
Lessons learned from the AP Mine Ban Convention for the destruction and retention of cluster munitions in accordance with the Convention on Cluster Munitions



Kerry Brinkert
Director
AP Mine Ban Convention Implementation Support Unit

25 June 2009 – Berlin



DESTRUCTION

Lesson #1: Seek to immediately address any technical concern

AP Mine Ban Convention

- Destruction a relatively simple task; relatively small numbers of mines
- Considerable time spent considering ways and means of destruction

Convention on Cluster Munitions

- Destruction a relatively complicated task; relatively large numbers of munitions
- Cannot afford to spend considerable time considering destruction ways and means



DESTRUCTION

Lesson #2: Make use of initial transparency information as soon as possible to know who has what implementation challenge

AP Mine Ban Convention

- Each State Party shall report on all stockpiled anti-personnel mines
- A delay in making good use of transparency information.

Convention on Cluster Munitions

- Each State Party shall report on cluster munitions marked for destruction.
- An opportunity to make immediate use of transparency information.



DESTRUCTION

Lesson #3: Make good use of an informal exchange of information to chart progress and identify potential problems

AP Mine Ban Convention

- Informal exchange of information used to provide a voice to States Parties in the process of destruction

Convention on Cluster Munitions

- An opportunity for an informal exchange to provide a voice to States Parties in the process of destruction



DESTRUCTION

Lesson #4: Focus on the task at hand

AP Mine Ban Convention

- Destruction is an administrative, logistical and technical task.
- An effort made to load the agenda with political / legal questions.
- Discussions on political / legal questions eventually moved to another forum.

Convention on Cluster Munitions

- Destruction is an administrative, logistical and technical task.
- In a forum dedicated to international cooperative efforts to destroy stocks should focus on the task at hand.



DESTRUCTION

Lesson #5: Ensure that the right to request an extension does not delay work proceeding as soon as possible

AP Mine Ban Convention

- Destruction within 4 years with no opportunity to request extra time.
- An excellent (although not perfect) record of compliance.
- No opportunity for extra time focuses attention on completion within that time.

Convention on Cluster Munitions

- Destruction within 8 years with the opportunity to request extra time.
- An opportunity for extra time may lessen attention on completion within the original time frame.



DESTRUCTION

Lesson #6: Take seriously the obligation to provide assistance

AP Mine Ban Convention

- “Each State Party in a position to do so shall provide assistance for the destruction of stockpiled anti-personnel mines.”
- Few have provided assistance.

Convention on Cluster Munitions

- “Each State Party in a position to do so shall provide assistance for the destruction of stockpiled cluster munitions....”



DESTRUCTION

Destruction programme	Donors			
Albania	Austria Belgium	Canada Hungary	Netherlands Norway	Switzerland United Kingdom
Bangladesh	Canada			
Chad	Canada			
Latin America	Australia	Canada		
Moldova	Canada Germany	Hungary Luxembourg	Netherlands Poland	United Kingdom United States
Mozambique	Canada			
Romania	Canada	Norway		
Ukraine (PMN)	Canada	Hungary	Netherlands	Poland
Ukraine (PFM)	EC			
Yemen	Canada			



DESTRUCTION

For Official Use

DCD/DAC(2007)2

Organisation de Coopération et de Développement Économiques
Organization for Economic Co-operation and Development

13-5

English - O

DEVELOPMENT CO-OPERATION DIRECTORATE
DEVELOPMENT ASSISTANCE COMMITTEE

DCD/DAC(2007)20/R/EV1
For Official Use

ODA CASEBOOK ON CONFLICT, PEACE AND SECURITY ACTIVITIES

AUSTRIA

Case 2: NATO/EAPC Anti-Personnel Mine Stockpile Destruction on the Balkans

Key project/activity data

Country	Serbia & Montenegro
Duration	01.01.2005 - 31.03.2008
Partners	NATO - North Atlantic Treaty Organisation, Canada, ADA
Total budget	€ 1,689,996 (approx. 2.1 million USD)
Your country's contribution	€ 250,000 plus € 35,000 (increase)
Specified contributions from other countries	Canada: USD ? plus USD 50,000 (increase)
Implementing Agency	NATO Maintenance and Supply Agency (NAMSA)
Donor Project Number:	2083-00/2005 and 2083-01/2006 (increase)

Descriptions of the activity

Rationale:

Serbia and Montenegro acceded to the Ottawa Convention for the destruction of anti-personnel landmines (APL) in 2003 and has requested the assistance of the SEEI Trust Fund to undertake the destruction of its APL stockpile of 1,320,620 mines. The stockpile is currently stored at 53 locations. The mines pose a threat to the safety and security of the region, and maintaining and guarding them places a heavy burden on Serbia and Montenegro's limited resources.

In the course of the NATO/EAPC Trust Fund Project for the destruction of anti-personnel landmines which is being implemented in Serbia and Montenegro since 2005, financed by Austria and Canada, approx. 50% of the stockpile has been destroyed. The assessed budget of 2.1 million USD has not been totally covered yet by contributions, therefore Austria and Canada have agreed to an increase of the originally committed amounts.

Expected Results:

The aim of this project is to contribute to a fully budgeted plan for the destruction of Serbia and Montenegro's entire stockpile of APL in accordance with Article 4 of the Ottawa Convention. As a result all 1.3 million antipersonnel mines stored in Serbia and Montenegro should be destroyed to contribute to the aim of mine-free Balkans until 2008.

Activities:

Mines from all 53 locations are transported to the Technical Repair Bureau at KRAGUJEVAC to there be demilitarized by reverse assembly.

Reasons why the project was or was not deemed ODA-eligible

The project was assessed as ODA eligible, because of its direct relation to the Ottawa Convention. With this funding, Serbia and Montenegro is being assisted to fulfil its obligations under the Convention. § 30 of the Summary Record of the 57th Meeting of the Working Party on Statistics confirms that "mine action in the context of the Ottawa Convention is ODA-eligible"

Secretariat Comment

The Secretariat agrees that this project is ODA and suggests reporting it under code 15250 or possibly 15240.





DESTRUCTION

Lesson #6: Take seriously the obligation to provide assistance

AP Mine Ban Convention

- “Each State Party in a position to do so shall provide assistance for the destruction of stockpiled anti-personnel mines.”
- Few have provided assistance.
- Assistance for convention implementation, including stockpile destruction, is Official Development Assistance.

Convention on Cluster Munitions

- “Each State Party in a position to do so shall provide assistance for the destruction of stockpiled cluster munitions....”
- Many may require assistance.
- Assistance for convention implementation, including stockpile destruction, could be Official Development Assistance.



DESTRUCTION

Lesson #7: Make good use of implementing partners and their mechanisms

AP Mine Ban Convention

- Some donors / donor mechanisms cannot provide funds to another's armed forces.
- Need for capacity and expertise to implement complicated projects.
- Some projects require / benefit from multi-donor efforts.
- Needs assessments / evaluations of stocks often the first step.

Convention on Cluster Munitions

- Implementing partners and their funding mechanisms can be used to overcome these challenges.



DESTRUCTION

Lesson #8: Take advantage of the opportunity to transfer munitions for destruction

AP Mine Ban Convention

- “The transfer of anti-personnel mines for the purpose of destruction is permitted.”
- Few States Parties have transferred mines for destruction.

Convention on Cluster Munitions

- “...the transfer of cluster munitions to another State Party for the purpose of destruction...is permitted.”
- Transfer of cluster munitions may be the most efficient and expedient means to ensure destruction within 8 years.

DESTRUCTION



Lesson #9: Be transparent in implementation

AP Mine Ban Convention	Convention on Cluster Munitions
<ul style="list-style-type: none">▪ Each State Party shall report on:<ul style="list-style-type: none">✓ all stockpiled anti-personnel mines✓ the status of destruction programmes✓ the location of destruction sites✓ safety and environmental standards✓ mines destroyed ▪ States Parties have additionally allowed others to:<ul style="list-style-type: none">✓ view stocks✓ visit destruction facilities✓ take part in destruction events	<ul style="list-style-type: none">▪ Each State Party shall report on:<ul style="list-style-type: none">✓ all stockpiled cluster munitions✓ the status of destruction programmes✓ the location of destruction sites✓ safety and environmental standards✓ munitions destroyed ▪ States Parties additionally may allow others to:<ul style="list-style-type: none">✓ view stocks✓ visit destruction facilities✓ take part in destruction events



DESTRUCTION

Lesson #9: Be transparent in implementation



Greece



Turkey



Lithuania



DESTRUCTION

Lesson #10: Take full advantage of public relations opportunities

AP Mine Ban Convention

- Destruction events have been tangible and visually compelling demonstrations of States' commitments to important humanitarian causes.
- States Parties have taken pride in their accomplishments.

Convention on Cluster Munitions

- Destruction events can be tangible and visually compelling demonstrations of States' commitments to important humanitarian causes.
- States Parties can take pride in their accomplishments.



RETENTION

Lesson #1: Find virtue in the fact that the number of retained munitions is not quantified

AP Mine Ban Convention

- The “minimum number absolutely necessary” may be zero.
- The “minimum number absolutely necessary” may be different for different States Parties.
- Establishing a ceiling may result in establishing a floor.

Convention on Cluster Munitions

- The “minimum number absolutely necessary” may be zero.
- The “minimum number absolutely necessary” may be different for different States Parties.
- Establishing a ceiling may result in establishing a floor.



RETENTION

Lesson #2: Emphasise transparency

AP Mine Ban Convention

- States Parties are encouraged to provide information on the plans, use and results of such use of mines retained for permitted purposes.
- 39 of 77 relevant States Parties have volunteered information

Convention on Cluster Munitions

RETENTION



Lesson #2: Emphasise transparency

States Parties volunteering information on training:

Afghanistan (training of mine detection dogs and deminers)
Argentina (training of military engineers on destruction techniques)
Australia (training undertaken by the School of Military Engineering)
Belgium (training of military EOD specialists)
Bosnia and Herzegovina (training of armed forces personnel)
Brazil (training of military demining teams)
Bulgaria (training military personnel on identifying, defusing and destroying mines)
Canada (training soldiers in defusing techniques; demonstrating blast effects; training soldiers in mine detection, clearance and counter-mine procedures)
Chile (training military engineers in detection, disposal and destruction; training of the Chilean Navy's humanitarian demining unit)
Cyprus (training of conscripts in tracing techniques, reconnaissance, clearance and destruction of mines)
Czech Republic (training of military EOD / engineering units on detection and destruction)
Denmark (training recruits on blast effects; training military engineers on handling of mines)
Guinea Bissau (training of military deminers)
Honduras (training of military engineers working in countries affected by mines)
Indonesia (training peacekeepers in identifying, detecting and destroying mines)
Italy (training as part of bomb disposal courses)
Japan (training infantry and engineering units)
Jordan (training of mine dog detection teams)
Kenya (training in humanitarian demining and EOD)
Latvia (training of EOD experts)
Netherlands (training of all military personnel of how to act in a mined area)
Nicaragua (training in humanitarian demining and mine detection dogs)
Rwanda (training of deminers, EOD person and mine detection dogs)
Serbia (training of personnel for peace keeping operations in basic demining and battle area clearance)
Slovenia (training of military engineers)
South Africa (training by the South African Police Service's Explosive Unit)
Spain (training in demining techniques at the International Training Centre for Demining)
Sweden (training of personnel)
Tajikistan (training in demining and mine detection dogs)
Uganda (training army engineers in mine detection, clearance and destruction)
Zimbabwe (training troops and deminers in detection, handling, neutralization and destruction of mines)



RETENTION

Lesson #2: Emphasise transparency

States Parties volunteering information on development:

- Argentina (development of an vehicle for detecting mines and explosives)
- Bulgaria (studying the destructive effect of mines)
- Canada (study the blast effect on personal protective equipment)
- Croatia (testing of demining machines, mine detection dogs and metal detectors)
- France (testing of mine detection devices and protective boots)
- Germany (testing of mine action equipment, systems and technologies, including testing of vehicular mine protection)
- Japan (development of mine detectors and mine clearance equipment)
- Netherlands (developing new and improved detection and clearance technologies)
- Serbia (testing protective equipment and metal detectors)
- Tanzania (testing the use of mine detection rats⁹)
- Ukraine (testing of personal protective equipment)
- United Kingdom (improving detection, protection, clearance and destruction techniques)



RETENTION

Lesson #2: Emphasise transparency

AP Mine Ban Convention

- States Parties are encouraged to provide information on the plans, use and results of such use of mines retained for permitted purposes.
- 39 of 77 relevant States Parties have volunteered information

Convention on Cluster Munitions

- States Parties are required to provide information on the plans and use of cluster munitions retained for permitted purposes.

Thank you!

