

# **Fourth Review Conference of the States Parties to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction**

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Item 11 of the provisional agenda

**Consideration of submissions of States Parties as provided for in Article 5**

## **Analysis of the request submitted by Yemen for an extension of the deadline for completing the destruction of anti- personnel mines in accordance with Article 5 of the Convention**

### **Submitted by the Committee on Article 5 Implementation (Austria, Canada, Colombia and the Netherlands)**

1. Yemen ratified the Convention on 1 September 1998. The Convention entered into force for Yemen on 1 March 1999. In its initial transparency report submitted on 28 August 1999, Yemen reported areas under its jurisdiction or control containing, or suspected to contain, anti-personnel mines. Yemen was obliged to destroy or ensure the destruction of all anti-personnel mines in mined areas under its jurisdiction or control by 1 March 2009. Yemen, believing that it would be unable to do so by that date, submitted a request to the 2008 Ninth Meeting of the States Parties (9MSP), for a six-year extension of its deadline, until 1 March 2015. The 9MSP agreed unanimously to grant the request.

2. In granting Yemen's request in 2008, the 9MSP recorded that, while noting that the proposed plan in the request seemed workable, success in implementation was very much tied to securing donor support at a level that has historically been provided to Yemen. The 9MSP further noted the value of Yemen providing further clarity regarding the extent of the remaining challenge and on steps taken by Yemen to overcome the technical challenges that have impeded implementation in the past.

3. Yemen was obliged to destroy or ensure the destruction of all anti-personnel mines in mined areas under its jurisdiction or control by 1 March 2015. Yemen, believing it would be unable to do so by that date, submitted a request to the Third Review Conference for a 5-year extension of its deadline, until 1 March 2020. The Third Review Conference agreed unanimously to grant the request.

4. In granting the request, the Conference noted that Yemen was projecting that it would need approximately six years from the date of submission of its request to survey suspected hazardous areas and clear confirmed hazardous areas. Also, in granting the request, the Conference noted the commitment made by Yemen to undertake technical survey activities and to update its land release standards which may result in implementation that proceeds much faster than that suggested by the amount of time requested and in a more cost-effective manner. The Conference noted that doing so could benefit Yemen in ensuring that the grave humanitarian, social and economic impacts outlined by Yemen in its request are addressed as quickly as possible.

5. On 28 March 2019, Yemen submitted to the Committee on Article 5 implementation a request for extension of its 1 March 2020 deadline. On 14 June 2019, the Committee wrote



to Yemen to request additional clarification on the information submitted by Yemen in its request for extension. On 8 August 2019, Yemen submitted to the Committee a revised request in response to the Committee's questions. The Committee noted with satisfaction that Yemen has submitted its request in a timely manner and had engaged in a cooperative dialogue with the Committee. Yemen's request is for 3 years, until 1 March 2023.

6. The request indicates, that since, "the beginning of the coup against the legitimate government in 2014, contamination by anti-personnel mines, other improvised explosive devices (IEDs) and explosive remnants of war (ERW) has increased in all areas reached by rebels". The request also notes that, "the conflict has produced a large amount of new contamination, the exact locations and extent are not known due to the inability to access these areas to conduct surveys while the old survey data are considered outdated". The Committee noted the difficult circumstances faced by Yemen and the importance of efforts made during the requesting period to assess the situation and develop a new baseline for contamination.

7. The request indicates that during the initial extension period, emergency mine action response began in 2016 with support from the United Nations Development Programme (UNDP). Based on these efforts Yemen released 28 mined areas measuring 291,333 square metres. The Committee wrote to Yemen requesting further information concerning the disaggregation of Yemen's progress in implementation. Yemen's responded in its revised request that it aims to improve information management techniques and expects for future updates to be disaggregated in a manner consistent with tables as given in the Guide to Reporting. The Committee recognises the current difficult circumstances faced by Yemen and noted the importance of Yemen reporting on its progress in a manner consistent with International Mine Action Standards (IMAS), disaggregating by area cancelled through non-technical survey, reduced through technical survey and addressed through clearance.

8. The request indicates that the following circumstances, which in Yemen's view, impeded its progress in implementation: (a) increase in new contamination including by anti-personnel mines, improvised explosive devices and unexploded ordnance (UXO), (b) re-contamination of previously cleared areas, (c) inability to access contaminated areas, (d) the need to respond to emergency humanitarian efforts, (e) a reduction in contributions from the State Budget and international donors, (f), lack of equipment and personnel, and (g) outdated information management system.

9. The request indicates that anti-personnel mines continue to have a humanitarian and socio-economic impact. Anti-personnel mines continue to block access to urban infrastructure, homes, grazing land, and water sources, with herders and children not attending school especially at risk. The request further indicates that a nationwide victim surveillance system is not in place, with victims of anti-personnel mines recorded in an ad-hoc manner. The Committee noted the importance of Yemen carrying mine risk education activities to ensure the safety of the affected population. The Committee further noted that Article 5 implementation during the requested extension period has the potential of making significant contributions to the socio-economic development of Yemen.

10. The request indicates a remaining challenge of 326 hazardous areas measuring 12,995,161 square metres. The request indicates that due to a lack of access to contaminated areas Yemen is not in a position to offer a more accurate estimation of its remaining challenge. The Committee recognised the importance of survey operations taking place as soon as possible and the importance of ensuring an evidence-based approach to the characterization of areas as a suspected or confirmed hazardous area. The Committee further noted the importance of Yemen reporting its remaining challenge in a disaggregated manner, by "suspected hazardous area" and "confirmed hazardous area".

11. As noted, Yemen's request is for 3 years, (until 1 March 2023) to carry out resurvey of contaminated areas in order to establish a new baseline that will allow Yemen to develop a realistic plan to address its remaining Article 5 challenge. The Committee wrote to Yemen requesting further information on Yemen's survey plan, including what areas are expected to be addressed, when and by whom, together with a detailed budget for the recruitment, training, equipping and deployment of teams. Yemen indicated in its revised request that Yemen will conduct a survey in safe and accessible areas, with a survey plan to be developed

in 2019 and initiated in 2020. The Committee noted that it is positive that Yemen is requesting only the period of time necessary to gather and assess data on contamination and other relevant information with a view to develop a meaningful forward-looking plan. The Committee highlighted the importance of Yemen submitting a further request containing plans based on a clearer understanding, to the extent possible, of the extent of the challenge and which project with greater certainty the amount of time that will be required to complete Article 5 implementation.

12. The request contains a work plan and budget for the period 2020-2023. The request indicates the situation in Yemen is fluid and that the work plan will need to be flexible but strong enough to provide the structure needed to move forward. The request indicates that there are two key components for its work plan: the delivery of emergency mine action activities and the development of a coordination office.

13. The request contains a timeline for carrying out the following activities: a) mine action emergency response (ongoing), b) nationwide non-technical survey (36 months), c) setting up of a prioritization system (6 months), d) update of current Standard Operating Procedures (SOPs) (3-6 months), e) update of current National Mine Action Standards (6-12 months, dependent on government approval), f) strengthening of the information management system (6 -12 months), g) procuring new equipment (3-24 Months), and h) establishing a coordination office for the Yemen Executive Mine Action Centre (YEMAC) (6 to 18 months, dependent on government approval).

14. The work plan contains additional activities that are planned to take place during the extension period including, a) an agreement on resource allocation of survey and emergency land release, b) expansion of partnerships with international non-governmental organisations (INGOs) and commercial companies, c) increase in survey and demining capacities, d) development of a staff training plan, e) open YEMAC branches in Taiz and Marib to facilitate mine action along the west coast and other western districts, and f) develop a new training plan for staff to address IEDs, sea mines and other explosive ordnance.

15. The Committee wrote to Yemen requesting further information on the current prioritization system for mine action in place and a clear process for the improvement of the system. Yemen responded by indicating that YEMAC Headquarters (HQ) in Aden provides tasking orders assessed on casualty figures gathered by YEMAC, with UNDP coordinating specific tasks from humanitarian organisations. Yemen further indicated that the prioritization methodology developed in 2018 and updated in 2019 is based on discussion between YEMAC teams and local authorities, at the Governorate level, as well as with the humanitarian community to define the location and areas to be prioritized for support. Based on this input, the Coordination office will develop a planning lists to be shared with YEMAC teams for implementation.

16. The Committee wrote to Yemen requesting further details concerning the role of Yemen's coordination body, the different components of the body and a timeline for the establishment of the Coordination office and branches. Yemen indicated that the establishment of a coordination office is planned to take between 6 and 18 months. Yemen further indicated that the UNDP will be supporting the Coordination office both logistically and with technical advice.

17. The request indicates that Yemen will seek to expand its partnership with international organisations and commercial companies. The Committee wrote to Yemen requesting additional details on what outreach Yemen has made to the international community in this regard. Yemen indicated that outreach will take place parallel to the establishment of the coordination office. Yemen further indicated that there is a possibility for national NGOs in Yemen to be involved in mine action, this possibility will be studied until permits are secured and technical advice is provided by YEMAC. The Committee noted the importance of these actions and welcomed the commitment of Yemen to work with international partners to ensure the effective and efficient implementation of Yemen's Article 5 obligations.

18. The request indicates that Yemen projects an annual budget of US\$ 15 million will be required to implement activities related to the implementation of Article 5 during the three-year extension period. The Committee noted that Yemen's resource mobilisation efforts could benefit from communicating in more detail its cost projections and from projecting

Yemen's own national contribution to the implementation of Article 5, either through the State budget or in-kind.

19. The Committee noted that the request includes other relevant information that may be of use to the States Parties in assessing and considering the request, including further detail on socio-economic implications of remaining contamination, information on landmine victims and efforts to ensure the exclusion of civilians from mined areas, information on current survey and clearance capacity, maps and annexed tables. The Committee noted that by requesting a three-year extension, Yemen was projecting that it would need approximately two and a half years from the date of submission of its request to obtain clarity regarding the remaining challenge, produce a detailed plan and submit a further extension request.

20. The Committee noted with satisfaction that the information provided in the request and subsequently in responses to the Committee's questions are comprehensive, complete and clear. The Committee further noted that the plan presented by Yemen is ambitious, workable and states clearly which factors could affect the pace of implementation. The Committee noted that the plan's success is based on increased security, access, recruitment of additional survey teams and significant co-contribution of international funding. The Committee noted that the Convention would benefit from Yemen reporting annually, by 30 April, to the States Parties on the following:

- (a) Progress made relative to the activities listed in its 2020-2023 work plan;
- (b) The outcome of survey efforts and how additional clarity obtained may change Yemen's understanding of the remaining implementation challenge;
- (c) Progress made in addressing mined areas during the extension period disaggregated by area cancelled, reduced and cleared;
- (d) Resources obtained relative to needs expressed in the request, including resources provided by the Government of Yemen itself;
- (e) Changes in the security situation and how these changes positively or negatively affect implementation, and;
- (f) Efforts to mitigate the impact of anti-personnel mines to the population as well as information on injuries and casualties caused by anti-personnel mines, disaggregated by sex and age.

21. The Committee noted the importance, in addition to Yemen reporting to the States Parties as noted above, of keeping the States Parties regularly apprised of other pertinent developments regarding the implementation of Article 5 during the period covered by the request and other commitments made in the request at intersessional meetings, Meeting of the States Parties and Review Conferences as well as through its Article 7 reports using the Guide for Reporting.

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