



Project Document

The African Union Mine Action and Explosive Remnants of War Strategic Framework

April 2014 – December 2017





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Project Information

Project Title	African Union Mine Action and Explosive Remnants of War Program (AU MAERWP)
Organisation	African Union Commission
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Component B:	Support to AU Member States in explosive threat reduction related activities
Component C:	Support to AU Peace Support Operations
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TABLE OF CONTENTS

ABBREVIATIONS AND ACCRONYMS.....	4
SECTION 1: INTRODUCTION.....	5
1.1 BACKGROUND.....	5
SECTION 2: RATIONALE FOR AU ENGAGEMENT AND OBJECTIVES.....	6
2.1 COMPONENTS OF THE EXPLOSIVE THREAT REDUCTION PROGRAM.....	8
2.1.1 COMPONENT A: ADVOCACY FOR INTERNATIONAL COMPLIANCE WITH INTERNATIONAL CONVENTIONS ON EXPLOSIVE HAZARDS.....	8
2.1.2 COMPONENT B: SUPPORT AU MEMBER STATES IN EXPLOSIVE THREAT REDUCTION RELATED ACTIVITIES	9
SECTION 3: IMPLEMENTATION PLAN.....	10
SECTION 4: MANAGEMENT ARRANGEMENTS	11
4.1 AU PROJECT AND FINANCIAL MANAGEMENT CAPACITY.....	11
4.3 PROCUREMENT, CONSULTANCIES AND CONTRACTS FOR SERVICES.....	11
4.4 FUNDRAISING AND PROJECT SUSTAINABILITY	11
ANNEX 1: AU MEMBER STATES THAT HAVE SIGNED OR RATIFIED THE MAIN LEGAL INSTRUMENTS THAT ADDRESS THE PROBLEM OF EXPLOSIVE HAZARDS.....	13
ANNEX 2: PLAN OF ACTION FIRST CONTINENTAL CONFERENCE OF AFRICAN EXPERTS ON LANDMINES.....	16
ANNEX 3: COMMON AFRICAN POSITION ON ANTI-PERSONNEL LANDMINES.....	21

ABBREVIATIONS AND ACCRONYMS

APMBT	Antipersonnel Mine Ban Treaty
APSA	African peace and Security Architecture
AU HQ	African Union Headquarters
AUC	African Union Commission
CCM	Convention on Cluster Munitions
CCW	Convention on Conventional Weapons
CRPD	Convention on the Rights of Persons with Disabilities
DSD	Defence and Security Division
EOD	Explosive Ordnance Disposal
ERW	Explosive Remnants of War
EU	European Union
ICRC	International Committee of the Red Cross
IED	Improvised Explosive Device
IHL	International Humanitarian Law
MA	Mine Action
MAERW	Mine Action and Explosive Remnants of Ware
MRE	Mine Risk Education
PSC	Peace and Security Council
PSD	Peace and Security Department
PSOD	Peace Support Operations Division
UN	United Nations
UNMAS	United Nations Mine Action Service
UNOAU	United Nations Office for African Union
UXO	Unexploded Ordnance
VA	Victim Assistance

Section 1: Introduction

Mine Action and Explosive management activities are part of the fundamental preconditions for human security and human development in emerging post conflict societies around the world and indeed in Africa as well. As such, early introduction of Mine Action and Explosive Management planning and activities in post conflict situations provides major benefits and enables humanitarian responses, peace building and Post Conflict Development.

For the purposes of this project, Mine Action is used to refer to a combination of activities designed to; reduce real and perceived risks to affected populations of landmines, cluster munitions, ammunition stockpiles and Explosive Remnants of War; Address consequences of accidents upon victims; Reduce economic, social and developmental consequences of contamination; and Advocate developing, adopting and complying with appropriate instruments of international humanitarian law (IHL).

In implementing Mine Action, there are five pillars that have been identified:

1. Mine/ERW risk education
2. Demining, i.e. mine/ERW survey, mapping, marking and clearance
3. Victim assistance, including rehabilitation and reintegration
4. Stockpile destruction
5. Advocacy against the use of anti-personnel mines and cluster munitions.

Within these five pillars, the African Union (AU) will map out activities that it will use to engage with Member States and support them in meeting their mine action obligations.

This project document presents the objectives and commitments that will guide the work of the AU in Mine Action over the three year period in support of Member States activities. The strategy provides programmatic guidance on the implementation of AU assistance at the continental level.

1.1 Background

Since 1995, the Organization of African Unity/ African Union (OAU/AU) has been involved in activities aimed at addressing the scourge of the anti-personnel landmines as well as other explosive remnants of war. In conjunction with partners such as the International Committee of the Red Cross (ICRC), the OAU/AU has held seminars to raise awareness of the landmines problem among Member States. As a result of these seminars, the 62nd Ordinary Session of the OAU Council of Ministers held from 21 to 23 June 1995, in Addis Ababa, adopted Resolution CM/Res 1593, in which it:

- Urged Member States to ratify, or accede to, the 1980 Convention on Certain Conventional Weapons (CCW);
- Further urged Member States defend an African common position throughout the 1996 CCW review process calling on a total ban on the manufacture and use of mines, the

strengthening of the Convention's implementation mechanisms, and the mobilization of resources for Mine Action, including victims' assistance, and;

- Appealed to the international community to increase its assistance to affected African countries as well as African institutions supporting in victims' assistance.

During the first continental meeting of experts that was held in May 1997, in Kempton Park, South Africa, under the theme *"Towards a Landmine-Free Africa: The OAU and the Legacy of Anti-Personnel Mines"* a **Plan of Action** was adopted committing Member States to the elimination of all anti-personnel landmines in Africa and establishing the continent as an Anti-Personnel Landmine-Free Zone. The second continental meeting was held in September 2004 in Addis Ababa, Ethiopia, under the theme *"Kempton Park – Seven Years After"*. The Conference adopted an African Common Position on anti-personnel mines in preparation for the First Review Conference of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction, also known as the Ottawa Convention (hereinafter referred to as the Mine Ban Treaty or APMBT), that took place in Nairobi, Kenya, from 29 November to 3 December 2004.

AU Member States are party to the international normative framework (see table 1) to prevent or regulate the use of weapons. Parties to these Conventions accept to be bound by explicit obligations, and for each one of these conventions States Parties have to submit reports on the progress made towards the enforcement of their legal obligations.

Table 1: AU Member States who signed or ratified the main legal instruments that address the problem of explosive hazards (as of January 2015). *Full list available in Annex 1*

Conventions	AU Member States
Convention Prohibiting Certain Conventional Weapons (CCW)	22
CCW Amended Protocol (II)	15
CCW Protocol (V)	12
Mine Ban Treaty	51
Convention on Cluster Munitions	43
UN Conventions on the Rights of Persons with Disabilities	50

The work conducted by AU Member States has already shown several successes. As of December 2014, 8 Member States¹ were declared Mine Free under article 5 of the Antipersonnel Mine-Ban Treaty.

¹Djibouti, Guinea-Bissau, Malawi, Nigeria, Rwanda, Swaziland, Tunisia, Zambia

Section 2: Rationale for AU Engagement in Mine Action and Explosive Remnants of War Activities in Africa and its Objectives

2.1 The Issue

Landmines and explosive remnants of war (ERW) pose a serious and ongoing threat to civilians and post-conflict reconstruction efforts. During and after conflicts, these weapons can be found on roads, footpaths, farmer's fields, forests, deserts, along borders, in and surrounding houses and schools, and in other places where people carry out their daily activities. They can deny access to food, water, and other basic needs, and inhibit freedom of movement, limiting people's ability to participate in education or access medical care. Mine and ERW contamination may also prevent the repatriation of refugees and internally displaced people, and hamper the delivery of humanitarian aid.²

It is estimated that every day, 10 people around the world lose their life or limb to a landmine or another explosive remnant of war. That means every year about 4,000 people get hurt or killed. Still some 60 countries around the world are contaminated by landmines and thousands of people continue living with this daily threat of losing their life or limb. Between 1999 and 2013, 36 countries on the African continent recorded at least 18,490 casualties of landmines and Explosive Remnants of War (ERW).³

2.2 Objective

The overall objective of the AU MAERW Program is to support AU Member States to reduce the explosive threat across Africa caused by conventional weapons, mines, ERW, cluster munitions and Improvised Explosive Devices (IEDs) in accordance with international conventions on explosive hazards. The AU views MAERW as a key component to any post-conflict situation and its success is crucial to consolidating peace, security and post conflict reconstruction and development in its Member States. It promotes the concept of national ownership over Mine Action and Explosive management (MAERW) activities and considers that national governments hold the primary responsibility for developing and implementing MAERW programs. As national capacities are often weak in post-conflict situations, the role of the AU is to support the capacity of the national governments by providing assistance including through its regional security infrastructure. The concept of national ownership includes a wider range of actors encompassing national government, civil society and international partners such as the United Nations and relevant partners.

The AU has several comparative advantages in assisting MAERW initiatives on the continent. Firstly, the AU has a continental remit and a mandate, provided by its Member States, to engage in promoting continental-wide security. This legitimacy, coupled with the AU being the

² Landmine and Cluster Munitions monitor

³ International Campaign to Ban Landmines

central pillar in the African regional security in infrastructure, make it well placed to provide assistance to MAERW initiatives. The AU will also be able to bring together and share African experiences. Second, the AU will be able to provide political support to MAERW processes and ensure that they are compliant with both AU Assembly and Peace and Security Council (PSC) decisions and UN Security Council resolutions as well as consistent with internationally accepted standards. This is also in line with the AU being increasingly called upon by the Assembly, the PSC and the UN Security Council to address security challenges by deploying its own peacekeeping missions, the AU is also engaged directly in MAERW as explosive hazards often hinder the deployment of peace-support operations and humanitarian actors.

2.3 Components of the AU MAERW Program

Three supportive components have been identified towards this:

- (a) Advocacy for the universalization of the international conventions on explosive hazards
- (b) Support to AU Member States in explosive threat reduction related activities
- (c) Support to AU Peace Support Operations

The Development of a Mine Action and ERW program within the AU is in line with the Kempton Park Plan of Action and will support AU Member States in fulfilling their international legal obligations and reinforce the security of their citizens. The Program will further facilitate the sharing of good practices, competencies, capacities and technologies.

2.3.1 Component A: Advocacy for international compliance with the international conventions on explosive hazards

This component will support the AU to advocate for universal participation in existing international instruments that ban the use of landmines. It will also raise awareness on explosive threats within Member States and help mobilize and direct resources towards response measures. Through this component, the AU will also undertake advocacy on victim assistance and this will be aimed at reducing the stigma towards landmines victims, their rehabilitation and socio-economic reintegration.

Component A: Advocacy for international compliance with the international conventions on explosive hazards

Results	Key Activities
<ul style="list-style-type: none"> • Raise awareness on explosive threat within Member States and help mobilize and direct resources towards response measures 	<ul style="list-style-type: none"> • Commemorate International Mine Awareness Day on 4 April annually • Landmine, Unexploded Ordnances (UXOs) and IED safety posters • Landmine and Explosive Safety handbooks

- Mine Action and Explosive Management general information handbook and online newsletters

2.3.2 Component B: Support AU Member States in explosive threat reduction related activities

This component aims to support and assist AU Member States conduct explosive threat reduction related activities through trainings and provision of equipment. Through this component the AU will also facilitate the sharing of lessons learnt and information among Member States.

Component B: Support AU Member States in explosive threat reduction related activities	
Results	Key Activities
<ul style="list-style-type: none"> • Lessons Learnt are gathered and shared among Member States • National Capacity of Member States is enhanced through training and provision of equipment 	<ul style="list-style-type: none"> • Facilitate intra-African support amongst Member States through exchange of expertise • Organise Mine Action trainings such as Explosive Ordnance Disposal, Victim Assistance, Mine Risk Education, Gender in Mine Action, Program Management, database management, Counter-IED, Stockpile and Ammunition Management • Support regional training centres • Procure de-mining equipment for Member States

2.3.3 Support to AU Peace Support Operations

This component aims to support AU Member States conduct explosive threat reduction related activities relevant to AU Peace Support Operations.

Component C: Support to AU Peace Support Operations	
Results	Key Activities
<ul style="list-style-type: none"> • Coordination of training support to Troop Contributing Countries (TCC) on Mine Action, IED safety and Explosive Management activities facilitated • Guidelines from lessons learned and best practices produced • Pre Deployment training 	<ul style="list-style-type: none"> • Facilitate intra African support among Member States involved in Peace Support Operations. • Conducting Pre Deployment Visits (PDVs) and provide recommendations to TCCs/PCCs on Mine Action and IED safety and explosive management prior to deployment. • Facilitate support from international partners when required to address new threats in operational environments or to address specialists training requirements.

Section 3: Implementation Plan

Component A: Advocacy for international compliance with the international conventions on explosive hazards			
Result	Activity	Timeline	Budget
<ul style="list-style-type: none"> Landmine, UXO and IED safety posters and other material (100 copies per language in the four languages, 2 pages) 	Liaise with implementing partners for technical support including tailored content, access to copyright material and pictures	July – Dec 2014	3,000.00
<ul style="list-style-type: none"> Mine Action and Explosive Management general safety handbook (100 copies per language, in four languages, 20 pages) 	Liaise with Implementing partners for technical support	Jan – June 2015	10,000.00
<ul style="list-style-type: none"> Online information general Mine Action updates 	Liaise with Implementing partners for technical support	Duration of project	0.00
Component B: Support to AU Member States			
Result	Activity	Timeline	Budget
<ul style="list-style-type: none"> Lessons Learnt are gathered and shared among Member States 	Annual Mine Action workshop convened for most affected Member States	Duration of project	79,328.00
<ul style="list-style-type: none"> National Capacity of Member States is enhanced through training 	Annual Mine Action training convened in collaboration with African Centers of Excellence for most affected Member States	Duration of project	107,998.00
<ul style="list-style-type: none"> Procure de-mining equipment based on requests and available funds for 5 Member States 	Procure equipment such as: detectors, protective gear and trauma kits	Duration of project	545,200.00

Component C: Support to AU Peace Support Operations			
Result	Activity	Timeline	
<ul style="list-style-type: none"> Facilitating coordination of training support to Troop Contributing Countries (TCC) Mine Action, IED safety and Explosive Management activities 	Facilitation of pre-deployment training, in theatre training by AU Strategic Partners as dictated by operational demands from time to time	During insertion of new troops and rotations	320,000.00
<ul style="list-style-type: none"> Production of guidelines from lessons learnt 	Conduct regular lessons learned seminars (TCCs involved) in order to realign operational strategies and training to evolving operational demands	Half yearly	3,000.00
<ul style="list-style-type: none"> Pre Deployment Visits (PDV) reports in accordance to PSOD PDV calendar 	Carryout PDVs and make recommendations on any additional training required to meet identified new operational challenges	During insertion of new troops and rotations	206,400.00

Section 4: Management Arrangements

4.1 AU Project and Financial Management

The management of the program will be handled by the Peace and Security Department and finances of the project will be controlled by the Finance Division of the Peace and Security Department of the AU Commission. The project will follow a Results-Based Management approach in regards to monitoring and evaluation. The project financial reports are audited by public auditors and are made available to all funding partners

4.3 Procurement, Consultancies and Service Contracts

Procurements and service contracts are governed by the 2006 *AU Financial Rules and Regulations* and the 2009 *AU Procurement Manual*. The AU Headquarters Tender Board (HTB) is the decision making and coordinating body on procurement and has overall responsibility for the direction and development of AU procurement procedures.

4.4 Fundraising and Project Sustainability

The AU will maximise use of the existing structure for sustainability of the program beyond the project period. The AU will also work to include Mine Action budget items into other existing funding mechanisms. This includes working to progressively include staffing costs and short-term consultancies under the Joint Financing Agreement (JFA) pool fund as well as into the African Peace and Security Architecture (APSA) Support Program.

ANNEX 1: AU Member States that have signed or ratified the main legal instruments that address the problem of explosive hazards (as of January 2015)

Member States	Convention Prohibiting certain Conventional Weapons (CCW)	CCW Amended Protocol II	CCW Protocol V	Mine Ban Treaty	Convention on Cluster Munitions	Convention on the Rights of Persons with Disabilities
1. Algeria				X		X
2. Angola				X		X
3. Benin	X			X		X
4. Botswana				X	X	
5. Burkina Faso	X	X		X	X	X
6. Burundi	X		X	X	X	X
7. Cameroon	X	X	X	X	X	
8. Cape Verde	X	X		X	X	X
9. Central African Republic				X		
10. Chad				X	X	
11. Comoros				X	X	
12. Republic of the Congo				X	X	X
13. Côte d'Ivoire				X	X	X
14. Democratic Republic of the Congo				X		
15. Djibouti	X			X		X
16. Egypt						X
17. Equatorial Guinea				X		
18. Eritrea				X		
19. Ethiopia				X		X
20. Gabon	X	X	X	X		X

Member States	Convention Prohibiting certain Conventional Weapons (CCW)	CCW Amended Protocol II	CCW Protocol V	Mine Ban Treaty	Convention on Cluster Munitions	Convention on the Rights of Persons with Disabilities
21. Gambia				X		
22. Ghana				X	X	X
23. Guinea				X	X	X
24. Guinea-Bissau	X	X	X	X	X	X
25. Kenya				X		X
26. Lesotho	X			X	X	X
27. Liberia	X	X	X	X		X
28. Libya						
29. Madagascar	X	X	X	X		
30. Malawi				X	X	X
31. Mali	X	X	X	X	X	X
32. Mauritania				X	X	X
33. Mauritius	X			X		X
34. Mozambique				X	X	X
35. Namibia				X		X
36. Niger	X	X		X	X	X
37. Nigeria				X		X
38. Rwanda				X		X
39. Sahrawi Arab Democratic						
40. São Tomé and Príncipe				X		
41. Senegal	X	X	X	X	X	X

⁴Sahrawi Arab democratic Republic is not a UN Member State and therefore cannot sign UN legal instruments

Member States	Convention Prohibiting certain Conventional Weapons (CCW)	CCW Amended Protocol II	CCW Protocol V	Mine Ban Treaty	Convention on Cluster Munitions	Convention on the Rights of Persons with Disabilities
42. Seychelles	X	X		X	X	X
43. Sierra Leone	X	X	X	X	X	X
44. Somalia				X		
45. South Africa	X	X	X	X		X
46. South Sudan				X		
47. Sudan				X		X
48. Swaziland				X	X	X
49. Tanzania				X		X
50. Togo	X			X	X	X
51. Tunisia	X	X	X	X	X	X
52. Uganda	X			X		X
53. Zambia	X	X	X	X	X	X
54. Zimbabwe				X		X

ANNEX 2: PLAN OF ACTION ADOPTED BY THE FIRST CONTINENTAL CONFERENCE OF AFRICAN EXPERTS ON LANDMINES

The first Continental Conference of African Experts on Landmines was held in Kempton Park, Republic of South Africa, from 19 to 21 May 1997. The Conference, which was attended by forty member states of the OAU, UN specialized agencies, a wide spectrum of representatives of the donor community and non-government organizations, adopted the following Plan of Action:

I. ON POLICY ON LANDMINES

The Conference discussed African policies on anti-personnel landmines, the momentum towards a global ban on anti-personnel landmines, legal aspects of humanitarian law pertaining to landmines, landmine-free zones with reference to the Organization of American States (OAS) and Africa as a landmine-free zone.

Within the framework of the implementation of the relevant Organisation of African Unity (OAU) resolution, participants agreed:

- to stress the need that the problem be addressed in a co-ordinated and multifaceted manner banning comprehensively anti-personnel landmines and intensifying efforts with regard to mine clearance and mine victim assistance;
- to adopt as a goal the elimination of all anti-personnel landmines in Africa and the establishment of Africa as an Anti-Personnel Landmine-Free Zone;
- all states should end all deployments of anti-personnel landmines and to establish national prohibitions such as those already adopted on the African continent, on their use, production, stockpiling, transfer and their destruction;
- urged all states to participate actively in the Brussels Conference, 24-27 June 1997, the Oslo Conference in September 1997, which are both integral to the process leading to the negotiation and signature of a legally binding international agreement to ban anti-personnel landmines in Ottawa in December 1997;
- For those states which are not yet parties, to adhere to the 1980 United Nations Convention on Certain Conventional Weapons (CCW), including the Protocol II on landmines (as amended on 3 May 1996); for current states party to this Convention to adhere to its amended Protocol II at the earliest possible date to assure its earliest possible entry into force; and

- to promote the strongest possible resolution on the banning of anti-personnel landmines to be considered by Heads of State and Government at the OAU Summit Meeting in Harare, Zimbabwe, 2-4 June 1997.

II. ON MINE CLEARANCE

The Conference discussed at length mine clearance issues which included the building of national capacities for mine clearance, setting local priorities, standards and technologies and inter-African co-operation.

Noting the crucial link between the drive for the total ban on mines and mine clearance the Conference agreed on the following:-

- In building capacity for mine clearance there is a need to create national, sub-regional and regional co-coordinating and strategic planning bodies. Sub-regional organizations such as SADC, IGAD and others and also the OAU, could play such a role. Further, national capacities for mine clearance should be simple, manageable and sustainable.
- The challenge in demining is the development of institutions rather than mine clearance itself; full attention should, therefore, be devoted to this task.
- Data bases should be established at the national, sub-regional and regional levels which would create the necessary management information systems on the extent of mine problems, on techniques of demining, on the results of demining, the assessment of surveys and the movement of illegal mine transfers.
- At present, demining is a slow process – methods and technology must be created to increase the rate of demining; with regards to this, the need for the employment of integrated technology is of importance.
- The task of mine clearance in Africa is so cast that the public sector and commercial enterprises should operate in parallel reinforcing each other's efforts. Further, the armed forces of African states should be allowed to play a proper role in demining.
- There is a need to involve national authorities, at various levels, in the building of national capacities.
- In building capacities, finance will be a critical constraint. Hence, there is a need to exert efforts to mobilize financial resources. But requests for financial assistance should be backed by appropriate project feasibility studies.

- The aim of mine awareness should be to reduce mine risk through the adoption of sustainable safe behaviour, and to ensure the close involvement of the affected community, to ensure that priorities in mine awareness programmes are set by the members of the community themselves; lessons learned and experiences gained must be institutionalized, and interactive communication must be adopted.
- Efficient and effective demining efforts should be made to develop standards and guidelines for de-miners and independent quality assurance and quality control established.
- For successful demining, inter-African co-operation is seen as a vital and crucial element; such co-operation should cover areas, such as political/diplomatic action, logistics, technical, financial, clearing operations, research and development, as well as the transfer of technology.

III. ON LANDMINE SURVIVORS ASSISTANCE

The Conference discussed a wide range of issues relating to landmine survivors assistance. The following aspects, *inter alia*, were covered:

- rehabilitation and social integration;
- training;
- resources: human, facilities, funds; and
- development of data base(s).

Against the background of efforts to achieve a total ban on anti-personnel mines, and to clear Africa of existing landmines, the participants agreed as follows:-

- Governments in Africa, and the OAU, should address the plight of victims and survivors and take renewed cognizance of their problems with a view to meet the health and social needs of all landmine survivors in Africa.
- To be optimally effective in bringing more and higher quality assistance to landmine survivors in the long term, a structured flow and analysis of information about the entire mine problem in any given country are needed.
- Priorities for the allocation of scarce resources among mine clearance projects, community mine awareness programmes, and the provision for the health and social

needs of landmine survivors, can only be set by co-operative and co-ordinated efforts on the part of:

- local authorities and national governments;
- the OAU and its specialized agencies, such as ARI;
- the UN system and its agencies;
- the NGO community; and
- the ICRC and National Red Crescent or Red Cross Societies.
 - to urge governments to adopt a policy aiming at the establishment of national mine information systems;
 - to urge governments to include the active participation of landmine survivors in the formulation, decision-making process and the execution of national policy and legislation in respect of articles that affect them. Concomitantly, survivors should influence their governments' positions in the formulation of international humanitarian treaties; and
 - to encourage communities and the health services of mine-infested countries to maintain and increase their readiness to deal with mine injuries long after armed conflict has ended. At the same time, they must build their social and institutional capacities to deal with an ever-increasing number of disabled.
- The relevant regional and national institutions should be urged to co-ordinate their efforts and to exchange information on their available medical facilities and capacities, and to provide modes of accessing them through a central African clearing-house in order to improve and increase assistance to landmine survivors.
- Support to all training centres and institutes should be increased for the combined or joint use of all medical, social, psychological and other relevant measures and regular regional and continental training sessions should be organised for civilian and/or military health workers on the treatment and rehabilitation of the mine-injured.
- In order to meet the psychological and social needs of mine survivors, the Conference urges governments to quantify the numbers of survivors and encourages local NGOs or National Red Cross/Red Crescent societies to initiate appropriate programmes, with

rehabilitation for all victims and survivors in countries at war or affected by landmines in the post-conflict period.

- Governments should establish national support funds for landmine survivors and international donors should contribute to these funds.

IV. ON INTERNATIONAL CO-OPERATION AND FINANCE

On international co-operation and finance, the Conference:

- Reiterated the appeal of the OAU to the international community, international financial agencies, and the private sector working in the military field, to provide African countries affected by mines with all the necessary assistance for the demining of their countries. As an essential component of the efforts towards the elimination of mines, this assistance should comprise financial and technical components, as well as the training of de-miners;
- Underscored the moral responsibility of the powers which laid the mines during the Second World War and independence wars, and wished that these powers should devote a reasonable percentage of their military budget to mine clearance in the African countries concerned;
- underlined the need for international co-operation, including close South-South co-operation, in order to support efforts towards demining and assistance to victims with a view to accelerating the realization of the objectives of total elimination of mines; and
- Requested the General Secretariat of the OAU, bearing in mind the relevant experience of other international organizations, to establish a mechanism to enhance the mobilization of the international community in order to assist the African countries affected by anti-personnel landmines.

ANNEX 2: COMMON AFRICAN POSITION ON ANTI-PERSONNEL LANDMINES ADOPTED AT THE 2ND CONTINENTAL CONFERENCE OF AFRICAN EXPERTS ON LANDMINES KEMPTON PARK - SEVEN YEARS AFTER ADDIS ABABA, ETHIOPIA 17 SEPTEMBER 2004

1. The Second Continental Conference of African Experts on Landmines “Kempton Park – Seven-Years After” was held at the Headquarters of the African Union (AU), in Addis Ababa, Ethiopia, from 15 to 17 September 2004.
2. The Conference, which was attended by Member States of the AU, as well as various United Nations (UN) specialized agencies, other international Organizations, the International Committee of the Red Cross (ICRC), a wide spectrum of representatives of the donor and mine action communities and relevant Non-Governmental Organizations (NGOs), adopted the following Common African Position, in preparation for the First Review Conference of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (hereinafter the APM Ban Convention), the Nairobi Summit on a Mine-Free World, which will be held in Kenya, from 29 November to 3 December 2004.
3. The Conference reviewed relevant OAU/AU Resolutions/Decisions, including Decision CM/Dec.363 (LXVI) adopted by the 66th Ordinary Session of the OAU Council of Ministers, held in Harare, Zimbabwe, in May 1997 Decision AHG/Dec.135(LXX) adopted by the 35th Ordinary Session of the Assembly of Heads of State and Government of the OAU, held in Algiers, Algeria, in July 1999, and Decision EX.CL/Dec.164(V) adopted by the 5th Ordinary Session of the Executive Council of the AU, held in Addis Ababa, Ethiopia, in March 2004. The Conference discussed Africa’s Common Position on Anti- Personnel Mines (APM), in preparation of the First Review Conference in Nairobi, following the Kempton Park Plan of Action, and took stock of the progress made to date towards the elimination of Anti-personnel Landmines in Africa and the establishment of the continent as an Anti-Personnel Mine-Free-Zone.
4. The Conference noted the symbolism and opportunity in the APM Ban Convention’s First Review Conference taking place in Africa - the most affected continent –, following the First Meeting of States Parties, which also took place in Africa (Maputo, Mozambique, May 1999).
5. In this context, the Conference recalled the commitment of African leaders to promote lasting peace and security, through initiatives such as the Solemn Declaration on the Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA), the New Partnership for Africa’s Development (NEPAD), the Protocol Relating to the Establishment of the Peace and Security Council (PSC) and the Solemn Declaration on a Common African Defense and Security Policy (CADSP).
6. The Conference noted that, since the First Continental Conference of African Experts on Landmines, significant progress has been made in Africa towards the goal of eliminating anti-personnel mines. In this respect, the Conference highlighted the following:

* Reservation by Egypt – See Report

i. four months after the First Continental Conference, the APM Ban Convention was agreed to in Oslo, Norway, in September 1997, opened for signature in Ottawa, Canada, in December 1997, and subsequently entered into force on 1 March 1999;

ii. 48 Members States have ratified or acceded to the APM Ban Convention, illustrating the crucial role of Africa in the efforts to end the suffering caused by anti-personnel mines in a definitive and comprehensive manner;

iii. 40 Member States no longer possess stockpiled anti-personnel mines and together African States have destroyed more than 530,000 stockpiled mines, while renewed efforts have been made in the field of mine clearance;

iv. 26 African countries have indicated that they have areas contaminated by anti-personnel mines;

v. Member States have led the way in highlighting the need to provide for the care and rehabilitation, and social and economic reintegration of landmine victims.

7. However, more needs to be done to ensure the full universalization of the APM Ban Convention in Africa; assist the Member States Parties concerned to fulfill their obligations to destroy their stockpiles within their four-year deadlines, and develop and implement national demining programs with the view to meeting their ten-year mine clearance deadlines; to enhance the assistance provided to mine victims and to provide for their social and economic reintegration; to promote and develop Inter-African cooperation and Africa's capacity in the field of mine clearance and mine victim assistance; and further mobilize the international community in support of the continent's efforts.

8. Accordingly, the Conference recommends that Ministers of Foreign Affairs/ External Relations, on the occasion of their meeting in New York on 23 September 2004, on the margins of the UN Geneva Assembly, adopt the following Common African Position, in preparation for the Nairobi Summit.

A. ON THE POLICY ON LANDMINES

9. The Conference:

i. **Stresses** that the humanitarian crisis posed by anti-personnel landmines can only be addressed in a co-ordinated and multifaceted manner, with sustained support from the international community and the adoption of national and regional measures, as well as enhanced Inter-African cooperation;

ii. **Calls** upon Member States to promote conflict prevention and confidence building measures and the pursuit of negotiated solutions to disputes and conflicts, as important strategies for ending demand for anti-personnel landmines.

iii. **Appeals** to those States that have not yet done so to ratify or accede to the APM Ban Convention as soon as possible, and no later than the period leading to the next Review Conference (2005 – 2009).

iv. **Calls** on all States not party to the APM Ban Convention to desist from selling, exporting or transferring APMs and to put in place penal sanctions to prevent the illicit trade in APM. The Conference **further calls** on those States not party to the APM Ban Convention in possession of stockpiles to ensure that the necessary mechanisms are put in place to secure these stockpiles against theft or disappearance.

v. **Calls** on all States, including those African States not yet party to the APM Ban Convention, to take the necessary steps to ratify or accede to the 1980 UN Convention on Certain Conventional Weapons (CCW), including and in particular Amended Protocol II and Protocol V on Explosive Remnants of War (ERW).

vi. **Further calls** on all Member States Parties to the APM Ban Convention, who have not yet done so, to take all appropriate legal, administrative and other measures, including the imposition of penal sanctions, to prevent and suppress any activity prohibited to any State Party under the APM Ban Convention;

vii. **Urges** Member States Parties to the APM Ban Convention to adhere to its provisions relating to transparency measures, as stipulated in Article 7 of the APM Ban Convention.

viii. **Stresses** the need for all Member States that are Parties to the APM Ban Convention to ensure the destruction of their APM stockpiles as soon as possible, but not later than four years after the entry into force of the Convention for those Member States.

ix. **Reiterates** that States Parties to the APM Ban Convention are only permitted to retain or transfer anti-personnel mines for the development of, and training in, mine detection, mine clearance or mine destruction techniques; the amount of such mines must not exceed the minimum number absolutely necessary for the above-mentioned purposes.

x. **Encourages** Member States not party to the APM Ban Convention to submit voluntary reports to the UN Secretary-General on an annual basis, containing relevant policies and documenting progress made in providing mine risk education, mine clearance and the destruction of stockpiled landmines, as well as the provision of support for mine victims, in the spirit of full compliance with the principles of international humanitarian law.

xi. **Calls** on all relevant Non-State Actors to respect the international norm established by the APM Ban Convention and welcomes efforts by NGOs to engage those Actors, with the aim of securing their commitment to respect the highest standards of international law and humanitarian norms.

xii. Recognizing the need for mine action to continue beyond emergency assistance, **urges** that mine action programs be mainstreamed within national and local development and reconstruction plans.

xiii. **Appeals** to multilateral and regional financial institutions to include provisions for mine action programs, where appropriate, in the reconstruction and rehabilitation efforts in post-conflict areas.

xiv. **Urges** all Member States to actively participate in the First Review Conference of the APM Ban Convention - the Nairobi Summit on a Mine-Free World - at the highest possible level.

B. ON MINE CLEARANCE

10. The Conference:

i. **Calls** on all mine affected Member States to put in place and to implement national programs for mine risk education, the identification and marking of mined areas and mine clearance, and to continue to build the capacity of national, sub-regional and regional co-coordinating and strategic planning bodies to carry out this work.

ii. **Stresses** the need for all Member States Parties to the APM Ban Convention to ensure the destruction of all anti-personnel landmines in mined areas under their jurisdiction or control as soon as possible but not later than ten years after the entry into force of the Convention for those State Parties.

iii. **Encourages** all mine affected States to make known their needs in respect of mine clearance, and to States in a position to do so, to renew their commitment to ensure sustained resource mobilization for these clearance programs.

iv. **Underlines** the need to ensure that lessons learned and experiences gained from mine clearance activities are institutionalized and that interactive communication between States and between mine action operators are adopted, as an important means of putting an end to new landmine casualties on the African continent.

v. **Recognizes** Inter-African co-operation and support as a vital and crucial element for successful mine clearance. Such co-operation should cover political/diplomatic action, logistics, legal, technical and financial aspects, as well as training, research and development and the transfer of appropriate technologies.

vi. **Appeals** for the co-ordination of research and development efforts to improve the safety and cost-effectiveness of appropriate mine detection technologies and underscores the need to make such new technologies available to each mine affected State.

vii. **Emphasizes** the need to incorporate, where appropriate, mine action programs in ceasefire and peace agreements, as well as in Disarmament, Demobilization, and Reintegration programs and in peacekeeping operations.

C. ON LANDMINE VICTIM ASSISTANCE

11. The Conference:

i. **Renews** Member States' commitment to promote, support and advance the care, rehabilitation and social and economic re-integration of mine victims, in particular within the framework of public health and social services systems.

ii. **Takes** renewed cognizance of the plight of landmine victims with a view to meeting the health, social and economic needs of all landmine victims in Africa, as required by the APM Ban Convention.

iii. **Emphasizes** that priorities for the allocation of scarce resources for meeting the health, social and economic needs of landmine victims can only be set by co-operative and co-ordinated efforts on the part of:

- Local authorities and national Governments;
- The AU and its specialized agencies, such as the African Rehabilitation Institute (ARI);
- The United Nations system and its agencies;
- The international donor community;
- The NGO community;
- The ICRC and National Red Crescent and Red Cross Societies;
- The Standing Committee on Victim Assistance of the APM Ban Convention.

iv. **Urges** Member States to facilitate the active participation of landmine victims in the formulation, decision-making process and the execution of relevant national policy and legislation.

v. **Encourages** health services of mine affected countries to establish, maintain and increase their capacity to deal with mine injuries long after armed conflicts have ended. At the same time, they must build their social and institutional capacities to deal with an ever-increasing number of people with disabilities.

vi. **Urges** relevant regional and national institutions to co-ordinate their efforts to exchange information on their available medical facilities and capacities.

vii. **Urges** Member States to increase support to all training centres and institutes for the combined or joint use of all medical, social, psychological centres and other relevant measures and to organize regular regional and continental training for health workers on the treatment and rehabilitation of landmine victims.

viii. **Urges** Member States to collect precise information on the numbers of victims in order to meet their needs and to encourage local NGOs and National Red Cross/Red Crescent societies to initiate appropriate programs to assist victims in countries at war or affected by land mines in post-conflict situations.

ix. **Urges** Member States concerned to establish national support funds for landmine victims and other persons with disabilities, and to request contributions from international and other donors, while making known their own contributions.

D. ON RESOURCE MOBILIZATION, INTERNATIONAL CO-OPERATION AND ASSISTANCE

12. The Conference:

i. **Reiterates** past appeals of the OAU/AU to the international community, international financial institutions and the private sector, to provide African countries affected by landmines with all the necessary assistance for the demining of their countries, including financial and technical resources and the training of de-miners. In this respect, the Conference expresses concern at the disparity between the magnitude of the landmine problem in Africa and the resources committed to the continent.

ii. **Urges** the donor community to allocate resources for mine action equally to all mine affected countries on humanitarian grounds.

iii. **Underscores** the obligation and moral responsibility of the powers that laid landmines during the Second World War and liberation wars, and **calls on** them to devote a reasonable percentage of their resources devoted to assistance to mine action programs in the African countries concerned.

iv. **Underlines** the need for international and Inter-African co-operation in order to support efforts towards developing and implementing effective mine action programs, including demining activities and assistance to victims, as well as the sharing of information, best practices and legal and technical and technical assistance where possible.

v. **Requests** the African Union, bearing in mind the experience of other international organizations, to enhance the mobilization of the international community in order to assist African countries affected by anti-personnel landmines.

vi. **Calls** on Member States to enhance their participation in, and attendance at, the various implementation mechanisms established under the APM Ban Convention, including the inter-sessional work program, the annual meetings of State Parties and the Contact Groups and **further calls** on Member States to work closely with the Geneva International Centre for Humanitarian De-mining, in particular the Implementation Support Unit (ISU), as well as the Sponsorship Program, the ICRC, the United Nations agencies and the International Campaign to Ban Landmines (ICBL) and its national constituent organizations.

vii. **Encourages** NGOs and civil society in general to engage, as appropriate, in all aspects of international, regional, sub-regional and national efforts to implement the present Common African Position and **further calls** on relevant African regional organizations and Member States to facilitate the appropriate involvement of civil society, in activities related to mine action, in view of the important role that they play in this area.

E. FOLLOW-UP

13. The Conference:

i. **Recommends** that the PSC must remain seized with the issue of anti personnel mines.

ii. **Requests** the AU Commission, working closely with Member States, especially those that are Parties to the APM Ban Convention, Regional Economic Communities and other African Regional Groupings, to follow-up the implementation of the Common African Position as reflected above. In this respect, the Conference **requests** the Commission to develop a detailed Plan of Action, with timeframes, to facilitate the implementation of the Common Position and to report regularly to the relevant policy-making organs of the AU.

iii. **Encourages** the convening of regional and sub-regional workshops to assess progress made at regional and sub-regional levels in the implementation of the Common African Position.

iv. **Recommends** that a 3rd Continental Conference of African Experts on Landmines be held in order to review the implementation of the Common African Position and to prepare for the Second Review Conference of the States Parties to the APM Ban Convention.



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