FEATURE

ICBL, the WG and among partners, as well as parallel initiatives that can complement work with states and non-states at the same time.

MB: How does your definition of the "Law of War" apply to NSAs when there is no clear definition of a "combatant"?

MF: From my understanding of IHL [International Humanitarian Law], combatants are persons taking up arms on behalf of a party to a conflict. The distinction between combatant and non-combatant is not always a clear cut one. In any case, the status of combatant may not be a big question if we recognize that both parties are using NSAs and their activities are largely utilized in "soft" perseverance approach even as these initiatives are founded on the principles of international humanitarian law.

MB: Overall, have the priorities of the Working Group changed since September 11, 2001?

MF: I guess not, except to be very particularly concerned about the safety and well-being of our campaigner's in Afghanistan and Pakistan.

MB: Would the NSA WG refuse engagement with an NSA based on past behavior?

MF: If they are ready to commit, then we welcome our commitment and ask them to validate this by compliance in the future and cooperation on action to deal with the threat of NSAs stockpiled or on the ground. I do not think the ICBL has refused engagement with a state based on past behavior.

MB: What are the future plans for the working group?

MF: Continue work in field; consolidate research on NSA landmine use, production, etc. continue advocacy on the need to engage NSAs within ICBL, with states and other NSAs build strength, capability, resources to continue with the work.

MB: Are any follow-up workshops conferences planned?

MF: Yes, but small, low-key ones where NSAs within/across countries can continue/start the dialogue process.

Minouche Castell Ferrer is chair of the Non-State Actors Working Group and president of the Geneva Call.

New International Standards
Debut October 1, 2001

UNMAS unveils new International Mine Action Standards after a two-year review and revision process.

by Suzanne L. Fiedlerlein, MAIC

On October 1, 2001, the United Nations Mine Action Service (UNMAS) officially released 22 documents that comprise the initial set of new International Mine Action Standards (IMAS). The standards replace the International Standards for Humanitarian Mine Clearance Operations. The new standards represent the culmination of two years of work to revise and expand the old standards based on changes in practices, procedures and norms that emerged from the continuing operations of mine action programs around the globe.

History of the Standards

In March 1997, UNMAS issued the International Standards for Humanitarian Mine Clearance Operations, which were developed from recommendations made by participants at the First International Conference on Mine Clearance Technology held in Denmark in July 1996. These standards addressed aspects of the "mine clearance" process such as surveys of landmine contamination, mine field marking, mine clearance and minefield disposal. They also covered related "enabling subjects" required of mine clearance operations safety, medical support and communications. The standards were issued with the provision that they be reviewed and revised as necessary every two years.

As a first attempt at developing standards for an emerging field of operations, they were far from perfect and not universally applied. The 1997 standards, nevertheless, provided a starting point for a more ambitious endeavor to draft effective standards by soliciting input from those who would apply them in the field.

The Review Process

UNMAS tasked the Geneva International Center for Humanitarian Demining (GICHD) to direct the review process, which began in July 1999, by drafting the terms of reference. The review was launched in October through the meeting of a Users' Focus Group (UFG), as stipulated in the terms of reference. The Mine Action Information Center (MAIC) at James Madison University (JMU) hosted that meeting, which initiated a two-year process of reviewing the existing standards and drafting revisions. The release of the standards was delayed a few times as the process expanded to encompass not only the revision of the 1997 clearance standards but to include the development of a series of standards relating to a broad range of mine action components. The standards were renamed the International Mine Action Standards to reflect their comprehensive treatment of the subject. They also were written to be compatible with the format used by the International Standards Organization (ISO).

During the first phase of the review process, technical committees based on the GICHD revised the standards and developed new standards for aspects of mine action, such as the use of mine detecting dogs, not included in the 1997 version. The committees incorporated input from members of the UFG via extensive e-mail communication about the early drafts. The first project manager at the GICHD, Alastair McAlston, worked with JMU's MAIC to issue a questionnaire to solicit input from mine clearance operators. MAIC faculty associates analyzed the results of the questionnaire and presented a report to the second meeting of the UFG. The report on the questionnaire results of both UFG meetings and other information on the review process were posted on a website maintained by JMU to facilitate communication during the review.

During the second phase of the process, the project managers conducted an outreach program to introduce the draft standards to the mine action community through various meetings, regional workshops and the website. Beginning in October 2000, draft standards were released to UN programme managers and senior technical advisors, members of the Mine Action Support Group (MAG) and other interested parties in the mine action community. A draft version was first posted for public comment in November 2000.

Comments received during the outreach process were incorporated into new draft versions, each of which was posted on the website, with draft version 7.0 emerging in August 2001. Meanwhile, work continued on additional standards for components of mine action not yet addressed, such as mechanically assisted clearance, management and training.

The project managers produced a "Framework of International Mine Action Standards" that indicates all of the planned components of the

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Notes from the Field
New International Standards
NOTES FROM THE FIELD

Middle East

New International Standards

The 31 documents released by UNMAS on October 1 include 22 completed standards and nine draft standards. Combined, they encompass the vast majority of the standards slated for development. If all areas of mine action-related activity are addressed as indicated in the "framework," then some 45 documents will eventually emerge from the process. They cover all of the principal areas of mine action such as mine clearance, mine/UXO destruction and mine awareness as well as just about every conceivable aspect of the "enabling subjects," including safety, training, monitoring and medical support.

The development of the new standards represents an impressive attempt to devise standards that capture the essence of the humanitarian demining process. Martin Barber, Chief of UNMAS, when releasing UNMAS' statement, said: "The adoption of the IMAS represents a leap forward in the maturity of mine action, and can serve as an example to international initiatives in other fields."

Universal agreement on the content of the standards, of course, could not be achieved. Furthermore, the standards still must meet the test of being applied to operations in the field. The establishment of a formal review process and a Review Board are viewed as ways to continue to refine the standards so that they can be appropriately applied by those in the field to improve the safety and quality of mine action programs.

Another step in the process of refining the standards to meet the needs of an evolving field of operations can be found in Technical Notes for Mine Action (TNMA). The IMAS project office has released the first TNMA in early 2001. The TNMA is designed to address the specific needs of mine action programs to provide additional information useful to mine action operations. They do not carry the same status as standards but may eventually emerge as standards at a later date.

Adrian Wilkinson, the IMAS project manager, reports that UNMAS has approved an IMAS Review Board whose members will review all IMAS for technical content and accuracy, and will consider whether they are still appropriate and achievable. Each IMAS will be reviewed on a tri-annual basis. All comments received by the Project Team will be considered by that Review Board. He also notes that the "Review Board will also assess which, if any, of the Technical Notes for Mine Action (TNMA) should migrate to full IMAS." As IMAS 01.10 Guide for the Application of IMAS notes (sec. 4), the international standards do not replace standing operating procedures (SOPs). "They do not define the way in which mine action requirements are to be achieved in the field—what is counted in national and local SOPs, rules, instructions and codes of practice." IMAS, however, does provide guidance to those designing and operating mine action programs, although this guidance is predicated on the principle that national governments have ultimate authority over their national demining programs.

The challenge for the application of the standards is to ensure that the guidance provided is relevant, understandable and usable by those directing mine action programs. Those directing the review and revision process at the GICHIC have worked to improve representative from field operators. How well they succeeded in producing effective standards remains to be seen. Demining operations, whether they are run by commercial contractors, NGOs, IGOs or governments, already have adopted many of the procedures and practices included in the standards. Upon being briefed about the proposed International Mine Action Standards, the international supervisors overseeing the demining operations in Central America reported that their SOPs already reflected the contents of the new standards.

The hope is that the worldwide application of the new standards will foster a safer and more effective process of eliminating the lingering negative effects of landmines.

References
1. Martin Barber, Chief, UN Mine Action Service, "International Mine Action Standards Publication Notice," October 2, 2001, distributed via e-mail from Crispin Stephen at UNMAS.
2. The government of the United Kingdom was the project developer.
3. The AMIC's work in support of the standards revision process was funded through grants from the US Department of Defense and the US Department of State. The Department of Defense also funded the "Standards and Measures of Success" conference hosted by JMI at the Westminster Conference Center in October 1999. This humanitarian demining conference helped focus attention on the 1997 standards and their need for revision and expansion.
4. The first draft issued in the public domain version 4, which was posted on the review process website in late November 2000. For more details of the review process, see "International Mine Action Standards and the GICHIC" posted on the GICHIC site on August 2000, available at: www.imasconsultation.org/imas.htm (30 August 2000).
5. Adrian Wilkinson took over as project manager in February 2001.
6. The "Framework of International Mine Action Standards" is included at p. 3 of the Review and Revision of International Mine Action Standards. It is available directly from the IMAS page on the website.
7. See p. 5 of the Review and Revision of International Mine Action Standards.
8. See p. 7 of the Review and Revision of International Mine Action Standards. Section 10 of IMAS 01.10 Guide for the Application of International Mine Action Standards. 9. See e-mail message sent by project manager Adrian Wilkinson to UNMAS members and attendees, 16 August 2001.
10. A new e-mail message from Adrian Wilkinson to the author 4 October 2001 in which date and place of Review Board's first meeting was set forth. 10. Martin Barber, Chief, UN Mine Action Service, "International Mine Action Standards Publication Notice," 2 October 2001, distributed via e-mail from Crispin Stephen at UNMAS.