

Status of the preparation of the draft review of the operation and status of the Convention, 2010-2014

Implementation Support Unit

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Purpose of the review

At the 6 December 2013 First Preparatory Meeting, the President Designate indicated that the Third Review Conference should, as was the case in 2004 and 2009, adopt a comprehensive review of the Convention covering a five year period between the Second and the Third Review Conferences. It was proposed that this document should achieve the following:

- a. The review should document the progress made by the States Parties since the Second Review Conference in fulfilling the obligations under the Convention.
- b. The review should document efforts undertaken with respect to the commitments the States Parties made in the Cartagena Action Plan and the results of these actions.
- c. The review should document decisions and recommendations made by the States Parties since the Second Review Conference to facilitate and enhance implementation of the provisions of the Convention, reflecting an increased understanding of effective means to fulfil the obligations under the Convention.
- d. The review should contain conclusions related to challenges that remain, as of the Third Review Conference, in fulfilling the obligations under the Convention.
- e. The review should be organized in a manner consistent with the past reviews, which in turn have been organized in a manner consistent with how the States Parties have conceptualized the Convention and organized their work since 2002. In addition to specific sections covering the Convention's four core aims and the four other matters essential for achieving the Convention's aims, the review should document cross-cutting aspects (e.g., gender aspects, which feature in a cross-cutting way in the Cartagena Action Plan).

Introduction

The introduction will very much follow the example of the introduction to the 2009 Review document.

I. Universalizing the Convention

This section will cover progress made and challenges that remain in the pursuit of universal acceptance of the Convention and its norms during the period 2010-2014, giving particular attention to Actions 1-6 of the Cartagena Action Plan. To obtain additional information to assist in preparing this section of the Review, the ISU has sent a uniform set of questions to States not party to the Convention to provide them with an opportunity to clarify / correct / update what is known about their policies on the Convention and their norms.

II. Destroying stockpiled anti-personnel mines

This section will cover progress made and challenges that remain in the pursuit of the aim of the destruction of all stockpiled anti-personnel mines during the period 2010-2014, giving particular attention to Actions 7-12 of the Cartagena Action Plan. As such, it will also cover previously unknown

stockpiled anti-personnel mines. This section will document progress made by individual States Parties in fulfilling Article 4 obligations during the period 2010-2014. The ISU has been and will be in touch with States Parties concerned to ensure that the document accurately characterises the status of implementation by each.

III. Clearing mined areas

This section will cover progress made and challenges that remain in the pursuit of the aim of clearing all mined areas during the period 2010-2014, giving particular attention to Actions 13-22 of the Cartagena Action Plan. It will also document understandings and processes related to Article 5 implementation which have been considered by the States Parties since 2009 (e.g., discussions on previously unknown mined areas, assessment of the Article analysis process, et cetera). This section will document progress made by individual States Parties in fulfilling Article 5 obligations during the period 2010-2014.

To obtain additional information to assist in preparing this section of the Review, the ISU has sent a uniform set of questions to States Parties that are in the process of implementing Article 5 of the Convention. An example of the questions asked is as follows.

1. *In the Cartagena Action Plan, it was agreed that “States Parties that have reported mined areas under their jurisdiction or control, will do their utmost to identify, if they have not yet done so, the precise perimeters and locations, to the extent possible, of all areas under their jurisdiction or control in which anti-personnel mines are known or are suspected to be emplaced” and to report these areas as required under Article 7. Has STATE PARTY fully implemented this Action and, if not, what survey activities remain to be carried out in order for STATE PARTY to comply with this Action?*

2. *The Convention obliges State Parties to report on areas known to contain anti-personnel mines (confirmed hazardous areas) and areas suspected to contain anti-personnel mines (suspected hazardous areas). Can STATE PARTY complete the table below to indicate what the challenge was on 1 January 2010 and what the remaining challenge is as of 1 January 2014?*

| | Areas know to contain anti-personnel mines | | Areas suspected to contain anti-personnel mines | |
|-----------------------|---|---------------------------------------|--|---------------------------------------|
| | <i>Number of Areas</i> | <i>Amount of area (square meters)</i> | <i>Number of Areas</i> | <i>Amount of area (square meters)</i> |
| <i>1 January 2010</i> | | | | |
| <i>1 January 2014</i> | | | | |

3. *Does your State’s understanding of an “area known to contain anti-personnel mines” coincide with the guidance provided by the United Nations’ International Mine Action Standards guidance regarding “confirmed hazardous areas?”¹ Does your State’s understanding of an “area suspected to contain anti-personnel mines” coincide with the guidance provided by the United Nations’ International Mine Action Standards guidance regarding “suspected hazardous areas?”²*

4. *In the Cartagena Action Plan, it was agreed that “the States Parties that have been granted an extension to their initial Article 5 deadline will complete implementation of Article 5 as soon as*

¹ The term “Confirmed Hazardous Area” refers to an area where the presence of mine/ERW contamination has been confirmed on the basis of direct evidence of the presence of mines/ERW.

² The term “Suspected Hazardous Area” refers to an area where there is reasonable suspicion of mine/ERW contamination on the basis of indirect evidence of the presence of mines/ERW.

possible but not later than their extended deadlines, ensure progress toward completion proceeds in accordance with the commitments made in their extension requests and the decisions taken on their requests.” Milestones of progress included in STATE PARTY’S extension request work plan indicated that clearance progress in STATE PARTY would be as follows: INSERT MILESTONES. Could STATE PARTY indicate whether STATE PARTY’S progress is in line with these commitments and if not offer a concise explanation indicating the reasons?

5. In the Cartagena Action Plan, it was agreed that “States Parties that have reported mined areas under their jurisdiction or control, will do their utmost to ensure that all available methods for the full and expedient implementation of Article 5 (1), as recommended by States Parties at the Ninth Meeting of the States Parties, are applied where and as relevant, by developing and implementing applicable national standards, policies and procedures for releasing land through technical and non-technical means.

- What are your State’s national standards, policies and procedures for releasing land through technical and non-technical means? (If possible, please forward copies of relevant standards, policies and procedures to the ISU.)
- How has the application of your State’s national standards, policies and procedures for releasing land through technical and non-technical means supported the full and expedient implementation of Article 5 (1) in your State?

6. In the Cartagena Action Plan, it was agreed that “States Parties that have reported mined areas under their jurisdiction or control, will do their utmost to take full national ownership of their Article 5 obligations by developing, implementing and regularly reviewing national mine action strategies and associated policies, plans, budget policies and legal frameworks.” Does your State have a national humanitarian demining / mine action strategy / plan that is up-to-date and consistent with its Convention obligations? (If possible, please forward copies of relevant documents to the ISU.)

7. In the Cartagena Action Plan, it was agreed that “States Parties that have reported mined areas under their jurisdiction or control, will do their utmost to report on progress by providing information on areas released, disaggregated by release through non-technical survey, technical survey and clearance.” Can your State provide information in this fashion on progress since the Second Review Conference, if possible, using the table below?

| | Number of Areas addressed | Amount of Area addressed (square meters) | | |
|-------|---------------------------|--|-----------------------------|----------------------------|
| | | Cancelled by Non-Technical Survey | Reduced by Technical Survey | Released through clearance |
| 2010 | | | | |
| 2011 | | | | |
| 2012 | | | | |
| 2013 | | | | |
| 2014 | | | | |
| Total | | | | |

8. STATE PARTY’S extended deadline for completion of its Article 5 obligations is DATE. Is it still anticipated that completion will occur by this date and if not, is there a new date when the completion of implementation is anticipated?

9. In line with Action 25 of the Cartagena Action Plan can STATE PARTY provide information on new victims disaggregating the information by sex and age as well as the year in which the accident took place, if possible, using the table below?

| | Men | | Women | | Boys | | Girls | | Not specified | | Total |
|--------------|--------|---------|--------|---------|--------|---------|--------|---------|---------------|---------|-------|
| | Killed | Injured | Killed | Injured | Killed | Injured | Killed | Injured | Killed | injured | |
| 2010 | | | | | | | | | | | |
| 2011 | | | | | | | | | | | |
| 2012 | | | | | | | | | | | |
| 2013 | | | | | | | | | | | |
| 2014 | | | | | | | | | | | |
| Total | | | | | | | | | | | |

10. In the Cartagena Action Plan, it was agreed that “States Parties that have reported mined areas under their jurisdiction or control, will do their utmost to provide access to all mined border areas where access may be difficult or contested, without prejudice to potential border delineation, to ensure that clearance can proceed as soon as possible, making use of the good offices of Presidents of Meetings of the States Parties or Review Conferences or other third parties as appropriate.” If this Cartagena Action Plan is relevant for your State, do you wish to comment on actions taken and the results of these efforts?

11. In the Cartagena Action Plan, it was agreed that “States Parties that have reported mined areas under their jurisdiction or control, will do their utmost to provide mine risk reduction and education programmes, as part of broader risk assessment and reduction activities targeting the most at-risk populations, which are age-appropriate and gender-sensitive, coherent with applicable national and international standards, tailored to the needs of mine-affected communities and integrated into ongoing mine action activities, in particular data gathering, clearance and victim assistance as appropriate.” Do you wish to provide information on activities undertaken with respect to this action and the results of these efforts?

12. In the Cartagena Action Plan, it was agreed that “States Parties that have reported mined areas under their jurisdiction or control, will do their utmost to ensure that all relevant mine action actors inform and actively involve affected local communities and survivors in the assessment of needs, planning and prioritization of activities, and handover of cleared land, by utilizing community liaison or other similar means to ensure meaningful participation of all stakeholders.” Do you wish to provide information on activities undertaken with respect to this action and the results of these efforts?

13. The Cartagena Action Plan states that the States Parties will pursue “a gender-sensitive” approach. Do you wish to provide information on how this may be relevant as concerns your State’s efforts to implement Article 5?

IV. Assisting the victims

This section will cover progress made and challenges that remain in the pursuit of the aim of assisting the victims during the period 2010-2014, giving particular attention to Actions 23-33 of the Cartagena Action Plan. It will also document understandings related to victim assistance which have been considered by the States Parties since 2009 (e.g., discussions on child landmine victims). This section will document progress made by individual States Parties in doing their utmost to ensure the well-being of mine victims during the period 2010-2014.

To obtain additional information to assist in preparing this section of the Review, the ISU has sent the following questionnaire to States Parties that have indicated that they are responsible for the well-being of large numbers of mine victims:

1. *In the Cartagena Action Plan, it was agreed that “States Parties, particularly those accountable to and responsible for the well-being of significant numbers of mine victims, will reinforce their efforts and will do their utmost to ensure the inclusion and full and active participation of mine victims and their representative organisations as well as other relevant stakeholders in victim assistance related activities, in particular as regards the national action plan, legal frameworks and policies, implementation mechanisms, monitoring and evaluation.”*
 - *Do you wish to provide information on activities undertaken with respect to this action and the results of these efforts?*

2. *In the Cartagena Action Plan, it was agreed that “States Parties, particularly those accountable to and responsible for the well-being of significant numbers of mine victims, will reinforce their efforts and will do their utmost to establish, if they have not yet done so, an inter-ministerial / inter-sectoral coordination mechanism for the development, implementation, monitoring and evaluation of relevant national policies, plans and legal frameworks, and ensure that this focal entity has the authority and resources to carry out its task.”*
 - *Do you wish to provide information on activities undertaken with respect to this action and the results of these efforts?*

3. *In the Cartagena Action Plan, it was agreed that “States Parties, particularly those accountable to and responsible for the well-being of significant numbers of mine victims, will reinforce their efforts and will do their utmost to collect all necessary data, disaggregated by sex and age, in order to develop, implement, monitor and evaluate adequate national policies, plans and legal frameworks including by assessing the needs and priorities of mine victims and the availability and quality of relevant services, make such data available to all relevant stakeholders and ensure that such efforts contribute to national injury surveillance and other relevant data collection systems for use in programme planning.”*
 - *Does your State have records of number of surviving mine victims, with data disaggregated by sex and age?*
 - *Does your State have a national injury surveillance system? If so, are data on mine victims provided to / included in this system?*

4. *In the Cartagena Action Plan, it was agreed that “States Parties, particularly those accountable to and responsible for the well-being of significant numbers of mine victims, will reinforce their efforts and will do their utmost to develop, or review and modify if necessary, implement, monitor and evaluate national policies, plans and legal frameworks with a view to meet the needs and human rights of mine victims.”*
 - *Does your State have a national disability plan / strategy? If so, does it incorporate the needs and guarantee of the rights of mine victims?*
 - *Does your State have a national health care plan / strategy? If so, does it incorporate the needs and guarantee of the rights of mine victims?*

- Do you wish to otherwise provide information on activities undertaken with respect to this action and the results of these efforts?

- 5. *In the Cartagena Action Plan, it was agreed that “States Parties, particularly those accountable to and responsible for the well-being of significant numbers of mine victims, will reinforce their efforts and will do their utmost to develop and implement, if they have not yet done so, a comprehensive plan of action and budget that addresses the rights and needs of mine victims through objectives that are specific, measurable, achievable, relevant, and time bound, ensuring that such a plan is integrated into broader relevant national policies, plans, and legal frameworks.”*
 - Do you wish to provide information on activities undertaken with respect to this action and the results of these efforts?

- 6. *In the Cartagena Action Plan, it was agreed that “States Parties, particularly those accountable to and responsible for the well-being of significant numbers of mine victims, will reinforce their efforts and will do their utmost to monitor and evaluate progress regarding victim assistance within broader national policies, plans and legal frameworks on an ongoing basis, encourage relevant States Parties to report on the progress made, including resources allocated to implementation and challenges in achieving their objectives, and encourage States Parties in a position to do so to also report on how they are responding to efforts to address the rights and needs of mine victims.”*
 - Do you wish to provide information on activities undertaken with respect to this action and the results of these efforts?

- 7. *In the Cartagena Action Plan, it was agreed that “States Parties, particularly those accountable to and responsible for the well-being of significant numbers of mine victims, will reinforce their efforts and will do their utmost to ensure the continued involvement and effective contribution in all relevant convention related activities by health, rehabilitation, social services, education, employment, gender and disability rights experts, including mine survivors, inter alia by supporting the inclusion of such expertise in their delegations.”*
 - Do you wish to provide information on activities undertaken with respect to this action and the results of these efforts?

- 8. *In the Cartagena Action Plan, it was agreed that “States Parties, particularly those accountable to and responsible for the well-being of significant numbers of mine victims, will reinforce their efforts and will do their utmost to strengthen national ownership as well as develop and implement capacity building and training plans to promote and enhance the capacity of the women, men and associations of victims, other organisations and national institutions charged with delivering services and implementing relevant national policies, plans and legal frameworks.”*
 - Do you wish to provide information on activities undertaken with respect to this action and the results of these efforts?

- 9. *In the Cartagena Action Plan, it was agreed that “States Parties, particularly those accountable to and responsible for the well-being of significant numbers of mine victims, will reinforce their efforts and will do their utmost to increase availability of and accessibility to appropriate services for female and male mine victims, by removing physical, social, cultural, economic, political and*

other barriers, including by expanding quality services in rural and remote areas and paying particular attention to vulnerable groups.”

- Do you wish to provide information on activities undertaken with respect to this action and the results of these efforts?

10. In the Cartagena Action Plan, it was agreed that “States Parties, particularly those accountable to and responsible for the well-being of significant numbers of mine victims, will reinforce their efforts and will do their utmost to ensure that appropriate services are accessible through the development, dissemination and application of existing relevant standards, accessibility guidelines and of good practices to enhance victim assistance efforts.”

- Do you wish to provide information on activities undertaken with respect to this action and the results of these efforts?

11. In the Cartagena Action Plan, it was agreed that “States Parties, particularly those accountable to and responsible for the well-being of significant numbers of mine victims, will reinforce their efforts and will do their utmost to raise awareness among mine victims about their rights and available services, as well as within government authorities, service providers and the general public to foster respect for the rights and dignity of persons with disabilities including mine survivors.”

- Do you wish to provide information on activities undertaken with respect to this action and the results of these efforts?

12. The Cartagena Action Plan states that the States Parties will pursue a “gender-sensitive” approach.

- Do you wish to provide information on how this may be relevant as concerns your State’s efforts to assist mine victims?

V. Other matters essential for achieving the aims of the Convention

a. Cooperation and assistance

This section will cover progress made and challenges that remain related to cooperation and assistance during the period 2010-2014, giving particular attention to Actions 34-52 of the Cartagena Action Plan. To obtain additional information to assist in preparing this section of the Review, the ISU may send a questionnaire to all States Parties.

b. Transparency in implementation

This section will cover progress made and challenges that remain related to transparency in implementation during the period 2010-2014, giving particular attention to documenting efforts related to Article 7 obligations and in the context of political commitments made by the States Parties regarding providing information on a voluntary basis. As such, it would cover Actions 54-58 of the Cartagena Action Plan, including on voluntary transparency on mines retained for permitted purposes.

c. Measures to ensure compliance

This section will document the States Parties consideration of measures to ensure compliance during the period 2010-2014, including steps taken in accordance with Article 9 of the Convention. It would cover Actions 53 and 59-61 of the Cartagena Action Plan.

d. Implementation support

This section will document matters pertaining to implementation support during the period 2010-2014, including documenting discussions and decisions taken during this period on the Implementation Support Unit and the Intersessional Work Programme, as well as the activities of the informal Sponsorship Programme. This section would cover Actions 62-67 of the Cartagena Action Plan.

Annexes:

The Review will contain the following annexes:

- Dates of ratification / accession and entry into force of the States Parties
- Overview of the acceptance of the Convention's norms by States not party to the Convention
- Stockpiled anti-personnel mines destroyed and waiting to be destroyed
- Anti-Personnel mines retained and transferred for permitted purposes
- The status of legal measures in accordance with Article 9
- Contributions provided to the Implementation Support Unit