

MINE BAN TREATY/STANDING COMMITTEE MEETINGS, MAY 2002

STATEMENT BY BRAZIL ON THE INTERSESSIONAL PROGRAMME DISCUSSION

1. Brazil shares the view that, after three years, the Intersessional Programme of Work of the Mine Ban Treaty deserves a careful reassessment and a discussion on possible ways to enhance its effectiveness. We have taken note of the non-paper prepared by the Presidency on the Intersessional Programme of Work and have comments to add on this issue.

2. As agreed upon at the 1st MSP, the purpose of the Intersessional Programme of Work is “to ensure the systematic, effective implementation of the Convention through a more regularized program of work by establishing informal, open-ended intersessional working groups which could engage a broad international community for the purpose of advancing the achievement of the humanitarian objectives of the Convention”. The achievement of the humanitarian objectives of the Convention is the foundational purpose of the Intersessional Work. Brazil thus agrees with a renewed emphasis on the implementation of the Convention’s humanitarian core objectives.

3. In the framework of the Intersessional Programme of Work, States Parties established the Standing Committees, in 1999, to facilitate and support the effective functioning of the Convention as an instrument of Mine Action by maintaining practical work at a high level and with particular emphasis on international cooperation, to maintain the momentum and cohesion behind the global humanitarian Mine Action effort and to support the coordination role played by the United Nations Mine Action Service.

4. In 2000, at the 2nd MSP, States Parties established the Coordinating Committee to coordinate matters relating to and flowing from the work of the Standing Committees with the work of the Meetings of the States Parties.

5. At the 3rd MSP, in 2001, States Parties agreed on the establishment of an Implementation Support Unit to provide basic secretariat support for the Standing Committees, advice and assistance, upon request, to their Co-Chairs and Co-Rapporteurs, administrative follow-up to the SCs meeting decisions, as well as secretariat support for the Coordinating Committee and the current and incoming Presidencies.

6. For Brazil, these mandates set the parameters for the work of the Standing Committees, the Coordinating Committee and the Implementation Support Unit and will continue to define the limits between the formal and informal frameworks of the Convention. In order to ensure the continued usefulness of the Intersessional Programme and an effective implementation of the Mine Ban Treaty, States Parties should be particularly careful not to mix the roles and purposes of the relevant formal and informal forums, given that the work to be carried out by each one is of a fundamentally different nature. The arrangements set up informally by States Parties to aid the attainment of the humanitarian goals of the Convention are not a substitute for the decision-making bodies formally set up by the Convention (Meetings of States Parties, Special Meetings of States Parties, Review Conferences and their preparatory process, Amendment Conferences), nor are they intended to replace the roles that the Convention has formally attributed to the United Nations Organization and the UN Secretary-General. Brazil continues firmly to believe that in humanitarian mine action, as in other fields of international cooperation, the United Nations has an indispensable role to play.

7. As regards the Standing Committees, the Brazilian delegation, already during last January’s meetings, noticed a more results-oriented approach in the work of some Committees, and we commend their respective Co-Chairs and Co-Rapporteurs for that. The preparations for the current sessions have confirmed a new emphasis on a more practical approach. Measuring progress in the attainment of the humanitarian objectives of the Convention is difficult in some cases. To measure progress, States Parties should be encouraged to participate as actively as possible in the Standing Committees discussions in order to make their plans and needs known, and to take full advantage of Article 7, including Form J, to facilitate an exchange of information that would give greater dynamism to mine action efforts.

8. The non-paper prepared by the Presidency duly recalls that the objective of the Intersessional Programme is “to organize the work within the framework of the Convention in a way which promotes continuity, openness, transparency, inclusiveness and a cooperative spirit”.

9. It was with these principles in mind that Brazil took the initiative of submitting to the 3rd MSP the suggestion that the Coordinating Committee should report on its meetings. Brazil considers that the reports of the Coordinating Committee have certainly enhanced the Intersessional Work. Brazil maintains its understanding that the role of the Coordinating Committee is essentially to function as a kind of bureau. The Coordinating Committee has not been mandated to act as an executive representative body of the States Parties. Thus, it does not fall under its prerogatives to discuss and decide on issues related to the implementation and operation of the Convention that, by their very nature, require an open and ample debate involving all States Parties.

10. The Final Report of the Maputo Conference underlines that the work of the Standing Committees “should build on the approach and spirit of inclusivity and engagement present in the informal Ottawa process”. The functions of Co-Chairs and Co-Rapporteurs should continue to be fulfilled on the basis of a balanced representation between donor and affected countries, including in the Committee on the Status and Operation of the Convention.

11. We are aware that the Coordinating Committee held an informal retreat last March, in which improvements to the Intersessional Programme of Work were discussed. The report of the “retreat” of the Coordinating Committee refers to the idea of holding “perhaps smaller, more focused parallel meetings on specific subjects of interest to certain participants”. Brazil would eventually like to have more clarification on what this idea would exactly mean.

12. The report of the “retreat” also refers to the idea that the Implementation Support Unit “could be used to support the idea of continuity” – a somewhat vague reference, which would require more clarification, in the light of the ISU’s role and functions, as agreed upon at the 3rd MSP.

13. Brazil is of the belief that, in examining possible enhancements to our work, we must avoid institutionalizing the Intersessional Programme of Work. The institutionalization of the Intersessional Programme of Work would be contrary to the understanding and intentions of the States Parties, when they established the Intersessional Programme at the 1st MSP, and of the negotiators of the Mine Ban Treaty.

14. As an additional element in the enhancement of the Intersessional Programme of Work, Brazil considers that some thought is needed on the status and role of the final Standing Committees’s reports, with their respective recommendations, and the President’s Action Programme. Sufficient time should be ensured for the discussion with States Parties of the recommendations contained in the Standing Committees’s reports.

15. On this occasion, Brazil would like to commend all those who have worked for the attainment of the humanitarian objectives of the Convention, in the context of the Intersessional Work - States Parties, the United Nations and UNMAS, other intergovernmental organizations, the International Committee of the Red Cross, the International Campaign to Ban Landmines, non-governmental organizations and other representatives of the civil society, the Geneva International Center for Humanitarian Demining.

16. As a “meeting place” of people and a “market place” for lessons-learned, the Intersessional Programme has certainly contributed to the attainment of the humanitarian objectives of the Convention. Refocusing it on its foundational humanitarian purposes, having in mind the mandates agreed upon by the States-Parties for the informal mechanisms established under its framework, will only confirm its validity, credibility and usefulness.