Spain 3 Dec 97; 19 Jan 99
 Sudan 4 Dec 97; 13 Oct 03
 Suriname 4 Dec 97; 23 May 02
 Swaziland 4 Dec 97; 22 Dec 98
 Sweden 4 Dec 97; 30 Nov 98
 Switzerland 3 Dec 97; 24 Mar 98
 Tajikistan 12 Oct 99 (a)
 Tanzania 3 Dec 97; 13 Nov 00
 Thailand 3 Dec 97; 27 Nov 98
 Timor-Leste 7 May 03 (a)
 Togo 4 Dec 97; 9 Mar 00
 Trinidad and Tobago 4 Dec 97; 27 Apr 98
 Tunisia 4 Dec 97; 9 Jul 99
 Turkey 25 Sep 03 (a)
 Turkmenistan 3 Dec 97; 19 Jan 98
 Uganda 3 Dec 97; 25 Feb 99
 Ukraine 24 Feb 99; 27 Dec 05
 United Kingdom 3 Dec 97; 31 Jul 98
 Uruguay 3 Dec 97; 7 Jun 01
 Vanuatu 4 Dec 97; 16 Sep 05
 Venezuela 3 Dec 97; 14 Apr 99
 Yemen 4 Dec 97; 1 Sep 98
 Zambia 12 Dec 97; 23 Feb 01
 Zimbabwe 3 Dec 97; 18 Jun 98

Signatories

Marshall Islands 4 Dec 97
 Poland 4 Dec 97

States not Party

Armenia	Micronesia
Azerbaijan	Mongolia
Bahrain	Morocco
Burma	Nepal
China	Oman
Cuba	Pakistan
Egypt	Russian Federation
Finland	Saudi Arabia
Georgia	Singapore
India	Somalia
Iran	Sri Lanka
Israel	Syria
Kazakhstan	Tonga
Korea, North	Tuvalu
Korea, South	United Arab Emirates
Kyrgyzstan	United States
Lao PDR	Uzbekistan
Lebanon	Vietnam
Libya	

Mine Ban Treaty

18 September 1997

Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction

Preamble

The States Parties

Determined to put an end to the suffering and casualties caused by anti-personnel mines, that kill or maim hundreds of people every week, mostly innocent and defenceless civilians and especially children, obstruct economic development and reconstruction, inhibit the repatriation of refugees and internally displaced persons, and have other severe consequences for years after emplacement,

Believing it necessary to do their utmost to contribute in an efficient and coordinated manner to face the challenge of removing anti-personnel mines placed throughout the world, and to assure their destruction,

Wishing to do their utmost in providing assistance for the care and rehabilitation, including the social and economic reintegration of mine victims,

Recognizing that a total ban of anti-personnel mines would also be an important confidence-building measure,

Welcoming the adoption of the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices, as amended on 3 May 1996, annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, and calling for the early ratification of this Protocol by all States which have not yet done so,

Welcoming also United Nations General Assembly Resolution 51/45 S of 10 December 1996 urging all States to pursue vigorously an effective, legally-binding international agreement to ban the use, stockpiling, production and transfer of anti-personnel landmines,

Welcoming furthermore the measures taken over the past years, both unilaterally and multilaterally, aiming at prohibiting, restricting or suspending the use, stockpiling, production and transfer of anti-personnel mines,

Stressing the role of public conscience in furthering the principles of humanity as evidenced by the call for a total ban of anti-personnel mines and recognizing the efforts to that end undertaken by the International Red Cross and Red Crescent Movement, the International Campaign to Ban Landmines and numerous other non-governmental organizations around the world,

Recalling the Ottawa Declaration of 5 October 1996 and the Brussels Declaration of 27 June 1997 urging the international community to negotiate an international and legally binding agreement prohibiting the use, stockpiling, production and transfer of anti-personnel mines,

Emphasizing the desirability of attracting the adherence of all States to this Convention, and determined to work strenuously towards the promotion of its universalization in all relevant fora including, inter alia, the United Nations, the Conference on Disarmament, regional organizations, and groupings, and review conferences of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects,

Basing themselves on the principle of international humanitarian law that the right of the parties to an armed conflict to choose methods or means of warfare is not unlimited, on the principle that prohibits the employment in armed conflicts of weapons, projectiles and materials and methods of warfare of a nature to cause superfluous injury or unnecessary suffering and on the principle that a distinction must be made between civilians and combatants,

Have agreed as follows:

Article 1

General obligations

1. Each State Party undertakes never under any circumstances:
 - a) To use anti-personnel mines;

- b) To develop, produce, otherwise acquire, stockpile, retain or transfer to anyone, directly or indirectly, anti-personnel mines;
 - c) To assist, encourage or induce, in any way, anyone to engage in any activity prohibited to a State Party under this Convention.
2. Each State Party undertakes to destroy or ensure the destruction of all anti-personnel mines in accordance with the provisions of this Convention.

Article 2

Definitions

1. "Anti-personnel mine" means a mine designed to be exploded by the presence, proximity or contact of a person and that will incapacitate, injure or kill one or more persons. Mines designed to be detonated by the presence, proximity or contact of a vehicle as opposed to a person, that are equipped with anti-handling devices, are not considered anti-personnel mines as a result of being so equipped.
2. "Mine" means a munition designed to be placed under, on or near the ground or other surface area and to be exploded by the presence, proximity or contact of a person or a vehicle.
3. "Anti-handling device" means a device intended to protect a mine and which is part of, linked to, attached to or placed under the mine and which activates when an attempt is made to tamper with or otherwise intentionally disturb the mine.
4. "Transfer" involves, in addition to the physical movement of anti-personnel mines into or from national territory, the transfer of title to and control over the mines, but does not involve the transfer of territory containing emplaced anti-personnel mines.
5. "Mined area" means an area which is dangerous due to the presence or suspected presence of mines.

Article 3

Exceptions

1. Notwithstanding the general obligations under Article 1, the retention or transfer of a number of anti-personnel mines for the development of and training in mine detection, mine clearance, or mine destruction techniques is permitted. The amount of such mines shall not exceed the minimum number absolutely necessary for the above-mentioned purposes.
2. The transfer of anti-personnel mines for the purpose of destruction is permitted.

Article 4

Destruction of stockpiled anti-personnel mines

Except as provided for in Article 3, each State Party undertakes to destroy or ensure the destruction of all stockpiled anti-personnel mines it owns or possesses, or that are under its jurisdiction or control, as soon as possible

but not later than four years after the entry into force of this Convention for that State Party.

Article 5

Destruction of anti-personnel mines in mined areas

1. Each State Party undertakes to destroy or ensure the destruction of all anti-personnel mines in mined areas under its jurisdiction or control, as soon as possible but not later than ten years after the entry into force of this Convention for that State Party.
2. Each State Party shall make every effort to identify all areas under its jurisdiction or control in which anti-personnel mines are known or suspected to be emplaced and shall ensure as soon as possible that all anti-personnel mines in mined areas under its jurisdiction or control are perimeter-marked, monitored and protected by fencing or other means, to ensure the effective exclusion of civilians, until all anti-personnel mines contained therein have been destroyed. The marking shall at least be to the standards set out in the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices, as amended on 3 May 1996, annexed to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects.
3. If a State Party believes that it will be unable to destroy or ensure the destruction of all anti-personnel mines referred to in paragraph 1 within that time period, it may submit a request to a Meeting of the States Parties or a Review Conference for an extension of the deadline for completing the destruction of such anti-personnel mines, for a period of up to ten years.
4. Each request shall contain:
 - a) The duration of the proposed extension;
 - b) A detailed explanation of the reasons for the proposed extension, including:
 - (i) The preparation and status of work conducted under national demining programs;
 - (ii) The financial and technical means available to the State Party for the destruction of all the anti-personnel mines; and
 - (iii) Circumstances which impede the ability of the State Party to destroy all the anti-personnel mines in mined areas;
 - c) The humanitarian, social, economic, and environmental implications of the extension; and
 - d) Any other information relevant to the request for the proposed extension.
5. The Meeting of the States Parties or the Review Conference shall, taking into consideration the factors contained in paragraph 4, assess the request and decide by a majority of votes of States Parties present and voting whether to grant the request for an extension period.

6. Such an extension may be renewed upon the submission of a new request in accordance with paragraphs 3, 4 and 5 of this Article. In requesting a further extension period a State Party shall submit relevant additional information on what has been undertaken in the previous extension period pursuant to this Article.

Article 6

International cooperation and assistance

1. In fulfilling its obligations under this Convention each State Party has the right to seek and receive assistance, where feasible, from other States Parties to the extent possible.

2. Each State Party undertakes to facilitate and shall have the right to participate in the fullest possible exchange of equipment, material and scientific and technological information concerning the implementation of this Convention. The States Parties shall not impose undue restrictions on the provision of mine clearance equipment and related technological information for humanitarian purposes.

3. Each State Party in a position to do so shall provide assistance for the care and rehabilitation, and social and economic reintegration, of mine victims and for mine awareness programs. Such assistance may be provided, inter alia, through the United Nations system, international, regional or national organizations or institutions, the International Committee of the Red Cross, national Red Cross and Red Crescent societies and their International Federation, non-governmental organizations, or on a bilateral basis.

4. Each State Party in a position to do so shall provide assistance for mine clearance and related activities. Such assistance may be provided, inter alia, through the United Nations system, international or regional organizations or institutions, non-governmental organizations or institutions, or on a bilateral basis, or by contributing to the United Nations Voluntary Trust Fund for Assistance in Mine Clearance, or other regional funds that deal with demining.

5. Each State Party in a position to do so shall provide assistance for the destruction of stockpiled anti-personnel mines.

6. Each State Party undertakes to provide information to the database on mine clearance established within the United Nations system, especially information concerning various means and technologies of mine clearance, and lists of experts, expert agencies or national points of contact on mine clearance.

7. States Parties may request the United Nations, regional organizations, other States Parties or other competent intergovernmental or non-governmental fora to assist its authorities in the elaboration of a national demining program to determine, inter alia:

a) The extent and scope of the anti-personnel mine problem;

b) The financial, technological and human resources that are required for the implementation of the program;

c) The estimated number of years necessary to destroy all anti-personnel mines in mined areas under the jurisdiction or control of the concerned State Party;

d) Mine awareness activities to reduce the incidence of mine-related injuries or deaths;

e) Assistance to mine victims;

f) The relationship between the Government of the concerned State Party and the relevant governmental, inter-governmental or non-governmental entities that will work in the implementation of the program.

8. Each State Party giving and receiving assistance under the provisions of this Article shall cooperate with a view to ensuring the full and prompt implementation of agreed assistance programs.

Article 7

Transparency measures

1. Each State Party shall report to the Secretary-General of the United Nations as soon as practicable, and in any event not later than 180 days after the entry into force of this Convention for that State Party on:

a) The national implementation measures referred to in Article 9;

b) The total of all stockpiled anti-personnel mines owned or possessed by it, or under its jurisdiction or control, to include a breakdown of the type, quantity and, if possible, lot numbers of each type of anti-personnel mine stockpiled;

c) To the extent possible, the location of all mined areas that contain, or are suspected to contain, anti-personnel mines under its jurisdiction or control, to include as much detail as possible regarding the type and quantity of each type of anti-personnel mine in each mined area and when they were emplaced;

d) The types, quantities and, if possible, lot numbers of all anti-personnel mines retained or transferred for the development of and training in mine detection, mine clearance or mine destruction techniques, or transferred for the purpose of destruction, as well as the institutions authorized by a State Party to retain or transfer anti-personnel mines, in accordance with Article 3;

e) The status of programs for the conversion or decommissioning of anti-personnel mine production facilities;

f) The status of programs for the destruction of anti-personnel mines in accordance with Articles 4 and 5, including details of the methods which will be used in destruction, the location of all destruction sites and the applicable safety and environmental standards to be observed;

g) The types and quantities of all anti-personnel mines

destroyed after the entry into force of this Convention for that State Party, to include a breakdown of the quantity of each type of anti-personnel mine destroyed, in accordance with Articles 4 and 5, respectively, along with, if possible, the lot numbers of each type of anti-personnel mine in the case of destruction in accordance with Article 4;

h) The technical characteristics of each type of anti-personnel mine produced, to the extent known, and those currently owned or possessed by a State Party, giving, where reasonably possible, such categories of information as may facilitate identification and clearance of anti-personnel mines; at a minimum, this information shall include the dimensions, fusing, explosive content, metallic content, colour photographs and other information which may facilitate mine clearance; and

i) The measures taken to provide an immediate and effective warning to the population in relation to all areas identified under paragraph 2 of Article 5.

2. The information provided in accordance with this Article shall be updated by the States Parties annually, covering the last calendar year, and reported to the Secretary-General of the United Nations not later than 30 April of each year.

3. The Secretary-General of the United Nations shall transmit all such reports received to the States Parties.

Article 8

Facilitation and clarification of compliance

1. The States Parties agree to consult and cooperate with each other regarding the implementation of the provisions of this Convention, and to work together in a spirit of cooperation to facilitate compliance by States Parties with their obligations under this Convention.

2. If one or more States Parties wish to clarify and seek to resolve questions relating to compliance with the provisions of this Convention by another State Party, it may submit, through the Secretary-General of the United Nations, a Request for Clarification of that matter to that State Party. Such a request shall be accompanied by all appropriate information. Each State Party shall refrain from unfounded Requests for Clarification, care being taken to avoid abuse. A State Party that receives a Request for Clarification shall provide, through the Secretary-General of the United Nations, within 28 days to the requesting State Party all information which would assist in clarifying this matter.

3. If the requesting State Party does not receive a response through the Secretary-General of the United Nations within that time period, or deems the response to the Request for Clarification to be unsatisfactory, it may submit the matter through the Secretary-General of the United Nations to the next Meeting of the States Parties. The Secretary-General of the United Nations shall transmit the submission, accompanied by all appropriate information pertaining to

the Request for Clarification, to all States Parties. All such information shall be presented to the requested State Party which shall have the right to respond.

4. Pending the convening of any meeting of the States Parties, any of the States Parties concerned may request the Secretary-General of the United Nations to exercise his or her good offices to facilitate the clarification requested.

5. The requesting State Party may propose through the Secretary-General of the United Nations the convening of a Special Meeting of the States Parties to consider the matter. The Secretary-General of the United Nations shall thereupon communicate this proposal and all information submitted by the States Parties concerned, to all States Parties with a request that they indicate whether they favour a Special Meeting of the States Parties, for the purpose of considering the matter. In the event that within 14 days from the date of such communication, at least one-third of the States Parties favours such a Special Meeting, the Secretary-General of the United Nations shall convene this Special Meeting of the States Parties within a further 14 days. A quorum for this Meeting shall consist of a majority of States Parties.

6. The Meeting of the States Parties or the Special Meeting of the States Parties, as the case may be, shall first determine whether to consider the matter further, taking into account all information submitted by the States Parties concerned. The Meeting of the States Parties or the Special Meeting of the States Parties shall make every effort to reach a decision by consensus. If despite all efforts to that end no agreement has been reached, it shall take this decision by a majority of States Parties present and voting.

7. All States Parties shall cooperate fully with the Meeting of the States Parties or the Special Meeting of the States Parties in the fulfilment of its review of the matter, including any fact-finding missions that are authorized in accordance with paragraph 8.

8. If further clarification is required, the Meeting of the States Parties or the Special Meeting of the States Parties shall authorize a fact-finding mission and decide on its mandate by a majority of States Parties present and voting. At any time the requested State Party may invite a fact-finding mission to its territory. Such a mission shall take place without a decision by a Meeting of the States Parties or a Special Meeting of the States Parties to authorize such a mission. The mission, consisting of up to 9 experts, designated and approved in accordance with paragraphs 9 and 10, may collect additional information on the spot or in other places directly related to the alleged compliance issue under the jurisdiction or control of the requested State Party.

9. The Secretary-General of the United Nations shall prepare and update a list of the names, nationalities and other relevant data of qualified experts provided by States Parties and communicate it to all States Parties. Any expert included on this list shall be regarded as designated for all fact-finding missions unless a State Party

declares its non-acceptance in writing. In the event of non-acceptance, the expert shall not participate in fact-finding missions on the territory or any other place under the jurisdiction or control of the objecting State Party, if the non-acceptance was declared prior to the appointment of the expert to such missions.

10. Upon receiving a request from the Meeting of the States Parties or a Special Meeting of the States Parties, the Secretary-General of the United Nations shall, after consultations with the requested State Party, appoint the members of the mission, including its leader. Nationals of States Parties requesting the fact-finding mission or directly affected by it shall not be appointed to the mission. The members of the fact-finding mission shall enjoy privileges and immunities under Article VI of the Convention on the Privileges and Immunities of the United Nations, adopted on 13 February 1946.

11. Upon at least 72 hours notice, the members of the fact-finding mission shall arrive in the territory of the requested State Party at the earliest opportunity. The requested State Party shall take the necessary administrative measures to receive, transport and accommodate the mission, and shall be responsible for ensuring the security of the mission to the maximum extent possible while they are on territory under its control.

12. Without prejudice to the sovereignty of the requested State Party, the fact-finding mission may bring into the territory of the requested State Party the necessary equipment which shall be used exclusively for gathering information on the alleged compliance issue. Prior to its arrival, the mission will advise the requested State Party of the equipment that it intends to utilize in the course of its fact-finding mission.

13. The requested State Party shall make all efforts to ensure that the fact-finding mission is given the opportunity to speak with all relevant persons who may be able to provide information related to the alleged compliance issue.

14. The requested State Party shall grant access for the fact-finding mission to all areas and installations under its control where facts relevant to the compliance issue could be expected to be collected. This shall be subject to any arrangements that the requested State Party considers necessary for:

- a) The protection of sensitive equipment, information and areas;
- b) The protection of any constitutional obligations the requested State Party may have with regard to proprietary rights, searches and seizures, or other constitutional rights; or
- c) The physical protection and safety of the members of the fact-finding mission.

In the event that the requested State Party makes such arrangements, it shall make every reasonable effort to demonstrate through alternative means its compliance with this Convention.

15. The fact-finding mission may remain in the territory of the State Party concerned for no more than 14 days,

and at any particular site no more than 7 days, unless otherwise agreed.

16. All information provided in confidence and not related to the subject matter of the fact-finding mission shall be treated on a confidential basis.

17. The fact-finding mission shall report, through the Secretary-General of the United Nations, to the Meeting of the States Parties or the Special Meeting of the States Parties the results of its findings.

18. The Meeting of the States Parties or the Special Meeting of the States Parties shall consider all relevant information, including the report submitted by the fact-finding mission, and may request the requested State Party to take measures to address the compliance issue within a specified period of time. The requested State Party shall report on all measures taken in response to this request.

19. The Meeting of the States Parties or the Special Meeting of the States Parties may suggest to the States Parties concerned ways and means to further clarify or resolve the matter under consideration, including the initiation of appropriate procedures in conformity with international law. In circumstances where the issue at hand is determined to be due to circumstances beyond the control of the requested State Party, the Meeting of the States Parties or the Special Meeting of the States Parties may recommend appropriate measures, including the use of cooperative measures referred to in Article 6.

20. The Meeting of the States Parties or the Special Meeting of the States Parties shall make every effort to reach its decisions referred to in paragraphs 18 and 19 by consensus, otherwise by a two-thirds majority of States Parties present and voting.

Article 9

National implementation measures

Each State Party shall take all appropriate legal, administrative and other measures, including the imposition of penal sanctions, to prevent and suppress any activity prohibited to a State Party under this Convention undertaken by persons or on territory under its jurisdiction or control.

Article 10

Settlement of disputes

1. The States Parties shall consult and cooperate with each other to settle any dispute that may arise with regard to the application or the interpretation of this Convention. Each State Party may bring any such dispute before the Meeting of the States Parties.

2. The Meeting of the States Parties may contribute to the settlement of the dispute by whatever means it deems appropriate, including offering its good offices, calling upon the States parties to a dispute to start the settlement procedure of their choice and recommending a time-limit for any agreed procedure.

3. This Article is without prejudice to the provisions of this Convention on facilitation and clarification of compliance.

Article 11

Meetings of the States Parties

1. The States Parties shall meet regularly in order to consider any matter with regard to the application or implementation of this Convention, including:

- a) The operation and status of this Convention;
- b) Matters arising from the reports submitted under the provisions of this Convention;
- c) International cooperation and assistance in accordance with Article 6;
- d) The development of technologies to clear anti-personnel mines;
- e) Submissions of States Parties under Article 8; and
- f) Decisions relating to submissions of States Parties as provided for in Article 5.

2. The First Meeting of the States Parties shall be convened by the Secretary-General of the United Nations within one year after the entry into force of this Convention. The subsequent meetings shall be convened by the Secretary-General of the United Nations annually until the first Review Conference.

3. Under the conditions set out in Article 8, the Secretary-General of the United Nations shall convene a Special Meeting of the States Parties.

4. States not parties to this Convention, as well as the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations may be invited to attend these meetings as observers in accordance with the agreed Rules of Procedure.

Article 12

Review Conferences

1. A Review Conference shall be convened by the Secretary-General of the United Nations five years after the entry into force of this Convention. Further Review Conferences shall be convened by the Secretary-General of the United Nations if so requested by one or more States Parties, provided that the interval between Review Conferences shall in no case be less than five years. All States Parties to this Convention shall be invited to each Review Conference.

2. The purpose of the Review Conference shall be:

- a) To review the operation and status of this Convention;
- b) To consider the need for and the interval between further Meetings of the States Parties referred to in paragraph 2 of Article 11;
- c) To take decisions on submissions of States Parties as provided for in Article 5; and
- d) To adopt, if necessary, in its final report conclusions related to the implementation of this Convention.

3. States not parties to this Convention, as well as

the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations may be invited to attend each Review Conference as observers in accordance with the agreed Rules of Procedure.

Article 13

Amendments

1. At any time after the entry into force of this Convention any State Party may propose amendments to this Convention. Any proposal for an amendment shall be communicated to the Depositary, who shall circulate it to all States Parties and shall seek their views on whether an Amendment Conference should be convened to consider the proposal. If a majority of the States Parties notify the Depositary no later than 30 days after its circulation that they support further consideration of the proposal, the Depositary shall convene an Amendment Conference to which all States Parties shall be invited.

2. States not parties to this Convention, as well as the United Nations, other relevant international organizations or institutions, regional organizations, the International Committee of the Red Cross and relevant non-governmental organizations may be invited to attend each Amendment Conference as observers in accordance with the agreed Rules of Procedure.

3. The Amendment Conference shall be held immediately following a Meeting of the States Parties or a Review Conference unless a majority of the States Parties request that it be held earlier.

4. Any amendment to this Convention shall be adopted by a majority of two-thirds of the States Parties present and voting at the Amendment Conference. The Depositary shall communicate any amendment so adopted to the States Parties.

5. An amendment to this Convention shall enter into force for all States Parties to this Convention which have accepted it, upon the deposit with the Depositary of instruments of acceptance by a majority of States Parties. Thereafter it shall enter into force for any remaining State Party on the date of deposit of its instrument of acceptance.

Article 14

Costs

1. The costs of the Meetings of the States Parties, the Special Meetings of the States Parties, the Review Conferences and the Amendment Conferences shall be borne by the States Parties and States not parties to this Convention participating therein, in accordance with the United Nations scale of assessment adjusted appropriately.

2. The costs incurred by the Secretary-General of the United Nations under Articles 7 and 8 and the costs of any fact-finding mission shall be borne by the States Parties in accordance with the United Nations scale of assessment adjusted appropriately.

Article 15

Signature

This Convention, done at Oslo, Norway, on 18 September 1997, shall be open for signature at Ottawa, Canada, by all States from 3 December 1997 until 4 December 1997, and at the United Nations Headquarters in New York from 5 December 1997 until its entry into force.

Article 16

Ratification, acceptance, approval or accession

1. This Convention is subject to ratification, acceptance or approval of the Signatories.
2. It shall be open for accession by any State which has not signed the Convention.
3. The instruments of ratification, acceptance, approval or accession shall be deposited with the Depositary.

Article 17

Entry into force

1. This Convention shall enter into force on the first day of the sixth month after the month in which the 40th instrument of ratification, acceptance, approval or accession has been deposited.
2. For any State which deposits its instrument of ratification, acceptance, approval or accession after the date of the deposit of the 40th instrument of ratification, acceptance, approval or accession, this Convention shall enter into force on the first day of the sixth month after the date on which that State has deposited its instrument of ratification, acceptance, approval or accession.

Article 18

Provisional application

Any State may at the time of its ratification, acceptance, approval or accession, declare that it will apply provisionally paragraph 1 of Article 1 of this Convention pending its entry into force.

Article 19

Reservations

The Articles of this Convention shall not be subject to reservations.

Article 20

Duration and withdrawal

1. This Convention shall be of unlimited duration.
2. Each State Party shall, in exercising its national sovereignty, have the right to withdraw from this Convention. It shall give notice of such withdrawal to all other States Parties, to the Depositary and to the United Nations Security Council. Such instrument of withdrawal shall include a full explanation of the reasons motivating this withdrawal.
3. Such withdrawal shall only take effect six months after the receipt of the instrument of withdrawal by the Depositary. If, however, on the expiry of that six-month period, the withdrawing State Party is engaged in an armed conflict, the withdrawal shall not take effect before the end of the armed conflict.
4. The withdrawal of a State Party from this Convention shall not in any way affect the duty of States to continue fulfilling the obligations assumed under any relevant rules of international law.

Article 21

Depositary

The Secretary-General of the United Nations is hereby designated as the Depositary of this Convention.

Article 22

Authentic texts

The original of this Convention, of which the Arabic, Chinese, English, French, Russian and Spanish texts are equally authentic, shall be deposited with the Secretary-General of the United Nations.

Appendix

Abbreviations and Acronyms

AHD	antihandling device	ICRC	International Committee of the Red Cross
AOAV	Action On Armed Violence	IDP	internally displaced person
AP or APM	antipersonnel mine	IED	improvised explosive device
ARF	ASEAN Regional Forum	IMAS	International Mine Action Standards
ASEAN	Association of Southeast Asian Nations	IMSMA	Information Management System for Mine Action
AusAID	Australian Agency for International Development	IRIN	Integrated Regional Information Network (UN)
AV or AVM	antivehicle mine	ISU	Implementation Support Unit
AXO	abandoned explosive ordnance	ITF	International Trust Fund (Slovenia)
BAC	battle area clearance	LIS	Landmine Impact Survey
CBU	cluster bomb unit	MAC	Mine Action Center or Mines Action Canada
CBR	community-based rehabilitation	MAG	Mines Advisory Group
CCW	1980 Convention on Conventional Weapons	MASG	Mine Action Support Group
CD	Conference on Disarmament	MAT	mine action team or Mines Awareness Trust
CIDA	Canadian International Development Agency	MDD	mine detection dog
CIS	Commonwealth of Independent States	NAM	Non-Aligned Movement
DCA	DanChurchAid	NAMSA	NATO Maintenance and Supply Agency
DDG	Danish Demining Group	NATO	North Atlantic Treaty Organization
DfID	UK Department for International Development	NGO	non-governmental organization
DPO	disabled people's organization	NPA	Norwegian People's Aid
EC	European Commission	NSAG	non-state armed group
ECHO	European Commission Humanitarian Aid Office	OAS	Organization of American States
ECOWAS	Economic Community of West African States	OCHA	UN Office for the Coordination of Humanitarian Affairs
EOD	explosive ordnance disposal	OSCE	Organization for Security and Cooperation in Europe
ERW	explosive remnants of war	PfP	Partnership for Peace (NATO)
EU	European Union	QA	quality assurance
FY	Fiscal year	QC	quality control
GICHD	Geneva International Centre for Humanitarian Demining	RE	mine/ERW risk education
HI	Handicap International	SAC	Survey Action Center
HRW	Human Rights Watch	SADC	Southern African Development Community
ICBL	International Campaign to Ban Landmines	SHA	suspected hazardous area
		SMART goals	specific, measurable, achievable, relevant, and time-bound goals
		UN	United Nations

UNDP	United Nations Development Programme
UNGA	United Nations General Assembly
UNHCR	Office of the United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
UNMAS	United Nations Mine Action Service
UNOPS	United Nations Office for Project Services
USAID	US Agency for International Development
UXO	unexploded ordnance
VA	victim assistance
WHO	World Health Organization

Glossary

Abandoned explosive ordnance – Explosive ordnance that has not been used during an armed conflict, that has been left behind or dumped by a party to an armed conflict, and which is no longer under its control. Abandoned explosive ordnance is included under the broader category of explosive remnants of war.

Accession – Accession is the way for a state to become a party to an international treaty through a single instrument that constitutes both signature and ratification.

Adherence – The act of becoming a party to a treaty. This can be through signature and ratification, or through accession.

Antihandling device – According to the Mine Ban Treaty, an antihandling device “means a device intended to protect a mine and which is part of, linked to, attached to or placed under the mine and which activates when an attempt is made to tamper with or otherwise intentionally disturb the mine.”

Antipersonnel mine – According to the Mine Ban Treaty, an antipersonnel mine “means a mine designed to be exploded by the presence, proximity or contact of a person and that will incapacitate, injure or kill one or more persons.”

Antivehicle mine – According to the Mine Ban Treaty, an antivehicle mine is a mine designed “to be detonated by the presence, proximity or contact of a vehicle as opposed to a person.”

Area cancellation – Area cancellation describes the process by which a suspected hazardous area is released based solely on the gathering of information that indicates that the area is not, in fact, contaminated. It does not involve the application of any mine clearance tools.

Area reduction – Area reduction describes the process by which one or more mine clearance tools (e.g. mine detection dogs, manual deminers or mechanical demining equipment) are used to gather information that locates the perimeter of a suspect hazardous area. Those areas falling outside this perimeter, or the entire area if deemed not to be mined, can be released.

Battle area clearance – The systematic and controlled clearance of dangerous areas where the explosive hazards are known not to include landmines.

Casualty – The person injured or killed in a landmine, ERW or IED incident, either through direct contact with the device or by being in its proximity.

Cluster munition – According to the Convention on Cluster Munitions a cluster munition is “A conventional munition that is designed to disperse or release explosive submunitions each weighing less than 20 kilograms, and includes those submunitions.” Cluster munitions consist of containers and submunitions. Launched from the ground or air, the containers open and disperse submunitions (bomblets) over a wide area. Bomblets are typically designed to pierce armor, kill personnel, or both.

Community-based rehabilitation – Programs in affected communities (often rural areas) that are designed to supplement facility-based programs in urban centers. These programs improve service delivery, equal opportunities, and protect human rights for a larger group of people with disabilities who have limited access to service, due to uneven service distribution, high treatment cost, and limited human resource capacity.

Community liaison – According to IMAS, “liaison with mine/ERW affected communities to exchange information on the presence and impact of mines and UXO, to create a reporting link with the mine action programme and develop risk reduction strategies. Community mine action liaison aims to ensure community needs and priorities are central to the planning, implementation and monitoring of mine action operations.”

Demining – The set of activities that lead to the removal of mine and ERW hazards, including survey, mapping, clearance, marking, and the handover of cleared land.

Explosive remnants of war – Under Protocol V to the Convention on Conventional Weapons, explosive remnants of war are defined as unexploded ordnance and abandoned explosive ordnance. Mines are explicitly excluded from the definition.

Explosive ordnance disposal – The detection, identification, evaluation, render safe, recovery, and disposal of explosive ordnance.

Failed cluster munition – A cluster munition that has been fired, dropped, launched, projected or otherwise delivered and which should have dispersed or released its explosive submunitions but failed to do so.

Improvised explosive device – A device placed or produced in an improvised manner incorporating explosives or noxious chemicals. An improvised explosive device (IED) may be victim-activated or command-detonated. Victim-activated IEDs are banned under the Mine Ban Treaty, but command-detonated IEDs are not.

IMAS – International mine action standards issued by the UN to improve safety and efficiency in mine action

by providing guidance, establishing principles and, in some cases, defining international requirements and specifications.

IMSMA – The UN’s preferred information system for the management of critical data in UN-supported field programs. IMSMA provides users with support for data collection, data storage, reporting, information analysis, and project management activities.

Landmine Impact Survey – A national or regional assessment of the socioeconomic impact on communities caused by the actual or perceived presence of mines and ERW, in order to assist the planning and prioritization of mine action programs and projects.

Land release – The set of activities and methodologies intended to release previously suspect hazardous areas with the minimum possible risk.

Mine action center – A body charged with coordinating day-to-day mine action operations, normally under the supervision of a national mine action authority. Some MACs also implement mine action activities.

Mine/ERW risk education – Activities which seek to reduce the risk of injury from mines and ERW by awareness-raising and promoting behavioral change, including public information dissemination, education and training and community mine action liaison.

National mine action authority – A governmental body, normally interministerial in nature, responsible for managing and regulating a national mine action program.

Non-state armed groups – For Landmine Monitor purposes, non-state armed groups include organizations carrying out armed rebellion or insurrection, as well as a broader range of non-state entities, such as criminal gangs and state-supported proxy forces.

Risk reduction – Those actions which lessen the probability and/or severity of physical injury to people, property, or the environment due to mines/ERW. Risk reduction can be achieved by physical measures such as clearance, fencing or marking, or through behavioral changes brought about by mine/ERW risk education.

Submunition – Any munition that, to perform its task, separates from a parent munition (cluster munition).

Survey – A study of the assessment of the location and impact of mines and ERW at the local or national level. General survey focuses on the location of mined and battle areas and the type of contamination they contain. A landmine impact survey also assesses the impact of explosive contamination on nearby communities (see separate definition for landmine impact survey). Technical survey aims to confirm and identify the outer perimeters of the hazardous area using one or more demining tools and to gather other necessary information for clearance.

Unexploded cluster munitions – Submunitions that have failed to explode as intended, becoming unexploded ordnance.

Unexploded ordnance – Unexploded ordnance (UXO) refers to munitions that were designed to explode but for some reason failed to detonate; unexploded submunitions are known as “blinds” or “duds.”

Victim – The individual directly hit by a mine/ERW explosion, his or her family and community.

Victim assistance – Victim assistance includes, but is not limited to, casualty data collection, emergency and continuing medical care, physical rehabilitation, psychological support and social reintegration, economic reintegration, and laws and public policies to ensure the full and equal integration and participation of survivors, their families and communities in society.



Cover photos © Sean Sutton/Mines Advisory Group, May 2010

(front cover) Khawar Quadir harvests onions in Saraw village, Iraq, on land that was cleared of mines. "Now the village grows all kinds of fruit and vegetables," she said. "Before we couldn't use the land and there were many accidents."

(left) Shahr Ahmad and his daughters are one of ten families to return to an area cleared of mines in Pirijan village in northern Iraq. "We grow apples, plums, salad, peppers, tomatoes, and wheat on the land. When the other minefields are cleared more people will come back. They want to come but are too afraid. They don't like living in the town. This is their home."

Landmine and Cluster Munition Monitor is coordinated by an Editorial Board of five organizations: Mines Action Canada, Action On Armed Violence, Handicap International, Human Rights Watch, and Norwegian People's Aid. Mines Action Canada serves as the lead agency.



Landmine Monitor 2010

Landmine Monitor 2010 provides a global overview of efforts in 2009 and the first part of 2010 to universalize and fully implement the 1997 Mine Ban Treaty, and more generally assesses the international community's response to the global landmine and explosive remnants of war problem. It covers developments in the areas of mine ban policy, mine action, casualties, victim assistance, and support for mine action.

This report was prepared by Landmine and Cluster Munition Monitor, the unprecedented civil society initiative providing research and monitoring for the International Campaign to Ban Landmines and the Cluster Munition Coalition. Landmine and Cluster Munition Monitor has reported on the international community's response to the global landmine problem and its solutions since 1999.

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