

Notes for ICRC intervention on "Clearing mined areas"

Review of the status and operation of the Convention, Cartagena Summit, Wednesday 1 December 2009

The ICRC welcomes the section on mine clearance in the Cartagena Action Plan, which reflects some important developments and lessons learnt in mine action these past years. We would like to briefly highlight a few points in this regard.

The commitment in Action 15 to **use all available methods to safely release contaminated land** can significantly increase the rate and cost-effectiveness of clearance and the fulfilment of Article 5 by mine-affected States Parties. Most importantly, it can improve lives and livelihoods by accelerating the handover of cleared land to mine-affected communities. In this regard, we welcome the new International Mine Action Standard on land release, which provides mine action stakeholders with a common understanding of the overall land release process and its sub components, and enables the development of national land release policies.

An issue that is closely linked to land release is **land ownership**. Experience has shown that issues of land ownership, title deeds and the identification of the ultimate beneficiary from humanitarian demining activities must be clear from the start of demining to determine who will benefit and therefore the humanitarian priority to be given to clearing a particular area. If land can be appropriated after clearance by those other than the intended beneficiary the humanitarian objectives of clearance may simply not be achieved.

On a different topic, we believe Actions 18 and 19 reflect how practice in the area of **risk reduction, risk education and community liaison** has evolved significantly since 2004. These developments are also well documented in the Review Document. We believe the future effectiveness of risk reduction efforts could be significantly enhanced through a more integrated and flexible approach, as called for in Action 18.

The importance of being responsive to the needs and priorities of the community has also been increasingly recognized. The effective use of community liaison can be a crucial tool to ensure that clearance is undertaken effectively, that land ownership is clear and transparent and that contaminated land is accurately identified. In practice, however, a divide often remains between clearance agencies and MRE agencies regarding their respective roles and responsibilities and the focus of community liaison. We hope the on-going revision of the International Mine Action Standard on community liaison will contribute to clarifying these issues and to strengthening community engagement by the mine action sector.

Since 2004, **the ICRC has developed considerably its own approach to weapon contamination**, including that caused by anti-personnel mines. It has moved away from a primarily "mine awareness" focus towards a more flexible, multidisciplinary and solution-driven approach. In practice, this means that risk reduction considerations have been integrated into our relief, assistance and protection activities.

We have also developed a capacity to deploy small teams of clearance personnel, in situations where other organizations have limited access, such as in the immediate aftermath of an armed conflict. In such situations, ICRC clearance teams can provide technical analysis and needs assessment, clear key buildings and infrastructure such as

hospitals, schools, and water pumping stations, to allow post-conflict rehabilitation to start and essential services to be restored. If clearance is not possible, or not an immediate priority, these teams can mark off dangerous areas and warn populations not to enter.

In the coming years, the ICRC will continue to pursue more effective strategies in preventing and reducing the impact of mines and explosive remnants of war, based on new operational experiences and as we adapt our strategies to specific contexts. We will also continue to support the activities of National Red Cross and Red Crescent Societies in this field.