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



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## From Nairobi to Cartagena and beyond...



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# AP Mine Ban Convention



# AP Mine Ban Convention



# Four core aims, four other matters...



APL/C/CONF/2004/5  
Page 2

FIRST REVIEW CONFERENCE OF THE STATES PARTIES TO THE CONVENTION ON THE PROHIBITION OF THE USE, STOCKPILING, PRODUCTION AND TRANSFER OF ANTI-PERSONNEL MINES AND ON THEIR DESTRUCTION ORIGINAL: ENGLISH

Nairobi, 29 November – 3 December 2004  
Item 18 of the agenda

## FINAL REPORT

The Final Report of the First Review Conference of the States Parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction consists of five parts and twelve annexes as follows:

### Part I Organization and Work of the First Review Conference

- A. Introduction
- B. Organization of the First Review Conference
- C. Participation in the First Review Conference
- D. Work of the First Review Conference
- E. Decisions and Recommendations
- F. Documentation
- G. Adoption of the Final Report and conclusion of the First Review Conference

### Part II Review of the operation and status of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction: 1999-2004

- Introduction
- I. Universalizing the Convention
- II. Destroying stockpiled anti-personnel mines
- III. Clearing mined areas
- IV. Assisting landmine victims
- V. Other matters essential for achieving the Convention's aims
- Annex I Ratification / accession and entry into force dates
- Annex II States that have not ratified or acceded to the Convention
- Annex III Deadlines for States Parties to destroy or ensure the destruction of anti-personnel mines in mined areas under their jurisdiction or control in accordance with Article 5
- Annex IV Summary of information provided by the States Parties on the fulfilment of Article 5 obligations
- Annex V Annual landmine casualty rates
- Annex VI Problems faced by States Parties in which there are significant numbers of landmine victims, and their plans to address these problems, resources and priorities for assistance

- Annex VII Reports submitted in accordance with Article 7
- Annex VIII Anti-personnel mine reported retained by the States Parties for reasons permitted under Article 3 of the Convention
- Annex IX Co-Chairs and Co-Rapporteurs of the Standing Committee: 1999-2004

### Part III Ending the suffering caused by anti-personnel mines: Nairobi Action Plan 2005-2009

- Introduction
- I. Universalizing the Convention
- II. Destroying Stockpiled Anti-personnel mines
- III. Clearing Mined Areas
- IV. Assisting the Victims
- V. Other matters essential for achieving the Convention's aims

### Part IV Towards a mine-free world: The 2004 Nairobi Declaration

### Part V Programme of meetings and related matters to facilitate implementation 2005-2009

- Appendix I Agenda of the First Review Conference  
As adopted at the first plenary meeting on 29 November 2004
- Appendix II Report on the Functioning of the Implementation Support Unit September 2003- November 2004  
As adopted at the sixth plenary meeting on 1 December 2004
- Appendix III List of documents

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# Universalization: progress



## 2004 – Nairobi

- 143 States Parties
- 14 States not parties support UN resolution

## 2009 – Cartagena

- 156 States Parties
- 20 States not parties support UN resolution
- 70% of former producers have accepted the Convention
- New use stigmatized & rare
- Several States not parties are open to accession



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## Universalization: challenges

### 39 States not parties:

<input type="checkbox"/> Armenia	<input type="checkbox"/> Korea, Rep. of	<input type="checkbox"/> Poland
<input type="checkbox"/> Azerbaijan	<input type="checkbox"/> Kyrgyzstan	<input type="checkbox"/> Russian Fed.
<input type="checkbox"/> Bahrain	<input type="checkbox"/> Lao PDR	<input type="checkbox"/> Saudi Arabia
<input type="checkbox"/> China	<input type="checkbox"/> Lebanon	<input type="checkbox"/> Singapore
<input type="checkbox"/> Cuba	<input type="checkbox"/> Libyan Arab Jam.	<input type="checkbox"/> Somalia
<input type="checkbox"/> Egypt	<input type="checkbox"/> Marshall Islands	<input type="checkbox"/> Sri Lanka
<input type="checkbox"/> Finland	<input type="checkbox"/> Micronesia, FS of	<input type="checkbox"/> Syrian Arab Rep.
<input type="checkbox"/> Georgia	<input type="checkbox"/> Mongolia	<input type="checkbox"/> Tonga
<input type="checkbox"/> India	<input type="checkbox"/> Morocco	<input type="checkbox"/> Tuvalu
<input type="checkbox"/> Iran	<input type="checkbox"/> Myanmar	<input type="checkbox"/> UAE
<input type="checkbox"/> Israel	<input type="checkbox"/> Nepal	<input type="checkbox"/> USA
<input type="checkbox"/> Kazakhstan	<input type="checkbox"/> Oman	<input type="checkbox"/> Uzbekistan
<input type="checkbox"/> Korea, DPR	<input type="checkbox"/> Pakistan	<input type="checkbox"/> Vietnam



The ISU provides information on the Convention, its status and its operations at national and regional workshops intended to increase understanding of the Convention by States not parties.

Such a workshop in the Nicosia in 2003 assisted Cyprus in taking the decision to ratify the Convention.

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## Universalization: challenges

### Challenges to address at Cartagena Summit

- 39 States not parties
- New use rare but States derive utility from previous use
- Adherence with the norm but States remain ready to use
- States not parties stockpile millions of mines
- Armed non-State actors continue to use



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## Stockpile Destruction

- 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.”
- States Parties may retain “a number of anti-personnel mines for the development of and training in mine detection, mine clearance, or mine destruction techniques.” This number “shall not exceed the minimum number absolutely necessary” for these purposes.



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## Stockpile Destruction: progress

### 2004 – Nairobi

- 128 States Parties without stockpiles
- 16 States Parties in the process of destroying stocks
- 37 million mines destroyed

### 2009 – Cartagena

- 152 States Parties without stockpiles
- 4 States Parties in the process of destroying stocks
- 42.3 million mines destroyed



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## Stockpile Destruction: challenges



### Challenges to address at Cartagena Summit

- ❑ Belarus, Greece and Turkey missed their deadlines
- ❑ Ukraine signalled that it will miss its deadline
- ❑ Equatorial Guinea and Gambia need to confirm no stocks

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## Mine Clearance

- ❑ "Mined area" means an area which is dangerous due to the presence or suspected presence of mines.
- ❑ Each State Party shall report all mined areas containing AP mines.
- ❑ Each State Party reporting mined areas must, as soon as possible or no later than 10 years after entry into force for that State Party, render these areas no longer dangerous due to the presence or suspected presence of AP mines.
- ❑ If a State Party believes it will be unable to do this, it may request an extension.



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## Mine Clearance: progress

2004 – Nairobi	2009 – Cartagena
<input type="checkbox"/> 46 States Parties still to clear mined areas	<input type="checkbox"/> 40 States Parties still to clear mined areas
<input type="checkbox"/> 4 States Parties had completed implementation	<input type="checkbox"/> 13 States Parties completed implementation
<input type="checkbox"/> Little information on further completion	<input type="checkbox"/> 3 more States Parties may complete in '09
<input type="checkbox"/> No means to declare / report "completion"	<input type="checkbox"/> Agreed model "declaration of completion"
<input type="checkbox"/> Perception the task would take decades	<input type="checkbox"/> Agreed use of various methods to release areas
<input type="checkbox"/> Little info on the size & location of challenges	<input type="checkbox"/> Much better info on size & location of challenges
<input type="checkbox"/> No process of handling extension requests	<input type="checkbox"/> Agreed process for analysing requests



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## Mine Clearance: challenges

- Challenges to address at Cartagena Summit**
- Identifying / reporting all areas containing AP mines
  - Intensifying efforts to clear mined areas
  - Applying full range of methods to release suspected areas
  - Applying a gender perspective to humanitarian demining
  - Applying AP mine lessons to challenges of other ERW



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## Promise to survivors

The States Parties “(wish) to do their utmost in providing assistance for the care and rehabilitation, including the social and economic reintegration of mine victims.”

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.”



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## Victim Assistance: progress

2004 – Nairobi	2009 – Cartagena
<input type="checkbox"/> VA not treated as precisely as other measures	<input type="checkbox"/> VA largely treated analogous to other obligations
<input type="checkbox"/> Ultimate responsibility not clearly specified	<input type="checkbox"/> Sovereign States logically ultimately responsible
<input type="checkbox"/> Main focus of attention unclear	<input type="checkbox"/> 26 States Parties with significant responsibilities
<input type="checkbox"/> Victim assistance not measurable	<input type="checkbox"/> Better data on survivors, SMART objectives
<input type="checkbox"/> NGO critiques not based on baseline info	<input type="checkbox"/> NGOs can now critique relative to a benchmark
<input type="checkbox"/> Key conclusions on implementation adopted	<input type="checkbox"/> Strategic effort to apply these conclusions
<input type="checkbox"/> International legal framework not well developed	<input type="checkbox"/> Convention’s practices the model for the CCM



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	AP Mine Ban Convention	CCW Protocol V	Convention on Cluster Munitions
Non-discrimination	✓	✓	✓
National responsibility	✓	✓	✓
Human rights context	✓	✓	✓
Gender dimension	✓	✓	✓
Development context	✓	✓	✓
Responsibility to assist	✓	✓	✓
Individuals, families, communities	✓	✓	✓
"Victim assistance" includes...	<ul style="list-style-type: none"> <li>•data</li> <li>•emergency &amp; continuing medical care</li> <li>•physical rehabilitation</li> <li>•psychological support</li> <li>•social reintegration</li> <li>•economic reintegration</li> <li>•laws and policies</li> </ul>	<ul style="list-style-type: none"> <li>•data</li> <li>•medical care</li> <li>•rehabilitation</li> <li>•psychological support</li> <li>•social inclusion</li> <li>•economic inclusion</li> <li>•laws and policies</li> </ul>	<ul style="list-style-type: none"> <li>•data</li> <li>•medical care</li> <li>•rehabilitation</li> <li>•psychological support</li> <li>•social inclusion</li> <li>•economic inclusion</li> <li>•laws and policies</li> </ul>

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## Victim Assistance: challenges



**Challenges to address at Cartagena Summit**

- Individual States continue to take responsibility
- Translating responsibility into a difference on the ground
- VA in the context of broader disability and human rights
- Applying a gender perspective to victim assistance
- Inclusion of survivors and other persons with disabilities



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## Cartagena Summit

- ❑ November 29 / 30 to December 4, 2009
- ❑ Review progress made 10 years after entry into force
- ❑ Establish a concrete action plan for years to come
- ❑ Special emphasis on women, men, boys & girls who have fallen victim to mines
- ❑ Reinvigorate interest: the job is not yet done
- ❑ Participation at highest possible level



A Shared Commitment  
**Cartagena / Colombia**  
30 November - 4 December /2009

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Thank you!



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