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LANDMINE MONITOR FACT SHEET

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Transparency Measures (Article 7)

June 2005

Article 7 of the Mine Ban Treaty states that "Each State Party shall report to the Secretary General of the United Nations as soon as practicable, and in any event not later than 180 days after the entry into force of this Convention for that State Party" regarding steps taken to implement aspects of the convention. Thereafter, States Parties are obligated to report annually, by 30 April, on the preceding calendar year. The following information is updated to 6 June 2005.

67 States Parties, and one Signatory, have submitted an annual report for 2004: Afghanistan, Albania, Angola, Argentina, Australia, Austria, Bahamas, Bangladesh, Belarus, Belgium, Bosnia & Herzegovina, Brazil, Bulgaria, Cambodia, Canada, Chile, Colombia, Costa Rica, Cote D'Ivoire, Cyprus, Czech Republic, Djibouti, Dominica, DR Congo, El Salvador, Germany, Greece, Guatemala, Hungary, Italy, Japan, Jordan, Liechtenstein, Lithuania, Luxembourg, Malawi, Malta, Mauritania, Mauritius, Mexico, Moldova, Monaco, Mozambique, Netherlands, New Zealand, Nicaragua, Norway, Peru, Philippines, Portugal, Romania, San Marino, Slovakia, Slovenia, South Africa, Suriname, Sweden, Switzerland, Tajikistan, Thailand, Trinidad and Tobago, Tunisia, Turkey, Turkmenistan, United Kingdom, Yemen, Zambia, and signatory Poland.

56 States Parties & HAVE NOT submitted an annual report for 2004: Algeria, Andorra, Antigua & Barbuda, Barbados, Belize, Benin, Bolivia, Botswana, Burkina Faso, Cameroon, Chad, Comoros, Congo Rep. of, Croatia, Denmark, Dominican Republic, Ecuador, Eritrea, Fiji, France, Gabon, Gambia, Ghana, Grenada, Guinea-Bissau, Holy See, Honduras, Iceland, Ireland, Jamaica, Kenya, Kiribati, Lesotho, Macedonia FYR, Madagascar, Malaysia, Maldives, Mali, Niger, Niue, Panama, Paraguay, Qatar, Rwanda, Senegal, St. Kitts & Nevis, Samoa, Seychelles, Spain, Swaziland, Tanzania, Togo, Uganda, Uruguay, Venezuela, and Zimbabwe.

15 States Parties that submitted initial reports in 2004 did not provide an update for the full calendar year: Burundi, Central African Republic, Guinea, Liberia, Namibia, Nauru, Nigeria, Papua New Guinea, St. Lucia, St. Vincent & Grenadines, Serbia & Montenegro, Sierra Leone, Solomon Islands, Sudan, and Timor Leste.

ISSUES AND CONCERNS

Initial Reporting

The overall compliance rate of States Parties submitting initial transparency measures reports is an impressive 97 percent. This compares favorably with rates in previous years: 88 percent in 2003, 75 percent in 2002 and 63 percent in 2001. Seventeen State Parties have submitted initial reports since August 2004: Belarus, Burundi, Central African Republic, Estonia, Greece, Guinea, Liberia, Namibia, Nauru, Nigeria, Papua New Guinea, St. Lucia, St. Vincent & Grenadines, Serbia & Montenegro, Sudan, Timor Leste, and Turkey. For several of these States Parties, the deadline for submittal had been several years ago: **Namibia** (August 1999), **Guinea** (September 1999), **St. Lucia** (March 2000), **Liberia** (November 2000), **Nauru** (July 2001). The only State Party with a pending deadline is Ethiopia; its initial report is due by 28 November 2005.

Late Initial Reporting

Only five States Parties are late in submitting their initial reports: **Cape Verde** (due by 30 April 2002), **Cameroon** (due by 27 August 2003), **Equatorial Guinea** (due by 28 August 1999), **Guyana** (due by 30 July 2004), and **Sao Tome & Principe** (due by 28 February 2004).

Voluntary Reporting by Signatories and Non States Parties

In a very encouraging development, several states not party to the Mine Ban Treaty have submitted voluntary Article 7 reports, including **Cameroon** in 2001 and **Lithuania** in 2002, when they were signatories. Non-State Party **Latvia** and signatory **Poland** submitted initial reports in 2003 and annual updates in 2004. Poland continued its efforts and has submitted an annual update in 2005. Other non-States Parties have announced their intention of voluntarily submitting a transparency report in the future, including **China** and **Sri Lanka**. During a visit by the ICBL in May 2005, officials in **Azerbaijan** indicated their willingness to submit a voluntary report.

Voluntary Reporting on Retained Mines

Reporting on mines retained for mine clearance training and development should not only include types, quantities, and institutions authorized to retain (as currently delineated in Article 7), but should be expanded on a voluntary basis to include the specific anticipated purpose and then actual use of any retained mines. Notably, **Australia**, **Canada**, **Japan**, **South Africa**, and **Sweden** have provided consistently detailed information on the intended uses and disposition of their retained mines.

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 convention aimed at no possession of antipersonnel mines by anyone. **Tajikistan** is the only State Party to declare the number of antipersonnel mined 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 US antipersonnel mine stocks are not under their national jurisdiction or control and have not reported on these stockpiles.

Voluntary Reporting on Claymore Mines

Claymore mines (directional fragmentation munitions) are 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 mines and steps taken to ensure their use in command detonated mode only. **Lithuania**, **Moldova**, **New Zealand**, and **Sweden** have reported on the measures taken to modify Claymore mines in their Article 7 reports.

Reporting on Antivehicle Mines with Sensitive Fuzes and Antihandling Devices

Antivehicle mines (AVM) with sensitive fuzing mechanisms (such as tilt rods, breakwires or tripwires) and AVM equipped with antihandling devices (AHD) which explode from an unintentional act of a person—that is to say, AVM that function like antipersonnel mines—are banned by the treaty. Thus, prohibited AVM with sensitive fuses or sensitive AHD should be included in Article 7 reporting, including types and numbers possessed, modified, and destroyed. Yet, no State Party that has submitted an Article 7 report has given any details on prohibited AVM captured by the treaty, even though several have destroyed or modified such mines.