The Looming Ottawa Deadlines: The Case of Mozambique

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signal to states with deadlines in the coming years on how their own cases will be handled. The precedent set at the MSP would either discourage states from presenting unjustified extension requests or would let them know that “anything goes.”

The views put forward by the Analyzing Group were critically important because they provided the basis on which other states took their decisions at the MSP. Despite the importance of their role, a small number of states in the Analyzing Group encouraged a passive and uncritical role for the group, reportedly politicizing and personalizing the workings of the group. They also fought hard to keep the group’s work closed and secretive, which is highly unusual for the work of the Ottawa Convention, born out of a close collaboration between states and nongovernmental partners. Despite these constraints, the group managed to produce several final analyses with useful constructive criticism. But the analyses clearly applied different standards to different states, showing the regional bias of some Analyzing Group members. Perhaps the most positive outcome of the group’s work was the proactive engagement with the requesting states, in some cases led to new requests reflecting improved planning.

The MSP and the End Game
After the analyses were given to the other States Parties, it was their turn to reflect on and guide the outcome at the MSP. The treaty says that the MSP, or Review Conference, shall “assess the request and decide by a majority of votes of States Parties present and voting whether to grant the request for an extension period.” This question was therefore how states would react to those requests that did not merit approval as presented. In its initial review, the first action was for the Analyzing Group to try to get certain countries to amend the requests, including the amount of time requested. This approach was the most logical and diplomatic way of dealing with the problem, and it worked in a few cases. States did, of course, have the option to turn down the request, but that would mean that the country would be in violation of the treaty when its deadline passed, and therefore, States Parties were reluctant to consider this possibility.

The solution proposed by the President of the MSP, Ambassador Jung Streuli of Switzerland, was for states to grant all requests as drafted, but with comments from States Parties that in certain cases encouraged the country to complete the demining work faster than planned and/or to clarify other outstanding issues of concern to the requests.

This approach was satisfactory for most cases, but the ICBL was still calling for States Parties to turn down requests from any state that had no plans to begin demining operations before its original 10-year deadline, namely the United Kingdom and Venezuela. States Parties chose to focus their criticism on the United Kingdom and Venezuela, presented a request for the maximum 10 years with no timeline or budget for beginning, let alone finishing, its demining duties. In essence, they were asking for carte blanche to implement Article 5 and when it liked. States Parties understood that such a request would be highly detrimental to the treaty and therefore spoke out publicly and peacefully against it. The United Kingdom tried to calm its critics by announcing that it would launch a tender in 2009 to begin its demining operations. The United Kingdom’s request, along with the other 14 requesting parties, was approved without a vote, and each was accompanied by comments in the form of an MSP decision. In the United Kingdom’s language, it agreed to return to States Parties within 1.5 years with more details about its work plan, to provide regular progress reports, and to consider on an annual basis if it would be possible to reduce the time necessary to finish its demining duties. States Parties also encouraged the United Kingdom—along with Ecuador, Peru and Senegal—to finish demining more quickly than initially planned. The decision for Venezuela was the weakest, commenting simply that “it may find itself in a situation wherein it could complete implementation before October 2014 and that this could benefit the Convention.” Other useful comments in the analyses did not make it into the final decisions because the concerned states were given the chance to approve the decision language.

Conclusion
Despite some shortcomings, the first extension request decision process produced a solid foundation on which the future implementation of Article 5 can rest. States Parties that asked for more time to demine were challenged to show that they were truly seeking the minimum time necessary to complete the work. The process could still use improvement—to prevent regional discrepancies in the treatment of requests for example—but overall States Parties confirmed that there will be no rubber-stamping of requests and made it clear that the duty to demine “as much as possible” also applies to the extension period. See Endnotes, page 112.
Mechanical Demining: From 1942 to the Present

Although demining machines have been in existence since 1942, they were not used in the field of mine action until about the early 1990s. Demining machines were initially only used by the military. With the growing number of casualties stemming from landmines, especially among civilians, it became necessary to employ machines for humanitarian purposes. From the first demining machine constructed in early 1942 to the present, tremendous improvements have been made.

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T he first demining machine is believed to have been developed by Major Abraham du Toit, a South African soldier and engineer. In early 1942, he was sent to England to refine a demining prototype he had constructed in South Africa.

Before leaving for England, du Toit discussed his ideas with Captain Norman Berry, a British mechanical engineer. Berry conducted his own unsuccessful experiments with flails in Libya before providing the results to another British officer at an army workshop in Egypt. This collaboration resulted in the development of the Matilda Scorpion, a Matilda tank fitted with a rotor mounted on two arms at the front. The rotor carried 24 flails and was driven at 100 revolutions per minute by a 105-horsepower Ford V8 engine. A second engine was fitted with an armored box mounted on the right side of the tank. This box included space for a crew member, who operated the flail. A number of these vehicles were produced and became operational in October 1942 when they were used in the Second Battle of El Alamein (23 October to 5 November 1942). Although the clearance speed was slow, the Scorpion operators were able to conceal the machines from German soldiers because of the huge dust cloud they formed; however, the dust cloud also blinded and affected the breathing of the drivers, so crews had to wear gas masks in order to breathe.

Other flails that followed included the Matilda Baron and the Sherman Crab. The Crab ran on the tank’s main engine, had 43 flail hammers and included a rotor for cutting barley to prevent the flail from getting entangled. The flail also had a mechanism to ensure that it followed ground contours and had extra protection in the form of a blast shield. This flail did not clear all mines and could only move at very low speeds; however, the Crab was used during and after D-Day landings and allowed the Allied Forces to advance through the German minefields.

Up to the end of the 1980s, demining machines were only used by the military. In the early 1990s, however, the need for demining machines for humanitarian purposes was recognized, and the machines were introduced into countries such as Afghanistan and Angola. Initially, military carriers were used, but later purpose-built carriers were developed. Early machines were often clumsy, unreliable and underpowered. The clearance results also fell below the minimum United Nations’ requirement.