

PRELIMINARY OBSERVATIONS

COMMITTEE ON ARTICLE 5 IMPLEMENTATION (Belgium, Norway, Sri Lanka and Zambia (Chair))

Intersessional Meetings 22 – 24 June 2021

PRELIMINARY OBSERVATIONS ON THE IMPLEMENTATION OF ARTICLE 5 BY AFGHANISTAN

I. Progress in implementation (OAP Action #8, #21, #22)

1. Afghanistan reported that in 2020 it released 186 hazardous areas in 55 districts of 22 provinces measuring 37,098,096 square metres, including 12,319,408 square metres cancelled, 538,083 square metres reduced and 24,240,605 square metres cleared resulting in the destruction of 5,159 anti-personnel mines, 315 anti-vehicle mines, 220 abandoned improvised mines, 12 cluster munitions, and 160,861 other items of explosive ordnance.
2. Afghanistan also reported that it conducted three non-technical survey (NTS) projects in 62 districts of seven regions, with these districts prioritized based on the analysis of casualty data.
3. Afghanistan reported that Jabul-Seraj District of Parwan province was declared free of known explosive ordnance.
4. The Committee noted that in addition to anti-personnel mines, anti-tank mines and other explosive remnants of war also pose extreme risks to the civilian population and to the implementation of development activities. In this regard, the Committee concluded that Afghanistan's effort to implement Article 5 was only part of the totality of efforts required to address explosive hazards in Afghanistan. The Committee noted the importance of Afghanistan continuing to disaggregate progress in implementation of anti-personnel mine contamination (Action #22).
5. The Committee observed that Afghanistan reported to be affected by anti-personnel mines of an improvised nature and welcomes Afghanistan's efforts to apply all provisions and obligations under the Convention to such contamination (Action #21).
6. The Committee observed that the information provided by Afghanistan on progress in implementation allowed for comparability with that provided previously. The Committee welcomed Afghanistan providing disaggregated information on progress in accordance with land release methodology employed, using the Guide to Reporting and in accordance with the International Mine Action Standards (IMAS) (Action #8, Action #22).

II. Clarity regarding remaining challenge (OAP Action #18, #22)

7. The Committee observed that Afghanistan provided a high degree of clarity¹ concerning its remaining challenge (Action #18). Afghanistan reported a remaining challenge of 2,262 hazardous areas measuring 187,307,502 square metres, including 2,073 confirmed hazardous areas measuring

¹ "High degree of clarity" has been used when a State Party has provided a list of all remaining areas (known or suspected to contain anti-personnel mines), the estimated size of each area, the status of each area (i.e., "known" or "suspected"), information on the geographic location of each area.

148,455,471 square metres and 189 suspected hazardous areas measuring 38,852,031 square metres (Action #22).

8. The Committee observed that Afghanistan also reported that it conducted three NTS projects in 62 districts of seven regions. The Committee would welcome further information on the results of NTS and how survey outcomes could impact Afghanistan's understanding of its remaining challenge and annual milestones.
9. The Committee welcomed Afghanistan reporting remaining challenges in a manner consistent with IMAS, disaggregating by 'suspected hazardous areas' and 'confirmed hazardous areas' and their relative size (Action #22).
10. Action #18 of the Oslo Action Plan requests States that have not yet done so will identify the precise perimeter of mined areas, to the extent possible, and establish evidence based, accurate baselines of contamination based on information collected from all relevant sources, no later than by the Nineteenth Meeting of the States Parties in 2021. **The Committee observed that Afghanistan was still in the process of identifying the precise perimeter of mined areas and would welcome updated information from Afghanistan on these efforts** (Action #18).
11. The Committee observed that Afghanistan had reported updated information on its efforts to establish its baseline through inclusive consultations with women, girls, boys and men, including through the deployment of gender-based teams in this regard (Action #18).

III. National plans for clearance and survey (OAP Actions #1, #2, #3, #6, #19, #20, #26)

12. The Committee recalled that Afghanistan has a national evidence based and costed plan for survey and clearance in place for the period 2020-2022 (Action #2, Action #19). Afghanistan reported that it was currently developing a new five-year mine action strategy for the period (2020-2024). The Committee welcomes the update from Afghanistan (Action #2).
13. Afghanistan reported that it would address 1,245 hazardous areas measuring 103,019,127 square metres, including 92,717,214 square metres through clearance and 10,301,913 through technical survey in 2021, and 1,018 hazardous areas measuring 84,288,375 square metres, including 75,859,538 square metres through clearance and 8,428,838 square metres through technical survey in 2022. The Committee observed that Afghanistan had reported adjusted milestones based on new evidence, including information on the number of areas and the amount of mined area to be addressed annually (Action #20).
14. Afghanistan reported that the Directorate of Mine Action Coordination (DMAC) carried out the 2020 Mine Action Livelihood survey in Parwan Province. Afghanistan reported the survey highlighted the importance of the impact of demining activities on peoples' lives, as well as the implementation of development projects in cleared areas. The Committee welcomes the update from Afghanistan and would welcome further information on Afghanistan's efforts to integrate mine action into national development plans, poverty reduction strategy and humanitarian response plans, as appropriate (Action #1).
15. The Committee observed that Afghanistan reported on the allocation of both national and international resources and would welcome further information on its national financial commitments to the implementation of obligations under the Convention (Action #1).

16. The Committee observed that Afghanistan reported on its efforts to strengthen partnerships and integrate mine action related activities into humanitarian response plans, peacebuilding, development or human rights plans, where relevant (Action #6).
17. Afghanistan reported on its efforts to ensure the different needs and perspectives of women, girls, boys and men are considered and inform its mine action programme, including through the deployment of gender based teams, conducting a training on gender and diversity in mine action, and appointment of new Gender Focal Points and Gender Officers in Mine Action, an increase in the senior management positions held by women, and commemoration of the International Day for the Elimination of Violence against Women (Action #3).
18. Action #26 of the Oslo Action Plan requests States to Ensure that national strategies and work plans for completion make provisions for a sustainable national capacity to address previously unknown mined areas, including newly mined areas discovered following completion. The Committee. The Committee observed that while Afghanistan had reported in detail on its efforts to build national capacity, including training for staff across the mine action programme Afghanistan had not reported on efforts to ensure the establishment of a sustainable national capacity (Action #26).

IV. Efficient and expedient implementation (OAP Actions #5, #9, #27)

19. Afghanistan reported on its efforts to ensure its National Mine Action Standards reflect the latest methodologies in line with IMAS. Afghanistan reported that the review and amendment of NMAS on Abandoned Improvised Mines (Action #5).
20. Afghanistan reported that DMAC as a coordination body for all mine action pillars provides technical and capacity development support including, information management. The Committee welcomes the information from Afghanistan and would welcome further information on its efforts to maintain an accurate and up-to-date information management system (Action #9).
21. The Committee observed that Afghanistan had reported in detail its efforts to improve the effectiveness and efficiency of survey and clearance operations, including several workshops and initiatives by the DMAC (Action #27).

V. Actions in accordance with plans in extension requests and decisions on them

22. The Committee recalled that in granting Afghanistan's request, the Twelfth Meeting of the States Parties (12MSP) requested Afghanistan to submit updated information on several matters. The Committee welcomes the information provided by Afghanistan on;
 - Its commitment to carry non-technical survey of 863 impacted communities and 15,361 non-impacted communities, and "village by village search" in 863 impacted communities and 2,295 non-impacted communities;
 - Revisions to Afghanistan's work plan, and the reasons for these revisions, which might result from Afghanistan's commitment to review its work plan on a continuous basis and its commitment to do so using an inclusive approach that was so important in the preparation of the extension request; revisions to Afghanistan's work plan, and the reasons for these revisions, which might result from the three main factors expressed in the request that could impact positively or negatively on the work plan, namely the results of surveys and resurveys, the amount of funds acquired and the security situation in Afghanistan; and,

- Annual milestones for progress as contained in section 17.7 of Afghanistan's extension request.
23. The Committee observed that Afghanistan reported in detail on the challenges in implementing the Mine/ERW Impact Free Community Survey (MEIFCS), including the majority of the remaining districts being located in insecure areas, difficulty in the transportation of explosives, and recontamination of completed districts. The Committee observed the challenges in implementing the MEICFS and welcomes updates from Afghanistan on these efforts.

VI. Mine risk education and reduction (OAP Actions #28-32)

24. Afghanistan reported on the actions it has taken to effectively exclude the population from mined areas, including the implementation of mine risk education and reduction programmes (MRE/R) the methodologies used, and results achieved disaggregated by gender and age (Action #32).
25. Afghanistan reported that MRE/R programmes are integrated into humanitarian, development, protection and education efforts, as well as with ongoing survey, clearance and victim assistance activities (Action #28). Afghanistan also reported that context-specific MRE/R are provided to affected populations and groups at risk. In this regard, **the Committee observed that Afghanistan has not provided updated information in its 2021 Article 7 Report on efforts to ensure that such programmes are developed on the basis of a needs assessment** (Action #29).
26. Afghanistan reported that MRE/R programmes target high risk groups and high-risk areas, including, children, communities living in proximity of hazards, returnees, internally displaced persons (IDPs), nomads, scrap metal collectors, aid workers and people on the move (travellers). The Committee noted that these activities form part of Afghanistan's efforts to prioritise people most at risk and encourages Afghanistan to include update information on the linking of MRE/R to an analysis of available casualty and contamination data (Action #30).
27. Afghanistan reported that it had introduced two video clips and child focused risk education materials during the reporting period, and had incorporated COVID-19 and risk education messages into its programme. The Committee observed that Afghanistan highlighted the different partners that support MRE activities in Afghanistan, including mixed gender teams as part of its national capacities (Action #31).

VII. Challenges in implementation (OAP Action #8)

28. The Committee observed that Afghanistan reported in detail on the challenges in implementation of its Article 5 obligations together with relevant mitigating factors, including the impact of funding shortfalls on the achievement of annual targets, fluctuations in the security situation, possible lack of evidence based survey requests from communities, potential ineffective implementation of the land release process, demining accidents, unrealistic land release targets, missed explosive ordnance, inexperienced community based deminers and negative completion among communities.