



United Nations Inter-Agency Coordination Group on Mine Action

Eighth Conference of High Contracting Parties to Protocol V on Explosive Remnants of War to the Convention on Certain Conventional Weapons

Protocol V: Statement under Article 4

Monday, 10 November 2014

Delivered by Mr. Bruno Donat, Chief, UNMAS Geneva office

Madam President and Mr. Coordinator,

The following statement is delivered on behalf of the Inter-Agency Coordination Group on Mine Action¹ (IACG-MA), comprising 14 United Nations entities involved in mine action.

Article 4 is a key provision of Protocol V, with high potential for facilitating clearance and risk education, when implemented as legally required. As you know, Article 4 commits High Contracting Parties to record and retain information on the use or abandonment of explosive ordnance during an armed conflict, and to transfer this information to facilitate the rapid clearance of ERW. This can be either a bilateral transfer or a transfer through a third actor, such as the United Nations.

Over the past ten years, the United Nations has been a preferred recipient of such information, such as in Afghanistan, Lebanon, Libya and Mali.

In Afghanistan, relevant information transferred by some States under Article 4, helped UNMAS plan responses to contamination, and to protect civilians. Evaluations show that, currently, there is significant unexploded ordnance (UXO) contamination. Indeed, it is estimated to be greater than the landmine contamination, including in and around international military installations and areas where air-dropped munitions were used. The

¹ The Department of Peacekeeping Operations (DPKO) / United Nations Mine Action Service (UNMAS), UN Office of Disarmament Affairs (UNODA), Office for the Coordination of Humanitarian Affairs (OCHA), Office of the UN High Commissioner for Human Rights (OHCHR), UN Entity for Gender Equality and the Empowerment of Women (UN Women), UN Children's Fund (UNICEF), UN Development Programme (UNDP), Food and Agriculture Organization (FAO), UN Office for Project Services (UNOPS), Office of the High Commissioner for Refugees (UNHCR), World Food Programme (WFP), World Health Organization (WHO), United Nations Institute for Disarmament Research (UNIDIR) (Observer status), and the World Bank (Observer status).

submission of additional information from responsible States is welcome and will enable improved planning of future clearance operations.

This example shows that there are concrete benefits from transferring information on use, or on abandonment of explosive ordnance; however, it also shows that there is still room for improvement.

Similarly, in Libya, UNMAS cooperates with those Governments which participated in military operations. Yet, even though valuable information on unexploded ordnance from airstrikes was transferred, it was not complete. Hence, while acknowledging that Protocol V's Technical Annex is not legally binding, High Contracting Parties should seriously consider providing the detailed information the Annex recommends in order to facilitate effective and timely clearance of ERW.

Reiterating recommendations made by the United Nations in April at the Protocol V Meeting of Experts, and joining the Coordinator on Clearance, Removal or Destruction of ERW from Belarus, in recommendations 13d), e), and f) of his report,² the United Nations supports the continued exchange on all aspects related to Article 4 in conjunction with Article 11 on Compliance.

The United Nations welcomes in particular the Coordinator's recommendation to "consider possible measures on how to improve existing mechanisms for the transmission of information under Article 4 and how to further improve the quality of the information which is subject for submission under Article 4," and urges High Contracting Parties to act upon them.

Lastly Madam President and Mr. Coordinator,

One of the most ERW-affected countries in the world, Iraq, has recently joined Protocol V. As explosive ordnance is used in Iraq by different actors, the entry into force of Protocol V will have immediate implications, including with regard to the implementation of Article 4.

We note that both Iraq and other High Contracting Parties involved in the current crisis are legally obligated to record, maintain and transmit information on use and abandonment of explosive ordnance.

In closing, the United Nations will continue to advocate for the universalization of Protocol 5 and High Contracting Parties' compliance with their legal obligations.

² Coordinator on Clearance, Removal or Destruction of Explosive Remnants of War, pursuant to Articles 3 and 4 of Protocol V (Mr. Ivan Grinevich of Belarus.) (2014), Report on Clearance, Removal or Destruction of Explosive Remnants of War, pursuant to Article 3 and Article 4, (CCW/P.V/CONF/2014/3).

Thank you.