

**Notes for ICRC Intervention under the agenda item
"Updates by States Parties that were granted extensions of deadlines for
implementing Article 5"**

**Standing Committee on Mine Clearance
Geneva, Wednesday 27 May 2009**

Thank you Madame Co-Chair.

I would like to start by thanking all States Parties, which received an extension of their initial 2009 deadlines for the updates they have provided. We are pleased to note that many States have already taken important steps to follow up on the plans outlined in their extension requests. We would like to note, however, that while most States have thoroughly addressed the first question posed by the Co-Chairs in their questionnaire related to the progress made, some presentations have been less clear in responding to the second question on whether the State is so far "on track" to achieving its objectives as outlined in the extension request. We urge all States Parties, which have received extensions, to indicate clearly at the Review Conference whether they are "on track" for completion of Article 5 obligations within their extension period.

We would also like to highlight two significant challenges that we believe will influence future fulfilment of Article 5 obligations.

First of all, we are concerned that too much focus has been put on the deadlines for mine clearance, rather than on the primary operative obligation of States under Article 5, namely to clear mined areas "as soon as possible". We believe that this has contributed to a situation where the majority of States Parties with clearance deadlines have requested extensions. We would like to underline that the obligation to clear as soon as possible remains relevant not only for States Parties fulfilling initial Article 5 obligations, but also for those States Parties that have received an extension.

Secondly, the projected plans for mine clearance in the extension requests were in many cases based on assumptions about a significant increase in available resources as compared to previous years. Of the 15 States Parties that submitted requests in 2008, eight cited the level of international assistance as a factor impeding implementation in a 10-year period. Yet, it is unclear, in many cases, where additional resources will come from. In reality, resources are already inadequate to fully finance the mine action programmes of most mine-affected States. In the period ahead, there is likely to be even more competition for clearance resources.

In light of these considerations, the ICRC believes more emphasis needs to be given to the obligation of States to clear contaminated areas "as soon as possible" and to the mobilization and utilization of resources to allow States to fulfil their obligations under Article 5. Unless these two inter-related issues are given a high priority now and at the Second Review Conference, there is a real risk that a number of States Parties that were granted extensions by the 9MSP will return with new extension requests as their deadline approaches.

Any delay in meeting Article 5 obligations can have serious humanitarian consequences. Removing these weapons from the ground so that they no longer pose a threat to any man, woman and child who comes in contact with them is at the core of what the Convention was

intended to achieve. All States Parties must do their utmost to ensure that the Convention succeeds in this endeavour.

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