

ICBL

Final

International Campaign to Ban Landmines

Statement to the Nairobi Summit on a Mine-Free World

The First Review Conference of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction

Delivered by Stephen Goose (Human Rights Watch), Head of Delegation

Nairobi, 3 December 2004

Mr. President,

It is with great pleasure that I take the floor on this, the final day of the First Review Conference of the Mine Ban Treaty and also the seventh anniversary of the signing of the treaty in Ottawa. I remember vividly that December 3rd 1997 was a day of great promise and hope, fueled further by the presentation of the Nobel Peace Prize to the ICBL and Jody Williams just one week later, and it spawned a wave of commitment and determination that led to the Mine Ban Treaty entering into force in record time on March 1st 1999.

Now, five years later, we have gathered in record numbers, with the highest level government participation in any mine ban meeting since that December 3rd signing ceremony. True to form for the Ottawa Process, even though this is called a "review" conference, we have focused much more on what needs to be done in the next five years, and how to accomplish it, than on the past.

Together we have produced an excellent five-year review document, one that to our knowledge is unmatched in scope and detail. Together we have produced a very good five-year Action Plan, easily the best Action Plan for States Parties developed to date. It provides a solid framework for ensuring ongoing progress in implementing the Mine Ban Treaty and in tackling all aspects of the global mine problem.

But, the Action Plan could have been strengthened, and several States Parties, as well as the ICBL and ICRC, made proposals to improve it. The unwillingness of the majority of States Parties to consider any changes in the Action Plan was a surprising disappointment, and a stark contrast to the determination of the majority of the negotiators in Oslo in 1997 who worked hard to improve the draft text and who faced down challenges from a number of prominent countries.

Mr. President, the ICBL began this week with a presentation detailing the tremendous progress that has been made in eradicating antipersonnel mines. We drew from this year's special edition of the Landmine Monitor Report with its five-year review. We have been pleased that so many speakers throughout this week have utilized the Landmine Monitor's findings as the basis for assessing progress and problems, and we

are grateful for the praise bestowed upon the Monitor and the ICBL more generally. Today, we will not repeat all the details of the achievements of the past five years, but rather look to the future, and reflect on why the Mine Ban Treaty must continue to succeed, and what must be accomplished in order for it to continue to succeed.

The Mine Ban Treaty must continue to succeed because every year more than 15,000 civilians are still killed or maimed by landmines; because most of the 300,000 to 400,000 landmine survivors worldwide are still desperately in need of better assistance; because millions of people still have their lives disrupted, and often devastated, on a daily basis due to the presence of landmines in 83 countries.

But the treaty must also continue to succeed for reasons beyond its humanitarian impact. The treaty and the ban movement have served as a model for a new diplomacy, one that features a partnership between civil society and governments, one in which small and medium countries have shown the ability to set an international agenda and provide the leadership to resolve a global crisis. This model is under assault in today's world and some would like to see it fail. The Mine Ban Treaty is clearly one of the few multilateral processes working today and we must keep it in working order. When the Mine Ban Treaty succeeds, an enlightened multilateralism succeeds, and international humanitarian law and disarmament law are both strengthened.

The Mine Ban Treaty will *not* succeed if governments slip into an old way of doing business, and if achieving consensus becomes the primary objective rather than fully achieving the humanitarian aims of the Convention. The treaty will not succeed if governments, NGOs and international organizations do not continue to work together and if we do not all re-commit ourselves and maintain landmines as a high priority issue.

The Mine Ban Treaty will not succeed if the decline in funding for victim assistance programs is not dramatically reversed, if the needs of survivors are not better met and their rights are not fulfilled.

The Mine Ban Treaty will not succeed if resources for mine action are not increased, and even more importantly reallocated to better support activities making an immediate change in mine-affected communities, so that mine-affected States Parties can meet their 10-year clearance deadlines as required by Article 5. It is not a success if many States Parties require extensions, or if the goal of a mine-free world is abandoned in favor of a lesser standard, such as mine-safe or impact-free.

The Mine Ban Treaty will not succeed if States Parties cannot agree on fundamental issues of interpretation and implementation of the treaty, including what landmines are banned under Article 2 and what acts are banned under the prohibition on assistance in Article 1. The treaty and a global ban will not succeed if armed Non-State Actors are not better educated about the mine ban and convinced to halt the use of antipersonnel mines and to support mine action. And, finally, States Parties must condemn any use of antipersonnel mines by anyone under any circumstance.

Mr. President,

The Mine Ban Treaty will succeed because a strong international norm rejecting the antipersonnel mine is taking firm hold around the world. Almost every country outside of the treaty has endorsed the goal of the elimination of antipersonnel mines, and many have taken significant steps consistent with the treaty. Virtually all nations not party to the treaty have stopped export of the weapon, some have stopped production, some have destroyed stockpiled mines, and many are contributing to global mine action programs. The antipersonnel mine has been stigmatized to the point that even those not party to the treaty are reluctant to use the weapon. Landmine Monitor reports that only four governments have conducted new mine-laying operations since early 2003. But that is still four governments too many—the offenders are Russia, Myanmar, Nepal and Georgia.

In closing, let me emphasize that the Mine Ban Treaty will succeed because civil society will not allow it to fail. There are 350 NGOs from 83 countries here this week to demonstrate our ongoing resolve and determination. This includes more than 50 landmine survivors. The landmine ban movement largely grew out of the voices of the deminers, human rights workers and doctors in the field; the ban movement will be carried forward most powerfully in the future with the voices of the landmine survivors and others living in mine-affected communities. Moreover, we have had almost 40 youth from 24 countries here, training to be the next generation of mine ban advocates.

ICBL members will be meeting tomorrow to further develop our own concrete, detailed action plan for 2005-2009. We are in the fight against landmines for the long haul, and we are convinced that, working together in partnership with governments, UN agencies, and the ICRC, we will succeed, and antipersonnel landmines will no longer be a deadly legacy, but rather a relic of the past.

Thank you.