

Non-Paper

Article 7 Reporting

Note: The purpose of this paper is to provide a basis for discussion on matters related to Article 7 reporting at the May 31, 2002 meeting of the Standing Committee on the General Status and Operation of the Convention.

The most recent meetings of the Standing Committees highlighted the significant relationship between Article 7 reporting and implementation. Standing Committees noted, for example, that the process of assistance and cooperation could be enhanced if there was a clearer indication of challenges, plans, progress and needs of mine affected countries, as well as the contributions and resources of other State Parties. The Committees also noted that Article 7 has a key role in providing the important humanitarian information needed to ensure that this matching of needs and resources occurs. The Committees were, however, also aware that the Article 7 reporting rate remains far below 100 percent.

The challenges then are to find ways both to increase the Article 7 reporting rate and to ensure that the information contained in the reports can be used effectively in the cooperative process to facilitate implementation. What follows are some ideas related to assisting States Parties in overcoming these challenges. (Note: These ideas do not suggest that the reporting format needs to be amended or that changes to the Article itself should be contemplated.)

Background:

Article 7 requires each State Party to report within 180 days of entry-into-force of the Convention for that State and thereafter annually no later than April 30. In addition to asking States Parties to report on national implementation measures (Article 9) and mines retained and transferred in accordance with Article 3, much of Article 7 reporting relates to steps taken to implement elements of the Convention related to destroying stockpiles (Article 4), clearing mined areas (Article 5) and warning populations of mined areas.

Much of that which States Parties must report on relates to the humanitarian essence of the Convention – the implementation of measures to address the human impact of anti-personnel mines. This information is of potential value in facilitating cooperation and assistance. Therefore, it is in the interest of all States Parties to ensure that the reporting rate is high and that the full potential of the reports is taken advantage of.

Suggestions:

1. Ensuring information on Article 7 obligations is well-known:

Through the work of the Article 7 Contact Group, the development of a reporting guide by VERTIC with the support of the Government of Belgium, and reminders being sent to States Parties, a great deal has been done to encourage timely reporting. However, the annual nature of Article 7 reporting means that awareness of Article 7 obligations must constantly be promoted. In this regard, the President of the Meeting of the States Parties as well as the United Nations should continue to remind States Parties of upcoming reporting **deadlines**. Moreover the President should continue to promote the tools that have been developed to assist States Parties in preparing reports.

2. Taking full advantage of the opportunity to provide “supplementary information”:

No State Party is required to report on anything more than what is indicated in Article 7 (although States Parties are encouraged to volunteer information in Form J). However, simply providing the location of mined areas and details on the types of the mines in these areas means forgoing the opportunity to take full advantage of the Article 7 reporting as a State Party’s official *voice* in communicating with other States Parties on broader implementation matters. That is, States Parties may wish to use the full potential of the opportunity to provide “supplementary information” in the Article 7 reporting format. For example, States Parties may find it in their interest to use this portion of the reporting format to provide: (a) an overview of the impact the mine problem; (b) plans to address the problem; (c) progress that has been made; and, (d) requirements for assistance.

Providing such information could help facilitate cooperate efforts to assist in implementation in that more and better information could provide a better basis for effective action. In a similar sense, making more effective use of this information could provide a greater incentive to report on a timely basis.

(Note: This suggestion does not imply a change in the reporting format. Rather what is being suggested is that States Parties, if they wish to do so, may take greater advantage of the existing format. In addition, if a State Party does not wish to report such information it certainly is not required to do so. But if it wishes to so and finds reporting such matters too difficult or confusing, it could seek assistance in a manner consistent with Article 6.1 of the Convention.)

3. Using the IMSMA to assist in reporting:

The Information Management System for Mine Action (IMSMA) has been or will be deployed in over a dozen States Parties which are affected by anti-personnel mines. The IMSMA is designed to serve as a first-rate database and mine action decision-making support tool. In this regard, where it has been deployed, the IMSMA may be of assistance in facilitating the provision of information on matters such as the impact of mined areas and progress in addressing this impact.

4. Making better use of Form J:

While reporting on matters related to the provision of care, rehabilitation and reintegration of landmine survivors is not required under Article 7, the potential to do so exists through Form J. To date, though, the emphasis has been on using Form J to indicate resources dedicated to the problem. However, Form J also can serve as an important *voice* for States Parties in elaborating challenges in meeting the needs of landmine survivors, plans to address these challenges, progress that has been made and requirements for assistance. In this regard, States Parties may wish to note the discussions within the Standing Committee on Victim Assistance and Socio-Economic Reintegration on how affected States Parties could make use of Form J as well as the set of questions distributed by the Co-Chairs at the January 2002 meeting.

5. Facilitating timely reporting

For States Parties that do not possess stockpiled AP mines or have mined areas, completing Article 7 reports can be quite an easy process. It is a process however, that must be undertaken on an annual basis. The process for these States Parties and their national authorities could be made easier– and perhaps could lead to an increased reporting rate – if States Parties added a **cover sheet** when submitting their reports.

At the First Meeting held in Maputo from 3 to 7 May 1999, States Parties adopted standard reporting formats in order to ease reporting requirements, to promote comparability, and to facilitate the circulation of reports by the United Nations. This innovative approach proposed by Austria is both efficient and cost-effective. However, if on a voluntary basis States Parties submitted a cover page like the proposed attached sample, States Parties could simply indicate if information was unchanged relative to the previous year's form.

The concept for a cover page is as follows: The reporting format for the compulsory reporting elements under Article 7 is comprised of nine individual forms (A to I). Each form contains specific data and information that might change from year to year, that might remain unchanged over several reporting periods or that is not applicable because the reported activity has ceased or never existed. Instead of submitting year after year empty non-applicable forms or repeatedly unchanged information and data, States Parties could simply indicate on a cover page if information was unchanged relative to the previous year 's report. Forms that do not contain any data or remain unchanged would not to have submitted. In other words, only those forms within which there was new information will be submitted.

Conclusion:

Article 7 remains an important Convention obligation in terms of providing transparency in implementation. However, Article 7 reporting can be viewed as more than simply a transparency mechanism in that it can be, in its current form and using its current format, a tool for mine-affected states to draw donors' attention to their needs with a view to facilitating cooperation and assistance. In addition, to ensure a high rate of reporting by all States Parties, mechanisms like a cover page and assistance that could be provided by IMSMA may be found to be useful.

NAME OF STATE [PARTY]: _____

REPORTING PERIOD: (dd/mm/yyyy to dd/mm/yyyy) _____

Form A: Nat. implementation measures:

- changed
- unchanged (last reporting: yyyy)

Form B: Stockpiled anti-personnel mines:

- changed
- unchanged (last reporting: yyyy)
- non applicable

Form C: Location of mined areas:

- changed
- unchanged (last reporting: yyyy)
- non applicable

Form D: APMs retained or transferred:

- changed
- unchanged (last reporting: yyyy)
- non applicable

Form E: Status of conversion programs:

- changed
- unchanged (last reporting: yyyy)
- non applicable

Form F: Program of APM destruction:

- changed
- unchanged (last reporting: yyyy)
- non applicable

Form G: APM destroyed:

- changed
- unchanged (last reporting: yyyy)
- non applicable

Form H: Technical characteristics:

- changed
- unchanged (last reporting: yyyy)
- non applicable

Form I: Warning measures:

- changed
- unchanged (last reporting: yyyy)
- non applicable

Form J: Other Relevant Matters

- changed
- unchanged (last reporting: yyyy)
- non applicable