

ICBL EXPECTATIONS FOR THE SECOND REVIEW CONFERENCE
The Bangkok Workshop on Achieving a Mine-Free South-East Asia
3 April 2009



The ICBL shares the views expressed by the other speakers about the symbolic and practical importance of the Second Review Conference in the life of the Mine Ban Convention. We see the Review Conference as a critical opportunity to assess if the Convention is delivering on its promise to mine-affected communities and how to address the many issues still preventing fulfilment of this promise. We are counting on States Parties to carry out an honest evaluation of the Convention's impact, to use lessons learned to build a clear work plan for the future, and to show their commitment to reaching full universalization and implementation of the treaty. We need to make sure that the road to Cartagena does not end there, but rather lays a solid foundation for the continuing path to a mine-free world. In simple language, in Cartagena we need to recommit to getting the job done!

With this in mind, we also support the proposals made by the President Designate for the highest possible level of participation in the Review Conference and a strong political declaration making it clear that landmines will remain high on States Parties' agendas for the foreseeable future. We support having a comprehensive progress review that not only lays out concrete accomplishments of the past five years, but also clearly identifies continuing challenges in treaty implementation, especially the cases of non-compliance with core treaty obligations. We also believe the Review Conference should also have a strong forward-looking component. It should draw lessons from the past to shape a "SMART" action plan that sets out concrete objectives for States Parties to achieve by the next Review Conference.

In addition, we believe that the Review Conference should explore where the treaty would benefit from building synergies with new related instruments – instruments that were built in part on the Mine Ban Convention experience – such as the Convention on Cluster Munitions, Protocol V of the Convention on Certain Conventional Weapons, and to some extent the Convention on the Rights of Persons with Disabilities.

The Review Conference will also provide a unique opportunity to highlight the challenges faced by a country struggling with the daily challenges of the landmine plague - our host Colombia. We hope the special focus on landmines during the lead up to the Review Conference will allow Colombia to make greater progress in clearing mines throughout the country, providing necessary services and protecting the rights of landmine survivors, and educating all Colombians about the local risks of mines.

More generally, we are hoping all countries will take advantage of this special year to ramp up their efforts to promote and implement the treaty. To begin with, we should all make a special effort to convince states not yet party to the treaty to join by the Review Conference and for those that will not, to adopt interim measures, such as respecting the core provisions of the treaty, voting for the annual UN General Assembly Resolution on the Convention, submitting an annual transparency report and attending the conference as observers. The Review Conference should make it clear that the norm against the use of landmines is now universal. We hope that Actions 7 and 46 of the Nairobi Action Plan – which call for extending the mine ban norm to non-state actors and

encouraging mine action in areas under their control - are reemphasized in the next action plan, and that through our collective efforts we soon see an end to the use of AP mines by states and non-state armed groups alike plus clearance in all areas.

The second Review Conference will rightly focus on the humanitarian nature of the Mine Ban Treaty, but in the current context it will also need to highlight its disarmament character. The treaty's generally excellent record on compliance with the disarmament provisions was tainted last year when three States Parties failed to meet their stockpile destruction deadline. The ICBL expects two of the three non-compliant states – Greece and Turkey – to finish destroying their millions of mines before this date, if not sooner. We have just learned that Ethiopia, with a 1 June 2009 deadline, has finished its destruction, and we encourage Kuwait follow the lead of many States Parties – including Indonesia - and finish by the Review Conference, which is well before its January 2012 deadline.

The Review Conference will once again need to look at the special challenges associated with destroying PFM mines, as Belarus and Ukraine still possess millions of such mines and Belarus has already missed its deadline to destroy them. We will also be looking closely at States Parties' practices on mines retained for training and development under Article 3. Ten years after the treaty's entry into force, States Parties should either clearly state how they are being used in accordance with the treaty, or they should destroy them.

After the disappointingly large number of extension requests submitted last year, we feel it is necessary at the Review Conference to recall the treaty's obligation to clear all mined areas "as soon as possible." We hope to see in the future a much reduced proportion of mine-affected states seeking extensions and that such extensions be only for the minimum number of years strictly necessary. We hope the Cartagena Action Plan will include lessons learned on effective national ownership and management of mine action programs. We should also take stock of lessons learned about risk education to recommend the best way to prevent future mine injuries. As mentioned earlier today, we would also like to see the Review Conference take note of the usefulness, as well as the potential drawbacks, of mainstreaming mine action and victim assistance funding into development.

The Review Conference's review of progress will be most crucial – and most challenging – when it comes to Victim Assistance. States Parties should be seeking to answer these questions in a realistic and concrete manner: have the states' VA objectives been achieved and plans implemented? If not, what were the major impediments to success? If so, have they had a measurable impact on the lives of landmine survivors, their families and affected communities?

Looking ahead, we believe that the Review Conference should seek to address the problems observed in developing and implementing SMART victim assistance goals. We suggest an action plan with more action-oriented points, geared towards establishing or reinforcing states' capacity to provide long-term victim assistance. Also looking ahead, we encourage what is known as the VA26 states to develop their own plan of action for the coming years before the Review Conference so that they will be ready to begin implementation immediately afterwards. In all these elements – from planning to implementing to evaluating victim assistance programs – we repeat our call to include landmine survivors and their representative organizations.

We will now turn to the other areas that the Nairobi Action Plan called “essential for achieving the Convention’s aims,” beginning with international cooperation and assistance, which is a treaty obligation for all States Parties “in a position to do so.” As Canada said earlier, even non-typical donors may be in position to provide some form of assistance. Though national contributions are essential, many states will not be able to meet their stockpile destruction, mine clearance and victim assistance duties without international assistance. The ICBL therefore strongly encourages all states to go to Cartagena with *new commitments* of cooperation and assistance, be they financial, technical, or in-kind support.

On transparency and national implementation measures, we would like to see a much higher rate for the submissions of 2008 annual reports than we have seen in recent years and a 100% target for initial reports, which should be in reach with only three reports outstanding. We would also like to see several more states adopt national implementation measures by the Review Conference, especially those that have been working on such measures for several years.

Finally, the Review Conference will examine the future program of meetings. We don’t believe it is time yet for a significant change to the structure of meetings. The intersessional program of work, including annual Standing Committee meetings, is key to the success of the Mine Ban Convention in that it allows states to present their progress, highlight remaining problems and work with others on how best to tackle them. We expect there will be a need for another Review Conference in 5 years, and we believe the Meetings of States Parties should continue on an annual basis, though there may be room to reduce the number of days of future meetings to allow for consecutive meetings with related international instruments, such as the Convention on Cluster Munitions.

In conclusion, we should recall that the treaty begins with a call “to put an end to the suffering and casualties caused by anti-personnel mines.” At the 2nd Review Conference this goal needs to be at the center of all our discussions on evaluating progress and setting out future work. The ICBL strongly believes that we can achieve such a goal if we all pledge to renew our commitment and energy in Cartagena. We remain optimistic that a “mine-free world” - meaning one in which the Mine Ban Treaty is universally adhered to and implemented – is an achievable goal. In the words of our Review Conference slogan, we believe it is “Mission Possible.”

Thank you.