
**Meeting of the States Parties to the Convention
on the Prohibition of the Use, Stockpiling,
Production and Transfer of Anti-Personnel
Mines and on Their Destruction**

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Consideration of requests submitted under Article 5

**Analysis of the request submitted by Ecuador for
an extension of the deadline for completing the
destruction of anti-personnel mines in accordance
with Article 5 of the Convention**

**Submitted by the Committee on Article 5 Implementation
(Chile, Costa Rica, Switzerland and Zambia)**

1. Ecuador ratified the Convention on 29 April 1999. The Convention entered into force for Ecuador on 1 October 1999. In its initial transparency report submitted on 29 March 2000, Ecuador reported areas under its jurisdiction or control containing, or suspected to contain, anti-personnel mines. Ecuador was obliged to destroy or ensure the destruction of all anti-personnel mines in mined areas under its jurisdiction or control by 1 October 2009. Ecuador, believing that it would be unable to do so by that date submitted on 31 March 2008 to the President of the Eighth Meeting of the States Parties (8MSP) a request for an extension of its deadline. Ecuador's request was for eight years until 1 October 2017. The Ninth Meeting agreed unanimously to grant the request.

2. On 28 November 2016, Ecuador submitted to the President of the Fifteenth Meeting of the States Parties (15MSP) a request for extension of its 1 October 2017 deadline. The request indicated that the main circumstance that impeded clearance within the period of its initial extension period was due to an Earthquake that occurred on April 16, 2016. The request further indicated that a state of emergency and national mobilisation was declared, a situation that interrupted the development of humanitarian demining operations for the year. Ecuador's request was for 3 months, until 31 December 2017. The 15MSP agreed unanimously to grant the request.

3. In granting the request the 15MSP noted that Ecuador had acted prudently by providing information on the special and unforeseen circumstances that prevented it from meeting its deadline and submitting a request for extension which would allow it to remain in compliance with the Convention and submit a request for extension in accordance with the process established by the States Parties. The 15MSP further noted that in order to function appropriately this process requires requests to be submitted nine months prior to the meeting during which they would be considered in order for an analysis of the request to be prepared and for a cooperative exchange between the requesting State and the Committee on Article 5 Implementation to take place. The 15MSP noted that the late submission of a request by Ecuador due to force majeure did not permit the Committee on Article 5 Implementation to carry out their mandate to analyse the request. In addition, the 15MSP requested that Ecuador submit a detailed request, in accordance with the established process, by 31 March 2017, in order for Ecuador and the States Parties to benefit from a cooperative exchange on the request.

4. On 31 March 2017, Ecuador submitted to the Committee on Article 5 Implementation a request for extension of its 1 December 2017 deadline. On 30 June 2017, the Committee wrote to Ecuador requesting additional information and clarity on key areas of the request. Ecuador provided a response to the Committee's questions on 2 August 2017 and provided further clarification on 9 September 2017. Ecuador's request is for 5 years, until 31 December 2022.
5. The request indicates that at the time of Ecuador's first extension request the total pending challenge included 74 areas totalling 498,632.89 square metres. The request indicates that since this time an additional 73 confirmed hazardous areas totalling 244,599.50 square metres were identified based on information received from the population, exchange of information with Peru, and the result of impact surveys carried out in the provinces of Morona Santiago and Zamora Chinchipe.
6. The request indicates that during the period of 2010 to 2012 the Ecuador-Peru mixed Commission for Borders requested the humanitarian demining of hazardous areas located in 18 border locations with Peru to support demarcation activities. The request indicates that a total of 18 areas totalling 34,683 square metres were verified and a total of 610 anti-personnel mines located and destroyed in the process. The request also indicated that this operation was not foreseen in the request for extension of 2008 and required the use of staff, material and equipment which affected progress in implementation. The Committee noted that, it is important that Ecuador continue reporting on these efforts and in the case where anti-personnel mines are identified to provide detailed information on activities undertaken to address these areas as part of their overall obligations under Article 5.
7. The request indicates that during the initial extension period Ecuador addressed a total of 115 areas totalling 379,642.99 square metres in 5 provinces (Loja, El Oro, Morona Santiago, Zamora Chinchipe and Pastaza) of which a total of 129,961.04 square metres was cancelled and 249,681.95 square metres were cleared destroying in the process 6,810 anti-personnel mines, 9 anti-tank mines and 16 items of UXO. The request also indicates that the humanitarian demining process in Ecuador is carried out in accordance with the Binational Manual for Humanitarian Demining Procedures of Ecuador-Peru and the Manual of Humanitarian Demining Procedures of Ecuador which are based on International Mine Action Standards. The request indicated that Ecuador carried out its work with 140 deminers trained to carry out non-technical survey, technical survey and manual and mechanical clearance operations in coordination with the military engineering school. The request further indicates that the military authorities of Ecuador and Peru jointly plan humanitarian demining operations in the Square Kilometre of Tiwintza through the use of Ecuador-Peru binational demining units.
8. The Committee noted with satisfaction that Ecuador is employing the full range of methods to permit the safe return of land to the population. In this regard, the Committee noted the importance of Ecuador ensuring as soon as possible that the most relevant land-release standards, polices and methodologies, in line with IMAS, are in place and applied for the full and expedient implementation of this aspect of the Convention in line with the commitments the States Parties have made through the adoption of the Maputo Action Plan. The Committee further noted the importance of Ecuador continuing to report on its progress in a manner consistent with IMAS by providing information disaggregated by cancelled through non-technical survey, reduced through technical survey and cleared.
9. The request highlights the historic exchange of information between Ecuador and Peru concerning mined areas. The request indicates that Ecuador delivered to Peru information concerning 128 mined areas totalling 455,504 square metres. The request further indicates that it was agreed that, depending on the priorities established by Peru, Ecuador will deliver the 26 reference points located around the Square Kilometre of Tiwintza. The Committee noted the importance Ecuador and Peru working together to address the remaining challenge on their common border.
10. The Committee wrote to Ecuador to request additional details concerning activities and timelines associated with the delivery of reference points. Ecuador responded by indicating that Peru made a prioritisation of delivery of the reference points of the mined areas and provided a calendar for the delivery of the 26 reference points. Ecuador further

indicated that this entails an additional effort with the use of personnel, material, equipment and means.

11. The request indicates that the following circumstances impeded completion during the initial extension period: (a) the 2016 7.8 magnitude earthquake (b) jungle terrain (c) unfavourable weather conditions (d) areas received from Peru in exchanging information which had not been included in the request for extension which modified the planning of humanitarian demining operations (159,994 square metres with a total of 11,639 anti-personnel mines).

12. The request indicates that the remaining challenge totals 64 areas measuring 100,496 square meters including 38 confirmed hazardous areas measuring 92,975 square metres and 26 suspected hazardous areas measuring 7,521 square metres in the provinces of Zamora Chinchi and the Square Kilometre of Tiwintza. The Committee wrote to Ecuador to request additional information on areas to be addressed in the work plan, including greater geographical specific activities to be undertaken, characteristics of the mined areas and milestones. Ecuador responded by providing a detailed table with information concerning the remaining challenge.

13. The request indicates that the remaining contamination has several social, cultural and economic impacts including constraining the interaction of family groups that traditionally interact across the contaminated areas. The request also indicates that the presence of anti-personnel mines also presents an obstacle to the exchange of traditional goods and services impacting the sustainable income of the population. The request further indicates that the remaining contamination also constrains agricultural and other land based livelihood activities and that as a result the population is venturing further into forested areas, increasing the risk of accidents from mines. The Committee noted that completion of Article 5 implementation during the requested extension period had the potential of making a significant contribution to improving human safety and socio-economic conditions in affected areas in Ecuador.

14. As noted, Ecuador's request is for 5 years, until 31 December 2022. The request indicates that plans for completion may be affected by several factors, including (a) variable meteorological conditions, (b) hard to access areas, (c) lack of transportation and communication infrastructure, and the (d) impact of natural disasters.

15. The Committee wrote to Ecuador to request additional information concerning the milestones presented in its request. Ecuador responded by providing updated milestones for progress including 2 mined areas measuring 26,159 square metres to be addressed in 2018; 9 mined areas measuring 12,555 square metres to be addressed in 2019; 12 mined areas measuring 8,431 square metres to be addressed in 2020; 10 mined areas measuring 10,340 square metres to be addressed in 2021, and; 26 mined areas measuring 7,521 square metres to be addressed in 2022.

16. Ecuador further responded by indicating that the milestones were established following thorough analysis of manual and mechanical operations and assessing all factors including performance, percentage of slopes, climate, humidity, precipitation and transfer of equipment. Ecuador indicated that experience has indicated that only 45% of planned operations can be met due to these factors.

17. The Committee indicated that given that in previous years, Ecuador addressed, in some cases, a significantly greater amount of area that it anticipates to be addressed annually in its current request (e.g. in 2015 Ecuador addressed 82,591 square metres), Ecuador may find itself in a situation wherein it could proceed with implementation much faster than that suggested by the amount of time requested.

18. The request indicated that the remaining 5 areas in the Square Kilometre of Tiwintza measuring 35,490 square metres will require prior coordination with Peru and that the operations will be carried out by the bi-national Demining Unit Ecuador-Peru and that these activities will be completed by the 31 December 2022 deadline. The Committee requested Ecuador to provide additional information on survey and clearance activities in this area including survey and clearance timeline. Ecuador responded by indicating that clearance operations in the Square Kilometre of Tiwintza were in progress with the Bi-National Unit.

19. The request indicates that the 26 suspected hazardous areas remaining do not have exact coordinates and will take considerable time to locate. The request indicates that in order to determine the current location of the hazardous areas and their magnitude, the non-technical survey, and corresponding technical surveys will be carried out, with the support of qualified and trained personnel for this type of work using the records of the mined area which are contained in the information management system of the country. The Committee noted the importance of Ecuador ensuring that survey efforts are carried out in accordance with the latest International Mine Action Standards (IMAS). The Committee further encouraged Ecuador to continue seeking improved land release and certification techniques which could lead to Ecuador fulfilling its obligations in a shorter time frame.

20. The request indicates that, from 2018-2022, Ecuador will carry out the process of land delivery of the entire area released since the year 2000 by the National Mine Action Authorities (NMAA) of Ecuador to the local authorities of the mine affected areas for the inclusion of these areas in the development and productivity of the country. The request further indicates that verification needs to be carried out in these areas. The Committee wrote to Ecuador to request additional information concerning the process of handover of land in addition to a timeline for the process of handover. Ecuador responded by indicating that it has contemplated that Quality Control be carried out by the National Authority of Humanitarian Demining of Ecuador (CENDESMI), in coordination with the unit executing the clearance of the hazardous mined areas (Battalion of Engineers No. 68 "COTOPAXI"), with the purpose of doing the necessary verification of cleared areas to be delivered to the local authorities. Ecuador further provided a schedule for land delivery and quality control of the cleared areas since 2000. The Committee noted the importance of releasing land for productive use of the population as soon as possible following survey and clearance operations.

21. The request indicates that Ecuador had assigned a budget of US\$ 20,937,735.36 for its humanitarian demining programme and that US\$ 8,730,063.08 was allocated during the previous extension period, (2008-2017) leaving a remainder of US\$ 12,207,672.28 available for the current work plan. The Committee acknowledged the significant commitment of the National Government of Ecuador to its demining program through the budget assigned as well as through the allocation of personnel and other resources to carry out demining activities.

22. The Committee wrote to Ecuador requesting increased details on the budget which will cover the cost of operations as well as on the kind of international support Ecuador sought for its humanitarian demining program. Ecuador responded by indicating that after the earthquake that occurred on 16 April 2016, allocations from the national budget for its mine action programme may be reduced and that current resources may be insufficient. Ecuador further indicated that international support, consisting of vehicles, ambulances, demining equipment, camps and training would be welcome in order to finalize and ensure compliance with its work plan for completion.

23. The Committee noted that the request includes other relevant information that may be of use to the States Parties in assessing and considering the request, including an overview of organisations involved in Humanitarian Demining at a national and international level. The request also includes a detailed description of methods and standards used to release land confirmed or suspicious of containing antipersonnel mines and the design and development of mine risk education programmes.

24. The Committee noted with satisfaction the information provided in the request and subsequently in response to the Committees questions. In recalling that the implementation of Ecuador's national demining plan will be affected by new information and the level of resources obtained and the amount of external or internal capacity involved in survey and clearance, the Committee noted that the Convention would benefit from Ecuador submitting to the Committee by 30 April 2019, an updated detailed work plan for the remaining period covered by the extension. The Committee noted that this work plan should contain an updated list of all areas known or suspected to contain anti-personnel mines, annual projections of which areas and what area would be dealt with during the remaining period covered by the request and a revised detailed budget.

25. The Committee noted that the plan presented by Ecuador is workable, lends itself well to be monitored, and states clearly which factors could affect the pace of implementation. The Committee also noted that the plans are contingent upon the findings of survey effort as well as environmental challenges faced by Ecuador. In this regard, the Committee noted that the States Parties would benefit from Ecuador reporting annually, by 30 April, to the States Parties on the following:

(a) Progress made relative to the commitments and timelines contain in section 11 of its extension request and the results of these efforts;

(b) Outcome of survey and clearance efforts and how additional clarity obtained may change Ecuador's understanding of the remaining implementation challenge and priorities for clearance;

(c) Updated timeline for addressing the remaining challenge in the Square Kilometre of Tiwintza;

(d) Progress made relative to the commitment and timelines to carry out quality control of cleared areas to complete the process of delivery of land that has been cleared since 2000 to the local community and the results of these efforts;

(e) Efforts undertaken to reach out to international entities to achieve Ecuador's desired outcome to conclude implementation well in advance of its requested extension deadline and the results of these effort.

26. The Committee noted the importance, in addition to Ecuador reporting to the States Parties as noted above, of keeping the States Parties regularly apprised of other pertinent developments regarding its implementation of Article 5 during the period covered by the request and other commitments made in the request at intersessional meetings, Meeting of the States Parties and Review Conferences as well as through Article 7 reports using the Guide for Reporting.
