

**Statement of the ICRC on the Proposal for a Meeting Programme and Related Implementation Machinery 2014-2019, Anti-Personnel Mine Ban Convention, Second Preparatory Meeting for the Third Review Conference, Geneva, 10 April 2014**

The ICRC finds the proposed paper to be significant, highly innovative and timely. After 15 years of operation, it is important to review the functioning of the Convention with a view to addressing the key challenges that it faces today and to ensure that its meeting programme and machinery support the implementation of the Maputo Action Plan. We again commend Mozambique for its work, together with that of the drafting group and the ISU. Our specific comments on the various proposals are as follows:

**The Committee on Article 5 implementation**

The ICRC supports the creation of a committee on Article 5 implementation and its mandate, which is well thought through and clearly defined.

We would highlight that the proposal could potentially involve a large workload for the States Parties serving on this Committee, particularly in the months of April and May. During that time the committee will be tasked with reviewing extension requests in addition to all relevant information for over 30 affected States Parties.

**The Committee on Cooperative Compliance**

The ICRC agrees that the success of the Convention will, in part, be measured in terms of how the States Parties respond to compliance concerns. In this regard, we support the establishment of a committee on compliance, which would respond to allegations of non-compliance in a serious manner, while hopefully avoiding the need to resort to other measures outlined in Article 8.

We would, however, like to request some clarification in paragraph 19(b) as to which are the “relevant States Parties” that are proposed to be engaged.

**Proposals concerning Victim Assistance**

The ICRC supports the proposal for a Special Envoy on Victim Assistance and the mandate outlined in the paper, but would like to see this role supported by a working structure.

Like the Co-Chairs on Victim Assistance, we have reservations about the idea of an Experts’ Forum, and would prefer to see a body like that outlined in the Co-Chairs’ alternative proposal for a Committee on victim assistance. Such a Committee could help to address victim assistance “with the equal precision and intensity as other aims of the Convention”, as specified in the draft Action Plan. It could also more directly and concretely support implementation of the victim assistance commitments in the Maputo Action Plan.

The ICRC would gladly participate in such a Committee, drawing on its long experience in supporting mine victims (including affected families and communities) and disabled persons in armed conflicts and other situations of violence.

If the Co-Chairs’ proposal is accepted, several minor changes should be considered to the machinery document, such as permitting the Committee, through its Chair, to report to the intersessional meetings and meetings of States Parties.

## **Coordinators on the Enhancement of Cooperation and Assistance**

The ICRC finds the proposal to establish Coordinators on the Enhancement of Cooperation and Assistance to be an excellent initiative and has no additional comments on it.

## **The role of the President of Meetings of States Parties / Review Conferences**

In general, we agree with the proposed mandate of the President, however, we have two comments that we would like this meeting to consider.

Firstly, with regards to paragraph 32(a), the stockpiling of anti-personnel mines falls within the prohibitions under Article 1(1) of the Convention, and as a result this would fall within the proposed mandate of the Committee on Cooperative Compliance, as set out in paragraph 19(a). Although the President would remain free to raise this issue through her or his activities to promote implementation of the Convention as set out in paragraph 32(b), the roles should be clarified so as to avoid a duplication of efforts.

Secondly, in regards to paragraph 32(g), it would seem necessary for the office holders for the new mechanisms to be agreed at the Third Review Conference. We would therefore urge States Parties to already consider putting themselves forward to serve on such mechanisms so that they can begin to operate immediately after the Review Conference, rather than have to wait until the Meeting of States Parties in December 2015.

## **The role and composition of the Coordinating Committee**

The ICRC supports the current proposal for the Coordinating Committee, with the addition of the State representatives on the Committee on Victim Assistance if established in accordance with the Co-Chairs' proposal. This would ensure due representation of victim assistance within the Coordinating Committee (which is currently proposed to be represented by the Special Envoy alone).

## **Intersessional meetings**

The ICRC supports the proposal to limit the length of the intersessional meetings to two days and having them scheduled during the same week as the meetings of related Conventions or activities. This would, in our view, be an efficient use of human and financial resources. We would also support the convening of these meetings in May or June so as to enable the committees to review the relevant Article 7 reports and draw subsequent interim conclusions and recommendations.

We agree that there should be space in the intersessional meetings for thematic sessions on topics such as Article 3 retentions, as determined by the Coordinating Committee. Thematic sessions might not, however, always be necessary and we fully agree with the comment in the paper that "issues or topics should not be generated simply to fill up meeting time."

In regards to the "preparatory segment", we believe this space is necessary to discuss the reports of the various Convention bodies – including reports from the Chair of the proposed Committee on victim assistance and the President. Such a discussion would allow, for example, States not party to report on steps they have taken to join the Convention or comply with its norms. It would also be important that under the new structure that States Parties not delegate all responsibility for implementation of the Convention to the new

bodies but remain actively engaged in considering and discussing implementation challenges.

Finally, we hope that a strong mechanism for sponsorship to both informal and formal meetings will remain, especially for affected States Parties.

### **Meetings of States Parties**

The ICRC supports all the proposals on the Meetings of States Parties but would again add that space should be provided for presentation of the final conclusions and recommendations of a Committee of Victim Assistance.

The ICRC thanks Mozambique for the opportunity to comment on these proposals and would like to reiterate our commitment to working constructively with you in their finalisation.