

International Campaign to Ban Landmines
Statement during the Informal Discussions on Implementing Article 5
Eighth Meeting of States Parties to the Mine Ban Treaty
Dead Sea, Jordan
20 November 2007
Delivered by Tamar Gabelnick, ICBL

Mr. President,

The ICBL sees land release as directly related to states' obligations under Article 5.2 to make every effort to identify all mined areas under a state party's jurisdiction or control. Since initial surveys in many countries were not intended to be precise indications of mined areas, they should not have been used as a baseline of obligations under Article 5. But in many cases they were, meaning that some states have been working and planning for the need to clear hundreds or even thousands of square kilometres of land, which could take decades, when in actual fact the contaminated area is likely to be a fraction of that amount.

Instead, States Parties should continue their efforts to properly identify mined areas before full deployment of clearance assets. Central to such an approach is a focus on area cancellation and area reduction techniques. These techniques aim to verify, *before* significant clearance resources are deployed, whether a suspected hazardous area identified by the initial general or impact surveys is in fact mine-affected, to cancel the land if found not to be contaminated, and to identify the precise perimeters of a contaminated area for the purposes of clearance.

The ICBL strongly supports the appropriate use of area cancellation and area reduction as techniques to release land. We recommend, however, that to be done responsibly and safely, land release should be carried out in accordance with strict guidelines. We therefore strongly urge all relevant stakeholders to quickly develop international guidelines and nationally-adapted methodologies in order to ensure that there is a systematic and trusted approach to this sensitive issue and that it is carried out in a way that enjoys the full confidence of the local population.

At the last intersessional standing committee meetings, we put forward a list of guiding principles on land release that could form an initial basis for discussion for such new guidelines. Our suggestions are as follows:

First, any suspect hazardous areas found to contain anti-personnel mines must be cleared to international and national mine action standards in accordance with a country's legal obligations.

Second, any area reduction or cancellation methodology must be based upon an objective process based on fixed criteria (a *system* or framework) rather than a subjective decision.

Third, any area reduction or cancellation methodology should be understood and accepted by the intended beneficiaries, local government representatives and their political representatives.

Fourth, the information on which decisions are made to release land other than through clearance must be carefully cross-checked with a range of key informants to minimize bias and honest mistakes.

Fifth, all activities leading to the decision to release a specific area of land must be carefully documented.

Sixth, the process of land-release must be inclusive and participatory in its approach and approved by all stakeholders - including the end-users of the land, community representatives, national authorities and the national mine action centre - based upon review of the documented methods. The handover process should include an explanation of the method/s used to release the land.

Seventh, the process leading to land release (i.e. survey, recording, marking/fencing, clearance, handover and an ongoing quality management process throughout) must respect the requirements of applicable national standards and standing operational procedures.

Eighth, any discovery of a mine or mines on land that has been released must lead to an investigation, reassessment and possible clearance of the area.

Finally, we encourage States Parties to include in each Article 7 report the extent of land release and methodologies employed to do so.

Thank you.