

DEVELOPMENT CO-OPERATION DIRECTORATE
DEVELOPMENT ASSISTANCE COMMITTEE

Working Party on Statistics

BELGIAN PROPOSAL TO MODIFY PURPOSE CODE 15250 - "LAND MINE CLEARANCE"

Room Document 2

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This note contains a proposal by BELGIUM for a revision of the description and clarification of the CRS purpose code 15250 Land mine clearance. It is submitted for CONSIDERATION under agenda item 5. If there are no objections to the modifications as presented, it will be circulated for approval by the Working Party on Statistics under the written procedure.

The current CRS purpose code 15250 only refers to land mine clearance. Belgium's proposal is to expand the definition to cover also explosive remnants of war (ERW) and to explicitly mention stockpile destruction and other related activities, such as mine risk education and awareness raising and assistance to victims, in the clarification notes of the code. The objective of the proposal is to group all ODA-eligible activities related to land mines and ERW under purpose code 15250.

During the DAC discussions in 2004 and 2005, there was no agreement to specifically mention ERW and stockpile destruction as ODA-eligible activities in the Reporting Directives. However, the WP-STAT was given a mandate to "deepen understanding of the existing boundary of ODA in the field of conflict, peace and security" by the DAC High Level Meeting in 2007. The Secretariat's view is that Belgium's proposal fits within this mandate and is in line with the "ODA casebook" developed to help understanding of the Directives [see pages 8, 9, and 54 of DCD/DAC(2007)20/REV1 for examples of ODA-eligible mine stockpile destruction and clearance of unexploded ordnance].

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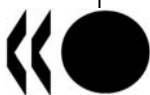


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BELGIAN PROPOSAL TO MODIFY PURPOSE CODE 15250 – "LAND MINE CLEARANCE"**A. Background**

1. Anti-personnel landmines (APL) and explosive remnants of war (ERW) – such as the unexploded artillery shells, hand grenades, mortars, cluster sub munitions, rockets and other explosive ordnance that remain after the end of an armed conflict – continue to pose a significant threat, including to socio-economic development and reconstruction, in many post-conflict countries.

2. They are the legacies of past or suspended conflicts that continue to inflict death and injury. These devices have serious secondary political, social and economic consequences. In post-conflict societies APL and ERW impede the return of refugees and internally displaced people. They also hinder reconciliation, stabilisation and economic recovery. In addition to individual suffering, the high death toll and mutilation caused by APL and ERW place a heavy economic and social burden on poor countries around the world, as they deprive victims and their families of the means to ensure independent livelihoods. Their mere presence also affects the overall community by preventing any agricultural or economic activity around contaminated areas. Moreover, the effects of anti-personnel landmines are indiscriminate, as they do not distinguish between soldiers and civilians.

3. Since the early 1990s the international community has undertaken firm commitments and made considerable effort to reduce the impact that APL and ERW have on affected countries and their populations. Initially, the response adopted by the international community was mainly focused on demining activities, *i.e.* identification of mined and contaminated areas, marking and fencing of mined areas, followed by clearance operations and land release. Clearance was accompanied by local capacity building to ensure that mine-affected countries have adequate expertise and equipment to address the problem thereby avoiding long-term reliance on external assistance. The current DAC/CRS purpose code 15250 is restricted to mine clearance.

4. Since then, assistance activities have grown in scope: both thematically (by addressing other explosive remnants such as sub munitions of cluster weapons) and operationally (by addressing mine risk education and awareness raising, stockpile destruction, as well as victim assistance, rehabilitation and reintegration). This broadened scope is backed up by treaties such as the Ottawa and Oslo Conventions.

5. In 1997, the *Ottawa Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction*, also known as the Mine Ban Treaty (MBT), was concluded. The Convention legally obliges all state parties to cease the production, transfer, stockpiling and use of APL. In addition to being the first convention to place a total ban on anti-personnel mines, the main characteristic of the Convention is its comprehensiveness, as it addresses all aspects of the landmine issue (*i.e.* ranging from demining to mine risk education, victim assistance, stockpile destruction, research and development). At the second review conference in December 2009 in Cartagena, Colombia, the State Parties to the Ottawa Convention adopted an action plan that reiterated their engagement towards the universalisation of the Convention; the destruction of stockpiled anti-personnel mines; the clearing of mined areas and mine risk education; assistance to victims and international co-operation for achieving the Convention's aims.

6. The Oslo *Convention on Cluster Munitions* (CCM) prohibits all use, stockpiling, production and transfer of Cluster Munitions. Separate articles in the Convention concern assistance to victims, clearance of contaminated areas and destruction of stockpiles. The Convention was adopted in Dublin by 107 states on 30 May 2008 and signed on 3 December the same year. The Convention becomes binding international law when it enters into force on 1 August 2010.

7. Two protocols to the 1980 *Convention on Prohibitions or Restrictions on the Use of certain Conventional Weapons Which May be Deemed to be Excessively Injurious or to Have Indiscriminate Effects* (CCW) – amended Protocol II on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices and Protocol V on Explosive Remnants of War – refer to APL and ERW in restricting their use and assisting in their removal.

8. State Parties to the Ottawa Convention and/or the Oslo Convention and/or the CCW-protocols agreed to report their activities related to these treaties, such as clearing; risk education and awareness raising; assistance to victims; stockpile destruction; research and development on clearance and activities to promote their universalisation.

9. Most of these mine-related assistance activities (especially risk education and awareness raising, assistance to victims, stockpile destruction) are already recognised as Official Development Assistance (ODA). However, because they do not correspond with the definition of code 15250 (mine clearance), they are often reported under a series of other categories, thus depriving the DAC-database of solid analysis for donor reporting on mine assistance.

B. Proposal for revised description and clarification of DAC/CRS purpose code 15250

B.1 Explanation of proposed revision

10. The current DAC/CRS purpose code 15250 is restricted to mine clearance, which makes it too narrowly defined for the reporting purposes as described above. In order to facilitate reporting by state parties and enhance transparency, it would be useful if the scope of DAC/CRS Code 15250 were expanded thematically, from “mines” to “explosive remnants of war in general”, and also expanded operationally from “clearance” to a broader set of related assistance activities with direct relevance for development.

11. It is important to stress that this revision would not lead to the inclusion or addition of activities that members would not up to now have considered ODA-eligible. The mine-related assistance activities such as risk education and awareness raising, assistance to victims and stockpile destruction are already recognised as ODA. In respect of explosive remnants of war, these could be assimilated to the dangers posed by mines, and the same restrictions relating to civilian uses and welfare would need to apply to allow recording as ODA. The objective of this proposal is to allow reporting all mine and explosive remnants of war related ODA-eligible assistance under code 15250.

Expansion of thematic scope
Land mines > Land mines and explosive remnants of war

12. The proposal is to broaden the scope thematically by adding “explosive remnants of war”. The definition of ERW is put forward by *Protocol V on Explosive Remnants of War* as follows:

1. *Explosive ordnance means conventional munitions containing explosives, with the exception of mines, booby traps and other devices as defined in Protocol II of this Convention as amended on 3 May 1996.*
2. *Unexploded ordnance means explosive ordnance that has been primed, fused, armed, or otherwise prepared for use and used in an armed conflict. It may have been fired, dropped, launched or projected and should have exploded but failed to do so.*
3. *Abandoned explosive ordnance means explosive ordnance that has not been used during an armed conflict, that has been left behind or dumped by a party to an armed conflict, and which is no longer under control of the party that left it behind or dumped it. Abandoned explosive ordnance may or may not have been primed, fused, armed or otherwise prepared for use.*
4. *Explosive remnants of war means unexploded ordnance and abandoned explosive ordnance.*

Protocol on Explosive Remnants of War (Protocol V to the 1980 CCW), article 2.

The definition of ERW put forward by *Protocol V on Explosive Remnants of War* excludes land mines. So it makes sense to put ERW and mines, as mutually exclusive concepts, together in a defining description.

Expansion of operational scope	
Clearance >	<ul style="list-style-type: none"> ▪ Clearance ▪ Risk education and awareness raising; ▪ Stockpile destruction; ▪ Rehabilitation, reintegration and assistance to victims.

13. With regard to reporting obligations of State Parties to the Conventions of Ottawa and Oslo and the Protocols II amended and V to the CCW, it would be appropriate and useful to include the following assistance activities in purpose code 15250:

- clearance;
- risk education and awareness raising;
- stockpile destruction; and
- rehabilitation, reintegration and assistance to victims.

14. The following assistance activities have less direct impact on development, and are therefore, in our opinion, **not** eligible for being included in the scope of DAC/CRS code 15250:

- research and development on demining and clearance; and
- activities to promote the universalisation of existing Conventions and Treaties on APL and ERW.

B.2 Text proposal

15. Creditor Reporting System (CRS) Code 15250 is situated in the sub-category “*Conflict prevention and resolution, peace and security*” (152) of the category “*GOVERNMENT AND CIVIL SOCIETY*” (150) of the current DAC CRS purpose code list.

150 GOVERNMENT AND CIVIL SOCIETY
152 Conflict prevention and resolution, peace and security
15250 Land mine clearance

Current description and clarification of purpose code 15250			
DAC 5 Code	CRS Code	DESCRIPTION	Clarifications/additional notes on coverage
152	15250	Land mine clearance	Explosive mine removal for developmental purposes [other than in connection with UN peace-building (15230)]

Proposed new description and clarification of purpose code 15250			
DAC 5 Code	CRS Code	DESCRIPTION	Clarifications/additional notes on coverage
152	15250	Removal of land mines and explosive remnants of war	Removal of land mines and explosive remnants of war including stockpile destruction for developmental purposes [other than in connection with UN peace-building (15230)]; risk education and awareness raising; rehabilitation, reintegration and assistance to victims. Only clearance operations for civilian purposes are ODA-eligible.