

ICBL Statement on Article 3
Standing Committee on General Status and Operation of the Convention
25 May 2009

Mr. Chairman,

As noted by the Landmine Monitor's fact sheet on Article 3, 71 States Parties have reported that they retain antipersonnel mines for training and research purposes under Article 3 of the Mine Ban Treaty. Eighty-two States Parties have declared that they do not retain any antipersonnel mines. A total of 24 states that previously stockpiled antipersonnel mines have chosen not to retain any mines. The status of three States Parties is uncertain.¹

As we have stated many times, we are concerned about the large number of states collectively retaining a very large number of antipersonnel mines when one of the goals of the treaty is to see the complete elimination of such mines. It appears that a significant number of states are retaining more antipersonnel mines than "absolutely necessary," the limit proscribed in the treaty.

In 2007, States Parties reported retention of about 217,000 antipersonnel mines. As of 20 May 2009, 47 States Parties had declared retention of a total of more than 143,000 antipersonnel mines in calendar year 2008. Twenty-four States Parties that previously declared retained mines have not yet submitted an annual transparency report for calendar year 2008.

A major concern for the ICBL is the large number of States Parties that are retaining mines, but apparently not using those mines for permitted purposes. Instead the mines are simply sitting in storage. When mines are being used for permitted purposes, we should expect to see the following:

- 1) Regular detailed reporting on how the mines have been used for the purposes of research or training, and on plans for using them in the future
- 2) A decrease in the number of retained mines over time as the mines are consumed during training or research activities, along with an explanation for this change
- 3) Regular review of the number of retained mines to ensure it is the "minimum number absolutely necessary" to carry out research or training, and the destruction of any mines above that number.

While some states have followed one or more of such practices, we still do not have such information from far too many of the 71 States Parties retaining mines. Let's look at these practices one by one.

First, concerning reporting on past and planned use of retained mines, only 21 States Parties have made use of the expanded Article 7 Form D to report on the intended purposes and actual uses of mines retained. The states that have used revised Form D are: **Afghanistan, Argentina, Belgium, Canada, Chile, Croatia, Czech Republic, France, Germany, Indonesia, Japan, Latvia, Mauritania, Peru, Portugal, Rwanda, Serbia, Sudan, Tajikistan, Turkey,** and the

¹ Cape Verde and Equatorial Guinea have never submitted an Article 7 transparency report which would indicate if any mines are retained. Botswana reported many years ago that it intended to retain some mines, but has never provided an update on its situation.

United Kingdom. That leaves 50 states that are not using the new Form D, though some are providing similar information through the previous version of Form D or in their own reporting format.

Second, on the expectation that the number of retained mines should decrease over time, we note with regret that for several States Parties, the number of mines retained remains the same year after year, indicating none are consumed (destroyed) during training or research activities, and no or few details are provided about how the mines are being used. In these cases, it is difficult to know if such mines are being retained for permitted purposes.

The following States Parties have not reported consuming any mines for permitted purposes since the treaty entered into force for them: **Angola, Bangladesh, Belarus, Benin, Bhutan, Burundi, Cyprus, Djibouti, El Salvador, Greece, Togo, and Venezuela.**

The following States Parties have not reported consuming any mines for permitted purposes for two or more consecutive years (the last reported consumption date is noted): **Bulgaria (2006), Colombia (2006), Eritrea (2006), Guinea-Bissau (2006), Honduras (2005), Luxembourg (2005), Mali (2003), Mauritania (2005), Namibia (2005), Nicaragua (2006), Peru (2005), Romania (2004), Slovakia (2004), and Uganda (2006).**²

We certainly expect states that retain more mines than previously – as was the case for at least 5 states in 2008 - to provide a reason for this increase. In the case of **Bosnia and Herzegovina** and the **United Kingdom**, there was no explanation for this increase.

Some States Parties are reporting decreases in the number of mines retained, but are not explaining the reductions in their transparency reports. Among the states that did so in this reporting period include: **Australia, Czech Republic, Denmark, Iraq, Spain, and Sudan.**

Thirdly, there should be regular reviews of the number of mines needed for training and research and the destruction of those in excess of that number. Twenty-four States Parties have reported the destruction of over 13,000 retained mines in 2008. Some of this decline is from mines consumed for research and training, but there were also instances of States Parties destroying mines deemed to be in excess of requirements. For example, **Algeria** destroyed 8,940 mines and **Serbia** destroyed 1,970 mines that they deemed were no longer required for training and research purposes. We encourage all states to hold such regular reviews and destroy any that are not seen as absolutely necessary.

As we have stated in the past, the ICBL believes most states can completely satisfy training and research needs without any live mines. We welcome some States Parties' reports about retained mines that are fuzeless and the use of inert (or demilitarized) mines instead of live mines.

We would like to see the Cartagena Action Plan call on States Parties retaining mines to provide systematic reports on past and planned use of retained mines (as stated in Action 54 of the Nairobi Action plan), including a demonstration that the mines are being consumed

² In addition, it is unclear whether or when Mozambique and Uruguay may have consumed mines retained for training.

over time in such activities. The Action Plan should also call on such states to engage in a regular review the number of mines retained under the provisions of article 3 to ensure that they constitute the minimum number absolutely necessary and to destroy those mines that are in excess of this number. This review would be all the more critical for those states not reporting consumption of mines year after year.

Thank you.