

Statement on Compliance

Fourth Review Conference of the States Parties to the Anti-Personnel Mine Ban Convention, 25-29 November 2019

The 20-year record of compliance with the Mine Ban Treaty by States Parties is very impressive. There has been one confirmed instance of use by a State Party, no production, no trade, and more than 55 million stockpiled mines destroyed, with only a small number of states missing their four-year deadline for stock destruction.

Moreover, 31 States Parties have declared themselves mine-free, including some once very heavily affected countries such as Mozambique. The attention to victim assistance, and the degree to which the needs and rights of victims are being met are far greater than two decades ago.

Perhaps just as impressive is the impact the Mine Ban Treaty has had on those governments that have not yet joined. The stigma is strong and has resulted in de facto compliance by States not party in most of the world. In the past year, only one government armed force used antipersonnel mines (Myanmar); [[Bangladesh provided details on that use yesterday and condemned it, as should all states parties]] it is likely only three non-States Parties have produced AP mines in recent years; and official trade has been virtually non-existent the past two decades.

But, the congratulations should be short-lived, as there are still too many serious compliance concerns.

Most notably, Greece and Ukraine remain in violation of the Treaty for their ongoing failure to complete the destruction of their stockpiles LONG after their deadlines, 11 and 9 years respectively.

Second, it is past time for States Parties to acknowledge that there are compliance issues related to Article 5, mine clearance, and mine clearance deadlines. There are instances when State Parties have been granted deadline extensions, but then undertaken little to no action to meet the new deadline. It would appear that such non-action or non-implementation is against the

objectives and purposes of the Treaty, and should be addressed as a compliance matter.

In another case of non-action, many States Parties are retaining mines under the Article 3 exception, but are not utilizing the mines for the permitted research and training purposes. As this continues to be the case year after year after year, it appears that the mines in fact are simply being stockpiled. As a matter of compliance, these states should either utilize the mines as permitted, or destroy them urgently.

On Article 7 transparency reporting, the level of compliance with the obligation to submit an annual report has fallen to an embarrassing level of about 50%. Notably, some states with key outstanding obligations such as clearance are failing to submit.

Similarly, too many States Parties are not enacting national implementation measures as required by Article 9. The ICBL believes that new national legislation is the best way to meet the Article 9 requirement.

These various compliance concerns are not new. They are long-standing, and States Parties need to develop new approaches to deal with them, as the current situation is not working.

In that regard, we are pleased the machinery paper expands the mandate of the Committee on Cooperative Compliance to cover all of Article 1, as well as Articles 7 and 9. And with respect to Articles 5 and 3, the ICBL strongly supports the proposed amendment to Oslo Action Plan Action #48.

This Review Conference year is the best opportunity to recognize and address these compliance concerns.

Thank you.