

# Geneva Diary: Report From the GICHD

The Geneva International Centre for Humanitarian Demining (GICHD) provides operational assistance to mine action programmes and operators, conducts research and provides support to the Anti-Personnel Mine Ban Convention (AP MBC). This article highlights some of the GICHD's recent activities.



by Ian Mansfield, *Operations Director, GICHD*

## Developing Mine Action Legislation

The GICHD has recently published a handbook titled “Developing Mine Action Legislation.” The booklet is intended to assist governments, mine action professionals and others to develop national legislation to coordinate and regulate mine action in a country affected by landmines. It identifies the principal elements to be included in such a law and the issues that should be considered in its preparation.

States have used various kinds of legal instruments to create a National Mine Action Authority (NMAA) and/or a mine action centre (MAC), and in most cases, these types of organizations are new to the country. Our study collected examples from 18 countries and found that in only three cases had parliamentary legislation been passed. In the others, a mix of royal decrees and ministerial or administrative pronouncements were what was often found to be contradictory with existing laws or deficient in important areas. Some laws, for example, have not provided adequate mandates to the NMAA or MAC, have failed to comprehensively cover the range of activities comprising mine action, or have not been the result of extensive consultation between the various government ministries or departments that need to be involved with mine action.

The handbook strongly encourages UXO-affected countries to adopt national legislation to coordinate and regulate mine

action. National legislation refers to a public law passed by the country's legislative body (e.g., parliament or congress) and approved by the country's head executive. National legislation is preferred because it is normally the end product of an extensive collaborative process among the government, its ministries, the national parliament and in some cases, external agencies. This process provides an opportunity for thorough consideration of the mine action issues to be addressed, the activities to be undertaken and the implications of the law being drafted.

Some specific advantages of regulating mine action through national legislation are as follows:

- Wide involvement of the national parliament and government agencies in the development of the law will mean greater understanding of the purpose of mine action and the responsibilities and needs of the NMAA and MAC.
- Coordination and cooperation between the government ministries and parliamentary committees associated with mine action will be facilitated and reinforced.
- The NMAA and MAC will be provided with strong mandates under national law.
- The roles and responsibilities of the NMAA and MAC can be more clearly defined (including implementation, accreditation and monitoring).
- Close collaboration will often result in a large degree of transparency and specification in the structuring, planning and tasking of mine action.
- There can be better accountability to donors, the country's citizens and its communities.

Mine action legislation is an important, but often overlooked, part of a country's response to UXO contamination. Consideration of the elements presented in the handbook will help create a framework to benefit and support mine action on the ground. The adoption of comprehensive legislation will help ensure that mine action can proceed effectively and efficiently, and meet the requirements of the broader MAC. This will help facilitate the rapid removal of UXO and help reduce the long-term impact of a past conflict.

The full details of the handbook are available on the GICHD website at [www.gichd.ch](http://www.gichd.ch), or hard copies can be ordered from the Centre (see contact information below). The GICHD is also in a position to provide training or arrange workshops on the development of legislation for mine-affected countries.

## Other News

Just prior to the 5th Meeting of States Parties to the AP MBC, the GICHD also launched another publication, called “A Guide to Mine Action.” Over the past decade, mine action has rapidly developed as a humanitarian and development discipline. For a newcomer to the subject, however, the disparate nature of the sources sometimes makes it difficult to understand the complexities and inter-relationships of the different mine action components and activities. Moreover, specialists in one area of the discipline may not be aware of developments in another.

“A Guide to Mine Action” has been prepared by the GICHD as a basic grounding to the diplomat, donor, lawyer,

# NOTES FROM THE FIELD

practitioner or scholar in key aspects of mine action. It is intended to reflect current realities in a fast-developing humanitarian concern. Again, "A Guide to Mine Action" is available via the GICHD website, and hard copies have been printed in English, French and Spanish, and will soon be available in Russian and Arabic.

Finally, as this edition of the *Journal of Mine Action* has the theme of "Research, Development and Technology in Mine Action," I am pleased to advise that the GICHD has just established a staff post of "Technology Officer." This has been made

possible through a partnership arrangement with the government of Canada. The post will focus on practical ways that new and existing technologies for mine action can be delivered to the field.

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