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Article 5 Compliance and Transitioning Mine Action Capacities to risk management of residual ERW

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Outline



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- Introduction
- Article 5 Obligations of the AP Mine Ban Convention
- Article 5 Compliance – Then What?
- ERW contamination is not always a humanitarian crisis
- Risk Management of residual ERW problems
- Preparing for completion and transition

Article 5 Obligations of the AP Mine Ban Convention



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- Article 5 of the APMBC: “each State Party shall make every effort to identify all areas under its jurisdiction or control in which anti-personnel mines are known or suspected to be emplaced” and “to destroy or ensure the destruction of all anti-personnel mines in mined areas under its jurisdiction or control, as soon as possible.”
- Final Report of the 6MSP, Zagreb, 2005: “the Convention does not contain language that would require each State Party to search every square meter of its territory to find mines.”



Article 5 Compliance –then what?



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- As a State Party to the APMBC nears completion of the survey and clearance of all known mined areas in their territory, there are inevitable questions that arise about:
 1. How to maintain the national capacities for completion?
 2. What to do with the national mine action capacities after completion?

- Recognition – in most countries that suffered modern warfare, there will be a residual risk from ERW contamination long after the last landmine is destroyed.

Article 5 Compliance –then what?



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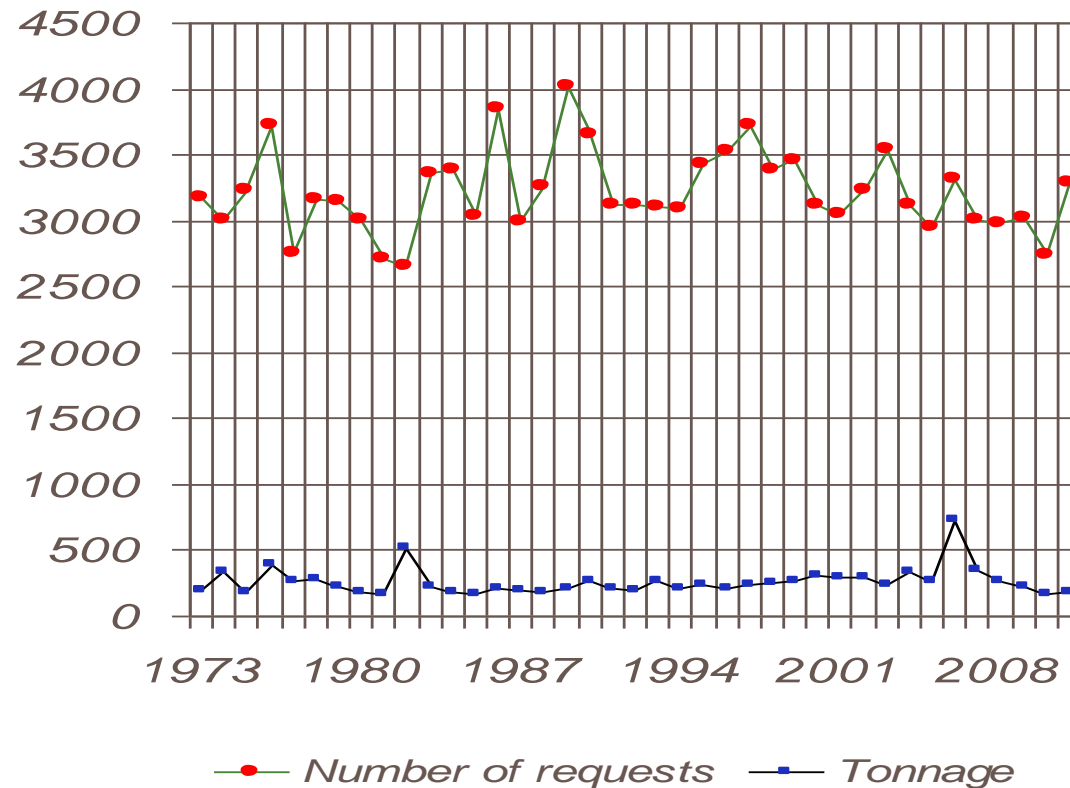
- Key Questions to Governments to consider:
 - How to secure optimal productivity up until the completion date?
 - How can national authorities assist deminers to find other employment following completion of all demining tasks?
 - How should national authorities prepare their mine action coordination structures and their demining staff for the post-completion situation?
 - How to ensure that key personnel stay with the operations as long as is necessary to conduct closing and quality control operations and secure proper documentation of the efforts for future use?
 - After Article 5 completion, how will national authorities identify and manage the hazard and risk posed by residual ERW?
 - After Article 5 completion, what will happen to the national mine action database and will clearance records be utilized and updated to manage information on any residual ERW accidents and clearance activities?

ERW contamination – Not always a humanitarian crisis



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➤ Annual ERW Response in Belgium



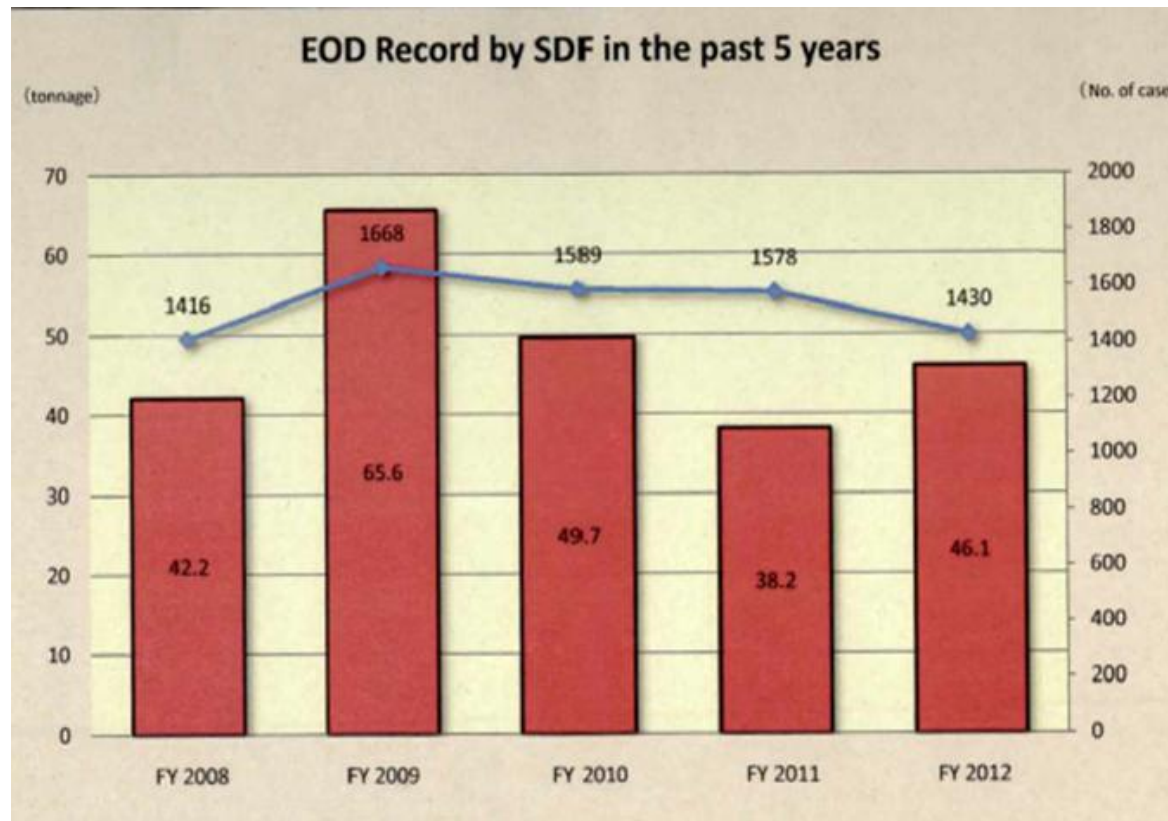
*Charts provided by the GICHD's Management of Residual ERW Project.

ERW contamination – Not always a humanitarian crisis



➤ Annual ERW Response in Japan

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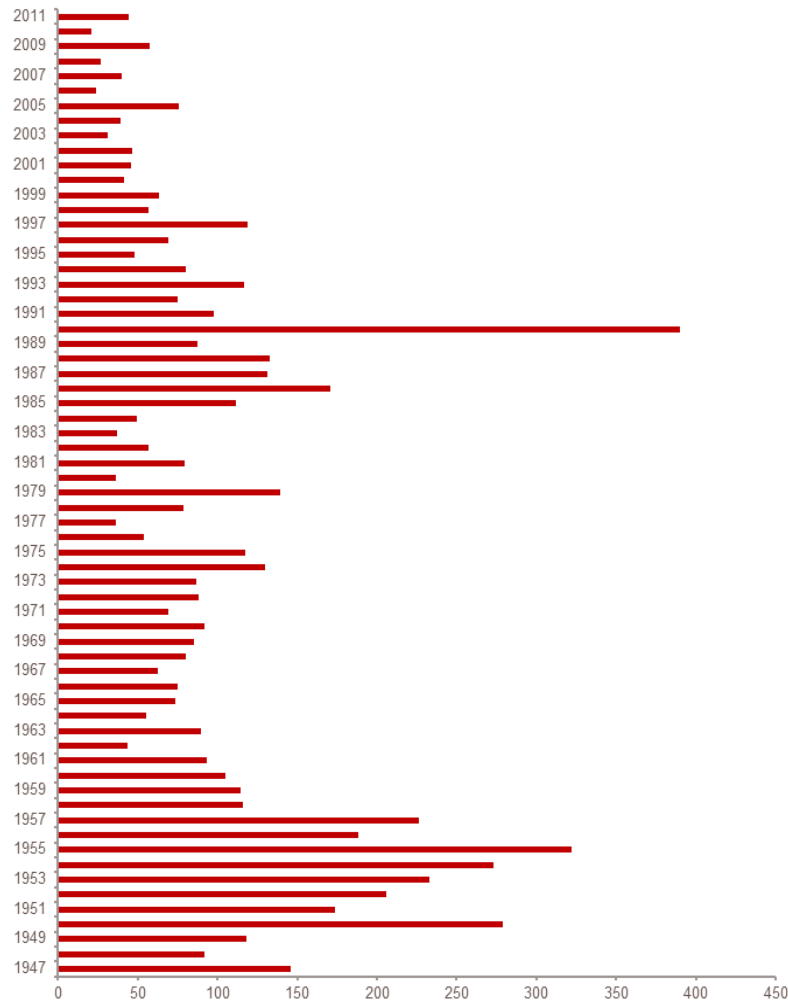
Result is almost four responses every day

*Charts were provided by the GICHD's Management of Residual ERW Project.

ERW contamination – Not always a humanitarian crisis



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ERW Response in Berlin

- Annual tonnage (kg) of unexploded ordnance disposed of in Berlin 1947 – 2011

* Charts provided by GICHD
Management of Residual ERW Project

Risk Management of Residual ERW problems



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- Paradigm shift: Long-term ERW contamination requires a different approach and capacity than landmines.
- Mine clearance under Mine Ban Treaty:
 - a proactive process (All reasonable effort to identify mined areas)
 - large numbers of survey and demining teams
 - international technical advisors and financial assistance.
- Long-term ERW Contamination :
 - a reactive process (threats identified by civilians and responded to)
 - smaller, more sustainable national capacity,
 - Not well-defined end state.

Preparing for Completion and Transition



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- Governments should identify what role, if any, mine action coordination structures will have after Article 5 Completion.
- Planning for Completion and Transition may include:
 - Capacity assessment of national mine action structures and mine action entities. - How will they be used in the future?
 - Threat Assessment and Risk Analysis of Residual ERW.
 - Transition Plan



Preparing for Completion and Transition



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➤ A Transition Plan could include:

- i. Training of the police, military or civilian protection forces for small EOD spot tasks and accident investigation as an emergency response for public safety;
- ii. An authority to maintain a national database with information available to the public for liability issues or use in future construction projects that may require digging to depths below the depth of clearance established by the national mine action standard in previously contaminated areas;
- iii. Quality Assurance or Quality Control capacity for EOD or mine action related activities as well possibly to control the implementation of national legislation on the production, transport, and use of explosives in the civilian commercial sector;
- iv. A licensing and contracting authority for either commercial entities or NGOS to do future EOD spot tasks as required for residual ERW or clearance operations in a larger area if previously unknown mined areas are discovered; and
- v. provide advisory services to private investors and planning units or project management units in the ministries on how to arrange for any risk reduction and verification services (from local or regional firms or NGOs) that might be required for future private or public development projects.

Conclusion



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Thank you for your attention!

Hvala na pažnji!