



LANDMINE MONITOR FACT SHEET

Prepared by Human Rights Watch

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Established in 1998, Landmine Monitor is an initiative of the International Campaign to Ban Landmines, 1997 Nobel Peace Prize Co-Laureate

Stockpile Destruction (Article 4)

May 2006

Article 4 of the Mine Ban Treaty obligates all States Parties to destroy their antipersonnel mine stockpiles, and all antipersonnel mines under their jurisdiction or control, as soon as possible but no later than four years after entry-into-force of the treaty for each country. **There is no provision for extension of this deadline.**

A total of 73 States Parties have declared possessing stockpiles of antipersonnel mines and completed the destruction of their stockpiles, collectively destroying more than 38 million antipersonnel mines. Landmine Monitor estimates that upwards of 17 million antipersonnel mines remain to be destroyed by 14 States Parties that still have to complete their stockpile destruction programs.

73 States Parties have completed destruction of their stockpiles:

Albania, Algeria, Argentina, Australia, Austria, Bangladesh, Belgium, Bosnia & Herzegovina, Brazil, Bulgaria, Cambodia, Cameroon, Canada, Chad, Chile, Colombia, Rep of Congo, Croatia, Czech Republic, Denmark, Djibouti, Ecuador, El Salvador, France, Gabon, Germany, Guinea, Guinea-Bissau, Honduras, Hungary, Italy, Japan, Jordan, Kenya, Lithuania, Luxembourg, Macedonia FYR, Malaysia, Mali, Mauritania, Mauritius, Moldova, Mozambique, Namibia, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Peru, Philippines, Portugal, Romania, Sierra Leone, Slovakia, Slovenia, South Africa, Spain, Suriname, Sweden, Switzerland, Tajikistan, Tanzania, Thailand, Tunisia, Turkmenistan, Uganda, United Kingdom, Uruguay, Yemen, Venezuela, Zambia, and Zimbabwe.

55 States Parties have officially declared not having a stockpile of antipersonnel mines:

Andorra, Antigua & Barbuda, Bahamas, Barbados, Belize, Benin, Bolivia, Botswana, Burkina Faso, Central African Republic, Comoros, Costa Rica, Cote D'Ivoire, Dominica, Dominican Rep, Eritrea, Estonia, Fiji, Ghana, Grenada, Guatemala, Holy See, Iceland, Ireland, Jamaica, Kiribati, Lesotho, Liberia, Liechtenstein, Madagascar, Malawi, Maldives, Malta, Mexico, Monaco, Nauru, Niger, Niue, Panama, Papua New Guinea, Paraguay, Qatar, Rwanda, St. Kitts & Nevis, St. Lucia, St. Vincent & Grenadines, Samoa, San Marino, Senegal, Seychelles, Solomon Islands, Swaziland, Timor Leste, Togo, and Trinidad & Tobago. A number of these apparently had stockpiles in the past, but used or destroyed them prior to joining the Mine Ban Treaty including Eritrea, Rwanda, and Senegal.

11 States Parties are in the process of destroying their stockpiles: Afghanistan, Angola, Belarus, Burundi, Cyprus, DR Congo, Greece, Latvia, Serbia & Montenegro, Sudan, and Turkey.

6 States Parties are late to declare the presence or absence of stockpiles: Cape Verde, Equatorial Guinea, Ethiopia, Gambia, Guyana, and Sao Tome & Principe. All are late in submitting their initial Article 7 transparency reports. Only Ethiopia and Guyana are thought to possess stockpiles of antipersonnel mines.

6 Countries will announce the presence or absence of stockpiles in their initial transparency measures report: Bhutan, Brunei, Cook Islands, Haiti, Ukraine, and Vanuatu. Only Ukraine is thought to possess stockpiles of antipersonnel mines.

ISSUES AND CONCERNS

Recent Completions and Declarations

Guinea-Bissau (October 2005), **Nigeria** (November 2005), and **Algeria** (November 2005) are the most recent States Parties to complete their stockpile destruction obligation.

Latvia, in its initial transparency report submitted as a State Party, declared a stockpile of 3,791 antipersonnel mines and announced its plans to destroy the stockpile in 2006. Latvia will retain 1,301 antipersonnel mines for development of and training in mine detection, mine clearance, or mine destruction techniques.

Stockpile Destruction Deadlines

1 Nov 2006	DR Congo	1 Apr 2008	Burundi
1 Jan 2007	Angola		Sudan
1 Mar 2007	Afghanistan	1 June 2009	Ethiopia
1 July 2007	Cyprus	1 Jan 2010	Latvia
1 Sep 2007	[Sao Tome e Principe]	1 Feb 2010	[Bhutan]
1 Feb 2008	Guyana	1 Mar 2010	[Vanuatu]
1 Mar 2008	Belarus	1 June 2010	Ukraine
	Greece	1 Aug 2010	[Haiti]
	Serbia & Montenegro	1 Sep 2010	[Cook Islands]
	Turkey	1 Oct 2010	[Brunei]

[States Parties not thought to possess antipersonnel mine stockpiles]

DR Congo (DRC) holds an unknown number of stockpiled antipersonnel mines. Its treaty mandated deadline is 1 November 2006. In April 2003, the DRC reported that stockpile inventories were being conducted, and were to be finished by June 2003. However, the DRC's June 2004 Article 7 report states that the Ministry of Defense has not made any information available. At the meeting of the Standing Committee on Stockpile Destruction in Geneva on 24 June 2004, the DRC delegate explained that "although the DRC is well-aware of its obligations under the Treaty and especially under Article 4 related to stockpile destruction, the lack of information on its stockpiles in its Article 7 report, is due to the difficulties to make disappear the psychological barriers, that still hinder the free communication on what was long time considered to be a 'military secret.'" In May 2005, the DRC reported that an inventory of antipersonnel mines stockpiled by its Armed Forces was ongoing and that it expects to be able to provide a total stockpile number in its next transparency report, due 30 April 2006.

Equatorial Guinea is not only grossly non-compliant in fulfilling the treaty's transparency obligation (due 28 August 1999), but it has passed its deadline of 1 March 2003 for destroying any stockpiled antipersonnel mines and has not informed States Parties of compliance with this core obligation. **Cape Verde** (transparency report due by 30 April 2002) is also now past its November 2005 stockpile destruction deadline.

Voluntary Reporting on Foreign Stocks

A State Party is required to report on mines "owned or possessed by it, or under its jurisdiction or control." States Parties should also report on foreign stockpiles in order to be consistent with the spirit of the treaty aimed at no possession of antipersonnel mines by anyone. **Tajikistan** is the only State Party to declare the number of antipersonnel mines stockpiled by a non-State Party on its territory. Russian forces hold 18,200 antipersonnel mines in Tajikistan. **Germany, Japan, Qatar,** and the **United Kingdom** state that U.S. antipersonnel mine stocks in those countries are not under their national jurisdiction or control and they have not reported on these stockpiles.

Voluntary Reporting on Claymore-Type and/or OZM-72 Mines

The use of Claymore-type directional fragmentation and OZM-72 mines is legal under the Mine Ban Treaty as long as they are command-detonated, and not victim-actuated (used with a tripwire). States Parties should voluntarily report on stockpiled Claymore-type and OZM-72 mines and steps taken to ensure their use in command-detonated mode only. **Belarus, Lithuania, Moldova, New Zealand, Sweden,** and most recently **Latvia** in their Article 7 reports have reported on the measures taken to modify Claymore-type and/or OZM-72 mines. **Norway** provided a detailed technical briefing on the steps it took at a December 2000 Standing Committee Meeting.

Reporting on and Destroying Captured or Newly Discovered Stockpiles

Some States Parties routinely discover, capture, seize, or receive turned-in arms caches containing antipersonnel mines. Burundi, Cambodia, Sudan, and Turkey have provided some official information on such discoveries. Bangladesh, Bosnia and Herzegovina, Colombia, DR Congo, Kenya, Philippines, Serbia and Montenegro, Uganda, and Yemen have not so far reported. Action #15 of the Nairobi Action Plan states: "When previously unknown stockpiles are discovered after stockpile destruction deadlines have passed, report such discoveries in accordance with their obligations under Article 7, take advantage of other informal means to share such information and destroy these mines as a matter of urgent priority."

States Parties are systematically failing to report these finds or any resulting actions. When States Parties fail to report captured, seized, or turned-in antipersonnel mines, there is no information on whether or not the mines were placed into a stockpile, retained for training purposes, or destroyed. Media reports cannot be the sole source of information on the discovery of antipersonnel landmines. Rarely will newspapers or other media report on the outcome of antipersonnel landmines found in arms caches.

After ratification of the Mine Ban Treaty, it is a States Party's responsibility to account for the disposition of captured, seized, or turned-in antipersonnel landmines after the completion of its stockpile destruction program. To guarantee complete information, States Parties should reveal through Article 7 forms the details of newly found antipersonnel landmines.¹

¹ Article 7.1, states that "Each State Party shall report to the Secretary-General...on: g) The types and quantities of all anti-personnel mines destroyed after the entry into force of this Convention for that State Party, to include a breakdown of the quantity of each type of anti-personnel mine destroyed, in accordance with Articles 4 and 5, respectively, along with, if possible, the lot numbers of each type anti-personnel mine in the case of destruction in accordance with Article 4."

Some examples of this are presented below:

- In February 2005, 723 antipersonnel landmines were seized by the Colombian Army in La Paz.² Another 151 antipersonnel mines were found by the Army and destroyed in January 2005.³ **Colombia** did not report these mines in its Article 7 report submitted on 6 May 2005 for the period April 2004 to March 2005. The Colombian Army seized 500 antipersonnel mines from a non-state armed group in February 2006.⁴
- According to the *Philippine Daily Inquirer*, 19 antipersonnel mines were discovered in Nueva Ecija, Central Luzon in the beginning of 2004.⁵ The **Philippines** did not include these antipersonnel mines in its Article 7 report submitted on 9 May 2005 for the period covering February 2004 to February 2005. The Armed Forces of the Philippines seized 13 antipersonnel mines during 19 different operations from January to April 2005.⁶
- In December 2004, seven antipersonnel landmines and various other weapons were found by the Ugandan army in a People's Redemption Army (PRA) house near the border with Sudan.⁷ Ugandan defense forces seized 24 antipersonnel mines during an operation to find PRA rebels in early 2005.⁸ In its Article 7 report submitted on 11 May 2005 for the period 23 July 2003 to 1 May 2005, **Uganda** makes no mention of the antipersonnel landmines found in late 2004.
- In many instances media do not provide complete or detailed information. For instance, *Agence France-Presse* reported that a "huge quantity of explosives" including landmines was found in **Bangladesh** in November 2004.⁹ This article fails to list who found the cache, how many and what type of landmines it contained, and what happened to the explosives.

The International Campaign to Ban Landmines (ICBL) recommends that States Parties include information on the discovery and destruction of antipersonnel mines (including captured, seized, or turned-in mines) in future Article 7 reports. Form G already contains provisions for listing the destruction of stockpiled antipersonnel mines and antipersonnel mines in mined areas. It is the suggestion of the ICBL that Form G also contain a section on the destruction of newly captured, seized, or turned-in antipersonnel mines. In addition to the quantity of antipersonnel mines found, the form should allow States Parties to provide information on where and when antipersonnel mines were discovered. Without adequate documentation and accountability as required by Article 7, captured, seized, or turned-in antipersonnel mines can potentially be misplaced or misused.

² "Decomisan 13 toneladas de explosivos de las Farc en Caqueta y Guaviare," *El Tiempo* (Bogota), 14 February 2005.

³ Report provided by Brig. Gen. German Galvis Corona, Commander V Brigade of the Army, Bucaramanga, 16 January 2005.

⁴ "Colombian army seizes huge rightist arsenal," *EFE* (Bogota), 17 February 2006.

⁵ "Ecija raid yields sign of suicide bombing plot," *Philippines Daily Inquirer*, 7 March 2004, p. A17.

⁶ Matrix on Landmine Incidents and Recoveries (March 2004 to April 2005) provided to Landmine Monitor by the Deputy Chief of Staff for Operations, Armed Forces of the Philippines, 27 May 2005.

⁷ "Ugandan army discover rebel weapons cache," *Xinhua* (Kampala), 6 December 2004; "Army claims recovering cache of arms along near Sudan border," *Agence France-Presse* (Kampala), 6 December 2004.

⁸ "Army Blasts Taban Amin Over PRA Talk," *Monitor* (Kampala), 18 January 2004; "Uganda Army says the country's northwest 'peaceful' after anti-rebel operations," *Monitor* (Kampala), 4 March 2005. "PRA Rebels Have Base in West Nile," *Monitor* (Kampala), 7 February 2005.

⁹ "Workers uncover cache of independence war explosives in Bangladesh," *Agence France-Presse* (Dhaka), 6 November 2004.