

## Overview of the Status of the Mine Ban Treaty in Central Asia: The Perspectives of the ICBL

The ICBL is very pleased to participate in the Central Asia regional workshop on the road to the Mine Ban Convention's 2<sup>nd</sup> Review Conference. It is the third time we are meeting in the region and in Dushanbe. We met first in 2004 at a similar workshop in the lead up to the First Review Conference, and then in 2007 at a national implementation workshop. For good reasons, since this region is heavily affected by landmines, with special challenges on implementing and universalizing the Mine Ban Treaty.

To be clear from the outset about this presentation, we will be referring to these 6 states when talking about the "Central Asia" region: Afghanistan, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan. This group is based on the list of states included in this meeting.

From a universalization perspective, Central Asia continues to experience one of the lowest rates of adhesion to the Mine Ban Treaty. Three of the six states from this region (50%) remain outside the convention, and two of them (Kyrgyzstan and Uzbekistan) are known to be mine-affected. Uzbekistan has laid tens of thousands of antipersonnel mines on its borders with Afghanistan, Kyrgyzstan, and Tajikistan. These mines continue to cause casualties each year. We have received conflicting reports about landmine contamination in Kazakhstan, with government officials at times acknowledging past use of landmines in border areas and at times denying it.

Most troubling of all in the region are reports of ongoing use of landmines by non-state armed groups in Afghanistan.

All three of the states not party to the treaty in the region continue to stockpile landmines inherited from the former Soviet Union. Until these mines are destroyed, there will always be a risk that they could be planted in the ground. It would be highly significant if, in the year of the Treaty's 2<sup>nd</sup> Review Conference these countries took the decision to destroy these stocks of landmines. We understand that Kazakhstan and Kyrgyzstan are already considering destroying their stocks since the shelf life of the mines have expired.

Over the last few years, there has been very little, if any, forward movement in the region in terms of universalization. The only positive example is Kazakhstan's vote in favor of the UN General Assembly's resolution calling for universalization and full implementation of the Treaty (2007 and 2008).

While mine clearance has reportedly taken place to some extent in some states not party to the treaty, we have not any details in this regard. We have also little information on services provided to victims. It seems however as they are far from being adequate and sufficient. Staying outside the treaty also means that these countries are less likely to attract international cooperation and assistance for mine action.

We call on all states not yet party to the treaty in the region to join immediately. We also call on them to take positive steps along the way to accession, which many countries in other regions are doing. For example, we encourage states to:

- Submit voluntary transparency reports, which has not yet been done by any state not party in this region

- Show their support for the principles of the treaty by voting in favor of the annual UN General Assembly Resolution on the universalization and implementation of the Convention, which has been done most recently by: Kazakhstan;
- Show even more support for the convention by respecting its core obligations, including prohibiting the use of landmines; engaging in mine clearance; destroying stockpiles, and providing assistance to and protecting the rights of survivors, which so far has been a weak point in this region.

Turning to implementation issues, the region varies from almost full implementation of some treaty obligations to significant challenges in meeting others. Both States Parties with stockpiles in the region have destroyed their stockpiles, although Afghanistan was not able to complete destruction by its 4-year deadline. Afghanistan and Tajikistan have also both reported on the discovery and destruction of large numbers of mines after their official destruction programs ended, which shows that they are continuing to respect their duty to destroy all stocks and to be transparent about such discoveries. In terms of the requirement to adopt national implementation measures, Afghanistan and Turkmenistan have shown no progress on this issue, while Tajikistan has stated that its current legislation is sufficient to implement the treaty.

The most serious implementation challenges in the region relate to mine clearance and victim assistance. As we all know Afghanistan is a special case in the sense it is among the most affected countries in the world, with one of the highest casualty rate. With over 650 square kilometers left to clear, there is still a long way to go before Afghanistan can declare that it has completed clearance of all its mined areas. But Afghanistan has always remained optimistic that it would meet its 2013 Article 5 deadline, and has one of the largest programs in the world dedicated to getting the mines out of the ground. The major challenges facing Afghanistan in meeting its goal of on-time completion is the security situation preventing access to some mined areas and the high level of support still needed to get the job done.

This year Tajikistan requested an extension for its upcoming Article 5 deadline in 2010, asking for almost the maximum period possible - 9 <sup>3</sup>/<sub>4</sub> additional years – to complete its obligations under Art. 5. Though Tajikistan’s mine action program has been suffering from insufficient funding, the ICBL believes that it should be possible for Tajikistan to finish clearance in far less time. We have encouraged Tajikistan to put forward a more ambitious clearance plan in line with their duty to demine their land “as soon as possible.” At the same time, we recognize that such a plan will depend on mobilizing more resources, and so we also call on donor states and organizations to increase their support for mine action in Tajikistan.

Victim assistance also continues to be a challenge for the two affected States Parties in the region and the situation of landmine survivors remains very difficult. Afghanistan and Tajikistan have high numbers of mine survivors and therefore the greatest responsibility to provide assistance to survivors, their families and communities. Casualty rates in Afghanistan have dropped significantly in recent years but still are among the highest in the world. Though both countries, and in particular Tajikistan has been working very hard to improve its VA programs, still more needs to be done to secure the services are sufficient and adequate.

As we can see from this brief overview, the road to a mine-free world is still long in this region, as it is around the world. We regret very much the low level of participation from the region in this workshop. We hope however that states present at the workshop will step up their efforts towards a mine-free world and that states not present here will still engage on this issue this year. We are confident that even in this challenging region, reaching full universalization and implementation of the Mine Ban Treaty is an achievable goal.