Overview of the Anti-Personnel Mine Ban Convention ("Ottawa Convention")

Regional Workshop on Development Challenges of Mine Clearance and Victim Assistance in South East Asia

Kerry Brinkert
Manager, Implementation Support Unit
k.brinkert@gichd.ch

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The AP Mine Ban Convention

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<th>What is it all about?</th>
<th>What are its main elements?</th>
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<td>How does it work?</td>
<td>What is its status?</td>
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What is it all about?

A “(determination) to put an end to the suffering and casualties caused by anti-personnel mines.”

- Preamble to the AP Mine Ban Convention

Putting an end to the suffering:
Four core aims

The universal acceptance of a AP mine ban
Putting an end to the suffering:
Four core aims

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<th>Destroying existing stockpiles</th>
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<td>Clearing mined areas</td>
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Putting an end to the suffering: Four core aims

- Assisting the victims
- Clearing mined areas
- Destroying existing stockpiles
- Attracting universal acceptance
What are the main elements?

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<th>Prohibited actions:</th>
<th>Required actions:</th>
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<tr>
<td>- AP mine use</td>
<td>- Destruction of stockpiles</td>
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<tr>
<td>- AP mine production</td>
<td>- Clearance of mined areas</td>
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<td>- AP mine retention</td>
<td>- Assistance to victims</td>
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<tr>
<td>- AP mine transfers</td>
<td>- Annual transparency report</td>
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<tr>
<td>- Assistance others in any prohibited act</td>
<td>- Measures to prevent / suppress prohibited acts</td>
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How does it work?

Important principles:

- Necessity to work in an efficient and coordinated manner
- Agreement to work together in a spirit of cooperation
- Emphasis on partnership
How does it work?

A variety of mechanisms exist to facilitate implementation:

- Mechanisms that exist in the text of the Convention
- Mechanism that have been established through decisions of the States Parties
- Mechanisms that have emerged on an informal basis

Implementation Mechanisms

<table>
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<th>In the Convention’s text:</th>
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<td>Article 6: Contains rights to seek and receive assistance and responsibilities to provide it.</td>
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Implementation mechanisms: Article 6

State Party "in a position to do so"

State Party requesting assistance

ICRC / national societies

International or regional orgs.

United Nations system

State budget / state enterprises

Devp. Banks

Private sector

NGOs

Other orgs.
# Implementation Mechanisms

**In the Convention’s text:**

- **Article 6:** Contains rights to seek and receive assistance and responsibilities to provide it.
- **Annual meetings:** Mandated to discuss cooperation and assistance in accordance with Article 6.
- **Review Conferences:** Intended to review implementation and assess future challenges.

**Established by formal decisions:**

- **Intersessional Work Programme:** Four Standing Committees meeting twice a year.
- **Coordinating Committee:** Effective coordination between annual meetings.
- **Implementation Support Unit:** An efficient means to support ongoing State Party activity.

**Emerged informally:**

- Independent advice and support to the Convention’s President, President-Designate, Co-Chairs and Contact Group Coordinators.
- Support to Coordinating Committee.
- Advice, information and support to individual States Parties on implementation matters.
- Coordination with actors that are relevant and supportive of the States Parties’ aims and efforts.
- Information to all whom are interested (including States not parties) – documentation centre, web site, et cetera.

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Implementation Mechanisms:
Implementation Support Unit

AP Mine Ban Convention Documentation Centre

Web sites

Implementation Mechanisms

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- Article 6: Contains rights to seek and receive assistance and responsibilities to provide it.
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Established by formal decisions:
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Emerged informally:
- Contact groups: To promote universalization, transparency reporting, resource mobilization
- Sponsorship Programme: To ensure full participation
The status of the Convention

Universalization:
• 143 States have ratified / acceded.

Stockpile destruction:
• More than 37 million mines destroyed.
• About 10.2 million mines remain to be destroyed.
The status of the Convention

Mine clearance:
- 49 States Parties have reported mined areas.
- 2 have completed clearance obligations.

Destroying existing stockpiles
Attracting universal acceptance

Victim assistance:
- 22 States Parties reported hundreds / thousands of survivors.
- All likely need outside assistance.
The status of the Convention: Other important matters

- Cooperation and assistance
- Transparency and the exchange of information
- Ensuring compliance

Cooperation and assistance

- 1997-2003: Over US$ 2.2 billion generated for matters consistent with achieving the Convention's aims.
- ...but...cooperation and assistance concerns more than this.
- 5MSP: Mine-affected States Parties, the UN, the World Bank, regional development banks, NGOs called upon to integrate mine action into all relevant humanitarian and development activities.
The status of the Convention: Transparency / exchange of information

Article 7 Reporting Rate (Art 7.1 & 7.2)

The status of the Convention: Ensuring compliance

5MSP:
- “We acknowledge our individual responsibility as States Parties to apply the measures that we are obliged to take in accordance with article 9 of the Convention to prevent or suppress prohibited activities.”

Status:
- 37 States Parties have adopted legislation
- 18 consider existing laws sufficient
- 31 in the process of adopting legislation
The status of the Convention

- 1999: Entry into force of Convention
- 2004: First Review Conference
- 2009: First deadlines for clearance

Opportunities in advance of Nairobi

- Communicate your plan to complete your clearance obligations by your deadline and your priorities for external assistance.
- Establish national victim assistance 2005-2009 targets / plans:
  - medical services, physical rehabilitation, psychological and social support, economic reintegration and disability laws.
- Ensure a 100% transparency reporting rate in the region.
- Encourage States that have not yet done so to join the Convention.
- Enhance regional cooperation to advance the implementation of the Convention.
AP Mine Ban Convention: Concluding thoughts

- The Convention is about States seizing responsibility: State security + human security.
- The Convention's focus is on AP mines: Nevertheless, it has been a catalyst to address humanitarian problems caused by all mines and UXO.
- The Convention is a living example of multilateralism at work and of the value of collective action.

Thank you!