

**REVIEW OF THE OPERATION AND STATUS OF THE CONVENTION ON THE PROHIBITION OF THE USE,
STOCKPILING, PRODUCTION AND TRANSFER OF ANTI-PERSONNEL MINES AND ON THEIR
DESTRUCTION, 2010-2014**

AMENDMENTS

24 JUNE 2014

Throughout

The Secretariat will make technical updates based on new information provided by States Parties.

Paragraph 91bis

Insert the following, renumbering paragraphs accordingly:

At the Cartagena Summit, the States Parties noted that, while **Argentina** had put forward a “schematic plan” for implementing article 5 in mined areas that it has reported to be under its jurisdiction or control, Argentina itself has indicated that it “does not exercise territorial control over the land to be demined.” The States Parties further noted the importance of a State Party providing information on changes to the status of the control of mined areas when such a State Party has indicated that matters related to control affect the implementation of article 5 during extension periods. Since the Cartagena Summit, Argentina has reported no changes. Argentina’s extended deadline for implementation is INSERT DATE.

Paragraph 98

Insert the following as paragraph 98:

In 2010, **Cyprus** reported 3 localities in the areas of its jurisdiction that are under the government’s effective control, containing areas in which anti-personnel mines are known to be emplaced. The areas were reported to contain 2,183 anti-personnel mines. In 2012, Cyprus reported all implementation of Article 5 of the Convention had been completed in all areas under its effective control. Also in 2012, the Twelfth Meeting of the States Parties (12MSP) granted Cyprus’ request for an extended deadline. In granting the request, the meeting noted that Cyprus had expressed that the sole circumstance which impedes the ability of Cyprus to destroy all anti-personnel mines in mined areas that it has reported to be under its jurisdiction or control is that Cyprus has indicated that it did not have effective control over the remaining areas in question. The meeting further noted the importance of a State Party providing information on changes to the status of the control of mined areas when such a State Party has indicated that matters related to control affect the implementation of article 5 during extension periods. Since the 12MSP, Cyprus has reported no changes. Cyprus’ extended deadline for implementation is INSERT DATE.

Paragraph 116

Amend paragraph 116 to read:

In 2010 the **United Kingdom** reported that 117 mined areas totalling 13.15 square kilometres remained to be addressed and that, once a feasibility study was completed, clearance of three priority areas (Fox Bay West, east settlement, Sapper Hill and Goose Green 11) would be carried out. Since 2010, the United Kingdom reported that 4.6 square kilometres had been released through area reduction and that 0.22 square kilometres had been cleared. The United Kingdom also reported that

4.7 square kilometres had been subjected to battle area clearance. The United Kingdom's extended deadline for implementation is 1 March 2019.

Paragraph 118 bis:

Insert the following, renumbering paragraphs accordingly:

Since the Cartagena Summit, the States Parties recorded that compliance with the obligation to destroy all emplaced anti-personnel mines is of heightened importance. While progress in implementing Article 5 has been recorded on the part of many individual States Parties over the past five years, the large number of States Parties that have requested extensions on their deadlines suggests that there has been only a qualified success in overcoming the challenge of clearing or otherwise releasing all mined areas.

At the Cartagena Summit, the States Parties recalled the decisions taken at the Seventh Meeting of the States Parties (7MSP) to establish a process for the preparation, submission and consideration of requests for extensions of Article 5 deadlines, noted the suggested outline provided by the Implementation Support Unit to assist requesting States Parties in organising the content of their requests and expressed the view that the Article 5 extensions process has led to the establishment of an orderly and predictable calendar for submitting, analysing and considering extension requests. At the Eleventh Meeting of the States in in 2011, the States Parties noted that the Article 5 extension request process places a heavy burden on the representatives of those States Parties that are mandated to analyse the requests and in this context recommended that those States Parties mandated to analyse requests in 2012 reflect on the process to date with a view to identifying efficient methods to ensure that high quality requests and analyses are prepared and with a view to recommendations on this matter being submitted for consideration the Twelfth Meeting of the States Parties (12MSP). On the basis of this reflection, at the 12MSP, the States Parties adopted recommendations regarding the process of preparation, submission and consideration of requests with a view inter alia to accelerate the analysis process in order to increase its efficiency.

At the Cartagena Summit, it was agreed that States Parties that have been granted an extension to their initial Article 5 deadline will complete implementation of Article 5 as soon as possible but not later than their extended deadlines, ensure progress toward completion proceeds in accordance with the commitments made in their extension requests and the decisions taken on their requests, and report regularly on such progress. Since the Cartagena Summit, it was noted that several of the States Parties with extended deadlines have fallen short of the annual benchmarks or other commitments made in their extension requests. It was also noted that increased funding had been identified as a requirement in order for several of the State Parties with extended deadlines to meet their commitments and that this funding had not materialised, from either national or external sources.

At the Cartagena Summit, it was recorded that one of the first challenges faced by many States Parties that must still complete implementation of Article 5 is to undertake or complete the task of making every effort to identify all areas under a State Party's jurisdiction or control in which anti-personnel mines are known or suspected to be emplaced. It was further recorded that several States Parties, including some for which the Convention entered into force several years ago, had not yet provided clarity pursuant to their obligation to report on the location of all mined areas that contain or are suspect to contain, anti-personnel mines. Since the Cartagena Summit, while there has been some success in States Parties better defining the location and nature of their implementation challenges, it remains of paramount importance that the States Parties that are in the process of implementing Article 5 do their utmost to identify, if they have not yet done so, the precise perimeters and locations, to the extent possible, of all areas under their jurisdiction or control in

which anti-personnel mines are known or are suspected to be emplaced, and report this information as required by Article 7.

Paragraph 119bis:

Add the following after paragraph 119, renumbering paragraphs accordingly:

The 11MSP noted that the Convention is silent on how to address situations where States Parties, which never have reported Article 5 obligations, discover previously unknown mined areas. The 11MSP further noted a need to develop a rational response to such situations which is firmly anchored in the object and purpose of the Convention and which does not undermine the legal obligations to destroy all anti-personnel mines in mined areas as soon as possible. In this context, the meeting requested that the President, supported by the Coordinating Committee, consult with all relevant stakeholders to prepare a constructive discussion on this matter at the May 2012 meetings of the Standing Committees with a view to recommendations on this matter being submitted for consideration at the 12MSP. Pursuant to the work carried out by the Coordinating Committee in 2012 and discussions at the May 2012 intersessional meetings, and on the basis of a proposal made by the Co-Chairs of the Standing Committee on Mine Clearance (Indonesia and Zambia), the States Parties at the 12MSP made the following commitments:

- (a) If after its original or extended deadline to implement Article 5 has expired, a State Party, as an exceptional circumstance, discovers a mined area (as defined by Article 2.5 of the Convention), including a newly mined area, under its jurisdiction or control that is known or suspected to contain anti-personnel mines, the State Party should immediately inform all States Parties and all stake-holders of the affected area of such a discovery and shall undertake to destroy or ensure the destruction of all anti-personnel mines in the mined area as soon as possible.
- (b) If the State Party believes that it will be unable to destroy or ensure the destruction of all anti-personnel mines in the mined area before the next Meeting of the States Parties or Review Conference (whichever falls earlier), it should submit a request for an extended deadline, which should be as short as possible and no more than ten years, either to that Meeting or Review Conference if the timing of the discovery permits or to the next Meeting of the States Parties or Review Conference if the timing of the discovery does not permit, in accordance with the obligations enshrined in Article 5 and the process for submission of requests for extensions agreed to at the Seventh Meeting of the States Parties. Requests submitted should be analysed also in accordance with the process agreed to at the Seventh Meeting of the States Parties and commonly practiced since 2008, and decided upon in accordance with Article 5.
- (c) States Parties concerned by the above mentioned decision shall continue to fulfil their reporting obligations under Article 7 of the Convention, including the obligation to report on the location of all mined areas that contain or are suspected to contain anti-personnel mines under their jurisdiction or control and on the status of programs for their destruction. Each State Party should also continue to provide updates relative to these and other commitments at meetings of the Standing Committees, Meetings of the States Parties and Review Conferences.

Paragraph 253

Insert the following paragraphs, renumbers what follows accordingly:

In addition, the Tajikistan Victim Assistance Programme established inter-country cooperation with Afghanistan on victim assistance and mental health programme with exchange visits focusing on best practice between two countries and building national capacities. Two inter-country conferences on the provision of psycho-social assistance services to persons with disabilities including landmine survivors were organized: in Kabul, Afghanistan (2010) and in Dushanbe, Tajikistan (2011). Visits were undertaken to facilities for mental health and rehabilitation in both countries and opportunities for strengthening inter-country cooperation were discussed.

Involvement of relevant actors: Tajikistan has ensured the continued involvement and effective contribution in all relevant convention related activities by including victim expert and landmine survivors in the composition of the delegation. A victim assistance expert participated at the intersessional meetings and 10, 11, 12 and 13 MSP, landmine survivors participated at the 2010, 2012 and 2013 intersessional meetings. Further, two survivors participated at the eleventh meeting of the States Parties and the Thirteenth Meeting of the States Parties also at the Maputo Review Conferences.

Inclusion: Tajikistan reported that survivors participate in coordination meetings of the inter-agency working group on victim assistance, national workshops and conferences, international meetings such as meetings of the States Parties and Review Conferences. The Tajik Mine Action Programme adopts and promotes non-discriminatory employment practices which have led to the employment of both survivors and other persons with disabilities. The programme has also supported the establishment of two national survivor organisations including by the provision of equipment, furniture, and training. A Survivors Network Project commenced in 2012 with the aim of establishing a disability support centre in the affected district of Rasht to provide vocational training, psychological support, and legal advice for survivors in the area. Tajikistan reported that national survivor organisations and organisations of persons with disabilities played an active role in the development of the 2012 national “Law of the Republic of Tajikistan on the Social Protection of Disabled Persons 2014-2015” as well as in development of the State Programme on the Social Protection of Persons with Disabilities and the national victim assistance plan of action. Tajikistan reported further progress as concerns the employment of persons with disabilities including landmine survivors at the National Orthopaedic Centre and within the Tajik Mine Action Programme Project of UNDP. Tajikistan reported challenges including low capacity of survivor organisations and a lack of training opportunities for staff of the organisations given that the majority of trainings are delivered in the capital. Survivor organisations have struggled with limited and short-term funding affecting their ability to plan and implement projects and activities.

Gender and Diversity: Tajikistan has records of number of surviving mine victims, with data disaggregated by sex and age in order to provide an age and gender sensitive support and assistance ensuring that all have equal opportunities regardless of sex. This is underlined in the victim assistance goal under the strategic plan which states: “all persons with disabilities, including mine victims, regardless of their sex and age, has equal and proper access to adequate medical and physical rehabilitation and psychological and psychosocial support as well as to socio-economic and legal assistance and inclusive education”. At the stage of provision different assistance gender issues also are taken into account and women are included in all relevant projects.

Thailand

Capacity Building: In 2013, the National Office for the Empowerment of Persons with Disabilities workshops to build capacity in Community-Based Rehabilitation in provinces identified as having persons affected by landmines. The Office also engages local volunteer networks to provide continuous support to victims of landmines providing information on rights and benefits and general support needed.

Good Practice: In 2013, the National Office for the Empowerment of Persons with Disabilities launched the "Community Based Rehabilitation Guidelines". In addition, in September, Thailand conducted a Study Programme on the country's humanitarian mine action for a delegation from Myanmar. The programme aimed at sharing Thailand's best practices and lessons learned in the area of mine clearance, risk education and victim assistance. In 2013, the Thailand International Development Cooperation Agency and the Prostheses Foundation also continued providing assistance to countries affected by landmines such as supporting the operations of prostheses workshops and prostheses production training. Thailand, through its embassies, also provided assistance and support to other affected countries.

Awareness Raising: On International Mine Action Day in 2013, Thailand's Ministry of Foreign Affairs of Thailand staged a photo exhibition to raise awareness among the general public. In June 2013, Thailand hosted the Bangkok Symposium on Enhancing Cooperation and Assistance: Building Synergy towards Effective Anti-personnel Mine Ban Convention Implementation in Bangkok.

Inclusion: Thailand reported that mine victims continue to actively participate in victim assistance whereby their needs and concerns are registered to relevant agencies. Mine victims participate in the planning process such as of the Provincial Persons with Disabilities Funds, the Victim Assistance Master Plan and others. Victim assistance also includes long term capacity building for families and communities such as the provision of livestock for victims who are farmers and vocational training in line with the rights and benefits offered to other persons with disabilities to assist in social and economic reintegration.

Uganda

Coordination: The Ministry of Gender, Labour and Social Development is the designated focal entity for disability and victim assistance in Uganda. An inter-ministerial coordination mechanism has been established which includes the participation of relevant ministries, international and national organisations, and survivors representing civil society. Coordination meetings are convened quarterly to share experiences and harmonise the implementation strategies to avoid the duplication of efforts and maximise the utilisation of resources. Uganda has encountered challenges in ensuring the ongoing functioning and efficiency of the coordination mechanism due to a lack of resources.

Understanding the Extend of the Challenge: Uganda has records on the number of surviving landmine victims disaggregated by sex and age. As at the end of 2013, 568 females and 1,206 male survivors had been identified. In terms of disability data, Uganda reported that the lack of a centralized information management system for disability data presents a challenge as the data on disability / victim assistance is scattered across different agencies. Another challenge reported is the lack of adequate tools and trainings on collecting and analysing data provided to responsible personnel. Uganda is currently conducting a population and housing census which is designed in order to capture data on disability, including landmine and other explosive remnants of war survivors.

Legislation and policies: Uganda is a State Party to the CRPD and its optional protocol consequently an assessment of all national legal and policy frameworks relevant to disabilities is underway to determine if existing frameworks are in line with the CRPD and to ensure that they effectively address the rights and needs of persons with disabilities including landmine and other ERW survivors. Uganda reported that a review of the Ugandan National Policy on Disability and the Persons with Disabilities Act was underway in order to ensure it guarantee the rights of persons with disabilities including mine survivors in accordance with the standards set by the CRPD.

Planning: In 2010, Uganda revised its Comprehensive Plan in Victim Assistance 2008-2012 to incorporate the recommendations of Cartagena Action Plan. The Comprehensive Plan on Victim Assistance 2010-2014 was adopted taking into account the National Plan of Action on Disability, the Convention on the Rights of Persons with Disabilities, the Cluster Munitions Convention and the VA Co-Chairs Recommendations of the Second Review Conference. The Plan continues to be disseminated and promoted among various stakeholders to enhance its integration into broader frameworks. Uganda faces challenges in obtaining adequate funding to implement the Comprehensive Plan on Victim Assistance.

Monitoring and evaluation: Efforts are being made to monitor implementation of national laws and policies and the Comprehensive Plan on Victim Assistance through the use of a results-based management framework.

Accessibility to services: Efforts are underway to enhance physical accessibility nationwide through the development and dissemination of accessibility standards. One of the challenges reported in achieving enhanced physical accessibility to buildings and other public places is the perception by relevant stakeholders that accessibility is an expensive endeavour. Uganda reported that in terms of enhancing access to services in rural and remote areas, a strong emphasis is being placed on development, implementation, and enhancement of community based rehabilitation programs across the country. In addition, Uganda reported having enhanced its capacity to provide inclusive education, having developed a manual on psychosocial support, and having provided special grants to groups of persons with disabilities including survivor groups and those disabled due to old-age. The challenges reported in enhancing access to services relate mostly to inadequate funding.

Awareness raising: Efforts to raise awareness of the rights, needs and capacities of persons with disabilities amongst the general population include the use of cultural activities, radio talk shows, newspaper supplements, poster campaigns, and the production and dissemination of promotional materials such as t-shirts. Uganda reported having ensured the dissemination of the CRPD, its optional protocol, the national Comprehensive Plan of Action on Victim Assistance, the national guidelines on disability, and the manual on psychosocial support. Uganda reported that inadequate resources were a challenge to further awareness raising activities.

Responsibility: Uganda reported that, in consultation with other stakeholders, it has developed manuals to build the capacity of disability stakeholders at national, regional and local levels. Furthermore, efforts have been made to build capacity on victim assistance through the integration of its core principles into the national CBR programme which emphasises utilisation of local resources. As part of the CBR programme, survivors have been recruited for apprenticeships which aim to provide skills and livelihood opportunities to enhance economic inclusion. Uganda reported that inadequate resources present a challenge to its efforts to build national capacity.

Non-discrimination and good practice: Uganda has developed accessibility standards to improve on accessibility for persons with disabilities including female and male mine victims. Uganda continues to raise awareness of the right of mine victims to address the socio-economic political and cultural barriers. Currently, Uganda is developing a social protection framework which will address issues of equity among vulnerable groups, including mine victims and other persons with disabilities. A special grant system for persons with disabilities is being implemented country-wide to address unemployment challenges among their communities.

Inclusion: Uganda reported that the active, effective and ongoing participation of survivors is ensured through the inclusion of survivor associations, such as the Uganda Landmine Survivors Association, in the inter-ministerial coordination mechanism for disability. This approach has led to the participation of survivors in the process of reviewing the national Comprehensive Plan on Victim Assistance 2010-

2014, in the development of a tool to monitor implementation of the Plan, and also in the process of developing the Peace, Recovery and Development Plan for Northern Uganda. The Ugandan Landmine Survivors Association has taken a lead role in mobilizing survivors to participate in development initiatives. In addition, a large number of persons with disabilities, including landmine survivors, are participating in decision making and in political structures from the village to the national level. The Ministry of Gender and other line ministries work very closely with Ugandan Landmine Survivors Association during implementation and monitoring of disability programs, in particular programs such as community based rehabilitation, Special Grants for Persons with Disabilities have been accessed by persons with disabilities including mine victims.

Each year from 2010 to 2013 on the margins of the Convention's intersessional meetings, and on the margins of the 10MSP, 11MSP and 12MSP, Co-Chairs, with the support of the Implementation Support Unit, and in collaboration with the ICBL and ICRC, convened victim assistance experts' programmes. The purpose of these programmes was to enhance national efforts to implement the victim assistance aspects of the Cartagena Action Plan. These programmes have covered such topics as community based rehabilitation, monitoring and evaluation, and assistance to child and adolescent victims of mines. These programmes served as actions taken in accordance with the commitments made by the States Parties to ensure the continued involvement and effective contribution in all relevant Convention related activities by health, rehabilitation, social services, education, employment, gender and disability rights experts, including mine survivors, inter alia by supporting the inclusion of such expertise in their delegations.¹ While there was widespread appreciation for these experts' programmes, these programmes were not convened in 2013 or in 2014 due to lack of funding.

At the Cartagena Summit, it was recognised that one of the key evolutions in victim assistance has been the entry into force of the 2006 Convention on the Rights of Persons with Disabilities (CRPD) which provides a new human rights standard concerning persons with disabilities. It was recognised that the comprehensive manner in which the CRPD records what is required to promote the full and effective participation and inclusion of persons with disabilities including mine survivors, in the social, cultural, economic and political life of their communities provides a new standard by which victim assistance efforts can be measured. Since the Cartagena Summit, the States Parties continued to note the linkages between the CRPD and victim assistance and recognised that the CRPD can be used to provide a framework for all States in meeting their responsibilities to mine survivors and their families. To date, 122 States Parties to the Anti-Personnel Mine Ban Convention have ratified the CRPD.

At the Cartagena Summit, the States Parties agreed to collect all necessary data, disaggregated by sex and age, in order to develop, implement, monitor and evaluate adequate national policies, plans and legal frameworks including by assessing the needs and priorities of mine victims and the availability and quality of relevant services, make such data available to all relevant stakeholders and ensure that such efforts contribute to national injury surveillance and other relevant data collection systems for use in programme planning.² Since the Cartagena Summit, the GICHD and the Centre for International Stabilization and Recovery (CISR) of the James Madison University launched a study on accident and victim information systems aimed to contribute to a better understanding of how victim-related data are collected, compiled and analysed, and how the data are used to inform mine action operations. This study will offer lessons for States Parties wishing to improve their information management practices and systems for the coordination, monitoring and evaluation of their victim assistance plans of action. It may also inform about possibilities as to how such systems could become a platform for broader national disability programming.

¹ Cartagena Action Plan, Action #29.

² Cartagena Action Plan, Action #25.