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Implementing the Ottawa Convention in Southeast Europe: Meeting Expectations in a Challenging Environment

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A meeting between ANAMA and members of the MVA was held in November 2006 to discuss the successes of the association to date. The sustainability of the MVA was one of the most pressing issues, including the broader goal of assisting mine victims throughout Azerbaijan. Many of the participants in the MVA seminars have started or furthered their own businesses in the Terter district based on information and support provided in the workshops. Three participants—Nizami Badayev, Khalil Haramev and Mohammed Shimas—are currently involved with seedling activities and one—Nuru Goulies—will be beekeeping. Most of the mine-victim entrepreneurs make four to five times their annual pensions from their salaries.

Despite their injuries, these mine victims are actively contributing to their local economies—and they are a part of a larger trend toward increased personal independence with vital assistance programs. Beyond providing valuable services, these entrepreneurs are integrating into society and serving as models for other mine-victim families.

Challenge

Faced with some difficulties in doing it, they say.3

Mirzyoyev notes that providing assistance to other villagers as branch offices of the MVA, including medical, juridical and social problems in the Tavush region. The dialogue resulted in the need for regional specialities in orthopedics since the nearest facility, in Baku, is too distant for many mine victims. In meetings with local political leaders and executive members, mine victims participated in direct dialogues with the authorities responsible for addressing the humanitarian problem in the Terter district and across Azerbaijan.

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Umud Mirzyoyev is proud of the accomplishment of the Mine Victims’ Association. Despite their injuries, these mine victims are actively contributing to their local economies—and they are a part of a larger trend toward increased personal independence with vital assistance programs. Beyond providing valuable services, these entrepreneurs are integrating into society and serving as models for other mine-victim families.

Mine-victim Entrepreneurs

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Long-term Goals and Enduring Challenges

The IEPF is currently preparing information to other villages as branch offices of the MVA, including medical, juridical and social problems in the Tavush region. The dialogue resulted in the need for regional specialities in orthopedics since the nearest facility, in Baku, is too distant for many mine victims. In meetings with local political leaders and executive members, mine victims participated in direct dialogues with the authorities responsible for addressing the humanitarian problem in the Terter district and across Azerbaijan.

Authors noted concerns surrounding the denomination of orthopedics, provision of social and medical assistance and other issues related to problems facing mine victims.

Further Collaboration

As an offshoot of their initial training sessions, participants in the Mine Victims’ Association process began collaborating with journalists, doctors, local politicians and representatives of national demining organizations. Group members expressed a desire to improve and expand the initiative among mine victims to provide necessary assistance on a regular basis. Plans were solidified for the future activities of the MVA, including activities in several Terter district villages. In November 2006, members of the national and international media were invited to the Terter region to become acquainted with the work of the IEPF and the Azerbaijan National Agency for Mine Action. Meetings with orthopedic representatives of the International Committee of the Red Cross were held in December 2006 to better understand the needs of mine victims in the Terter region. The dialogue resulted in the need for regional specialities in orthopedics since the nearest facility, in Baku, is too distant for many mine victims. In meetings with local political leaders and executive members, mine victims participated in direct dialogues with the authorities responsible for addressing the humanitarian problem in the Terter district and across Azerbaijan.

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See Endnotes, Page

1

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Implementing the Ottawa Convention in Southeast Europe: Meeting Expectations in a Challenging Environment

by Kerry Brinkert | Geneva International Centre for Humanitarian Demining

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Greece to solve the problems caused by anti-personnel mines had high expectations when the Ottawa Convention was adopted on 18 September 1997. After all, this event occurred little more than 17 months after the Convention on Certain Conventional Weapons failed to meet expectations in addressing the problems caused by anti-personnel mines. Indeed, the CCW’s marginally enhanced restrictions on the use of anti-personnel mines were deemed by the President of the International Committee of the Red Cross to be “woefully inadequate” and “unlikely to significantly reduce the level of civilian landmine casualties.” Even the United Nations Secretary-General criticized the U.N.’s own vehicle for addressing humanitarian concerns associated with conventional weapons when the Secretary General said he was “deeply disappointed” by the inability of the CCW to produce results.

Unlike the CCW, the Ottawa Convention met the expectations of those wanting a comprehensive approach to solving the problems caused by AP mines. But in meeting one expectation, states of the world created another. As noted by Croatia’s Deputy Minister of Foreign Affairs, Bosnia and Herzegovina remarked in December 1997, “We should bear in mind that we have not completed our journey yet. We have merely obtained a tool that will enable us to reach our final goal.”

The Expectations and Challenges Ottawa Presents

The journey refers to addressing both external and internal expectations. When a state ratifies or accedes to the Convention, externally, other states expect that state to fulfill the obligations it has freely accepted. In addition, internally, a state’s population will also expect the state to do what is obligated to it and to fulfill the suffering and casualties caused by AP mines. In few other instances are the internal and external expectations as high and the challenges as great as they are in Southeast Europe (SEE)? The expectations in SEE are high because the states of this region have in recent memory experienced the devastation of armed conflict in which anti-personnel mines have been used and have remained as a deadly legacy. As the Minister of Foreign Affairs of Bosnia and Herzegovina remarked in December 1997, all parties to war in that country supported the Ottawa Convention “because we experienced what the use of AP mines means and we know that we should do everything not to allow this to happen again.”

The challenges, however, are great, not only due to the magnitude of the problems, but also because fulfilling state responsibilities has been complicated in SEE. For instance, every state in the region has recently been in some form of transition in terms of the establishment or re-establishment of state structures or in terms of transition with information on computer components and continuing with detailed sessions on the use of specific software like Microsoft Windows and Word. They also learned how to perform calculations in Microsoft Excel and other functions in Microsoft Office programs. With this knowledge, group members plan to teach other mine victims. Participants also organized a series of English-language and computer courses for the children of mine victims, conducting 16 lessons in English and 14 lessons in basic computer skills for children in four months.

Economic state, to establish their farm units, to realize individual business plans and to assign social aid to mine victims in poor living conditions,” he says. There is also the problem of addressing the needs of mine victims in other regions of the country. Regional branch offices will soon begin to tackle complex vocational, medical, juridical and social problems in other areas of Azerbaijan. The IEPF is looking to expand further to give greater attention to other villages as branch offices of the Azerbaijan Mine Victims’ Association are prepared in Agroalfa, Baku and Fuzuli.

As the 10-year deadline for fulfilling Article 5 of the Ottawa Convention is rapidly approaching for the first States that ratified or acceded to the Convention, each State Party faces the requirement that all known anti-personnel mines be destroyed. The author examines the progress and challenges that remain in Southeast Europe regarding Article 5 implementation.

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Convention. In doing so, each state has created expecta-
tions if: given that these expectations will be met, and that the ultimate desired impact, an end to suffering would be achieved. Moreover, the fact that some States Parties may need more time to meet expectations; claiming such would ignore the legal Ottawa Convention obligations. Therefore, the extension possibility must still be fulfilled? Of these, which areas have been and how many other explosive rem-
nants of war destroyed?

BiH and Croatia are well-placed to claim success. The task with respect to the extension process, the Seventh Meeting of the States Parties' Geneva Progress Report30 noted that “Albania should soon be able to declare, as Macedonia has, that it has fulfilled its Article 5 obligations, and Serbia may be in a similar position in due course. Conclusion

Over the past year, the Convention committee has received many reports from States Parties, and the International Mine Action St.

“ SMART” Strategies for Implementing Article 5

BiH and Croatia are not only well-placed to use the extension provision of Article 5 as a “vehicle for the full implementation of the Convention,” but they may also be good ex-

cases of the fact with respect to the extension request is now to say what has been done, to explain the impeding circumstances, and to say what will be done.

A template for preparing extension re-
quests has been developed and enhanced by Canada and is ready for consideration by the States Parties at their November 2007 meet-
ing. Ultimately, though, this is a voluntary stride and there is nothing stopping States like BiH and Croatia from proceeding with the task at hand. In doing so, it is advisable that States Parties be as “SMART” as possible. That means:

• What has been done to verify whether there indeed are mined areas under their jurisdic-
tion, or if it is an easy matter. Making decisions on whether to grant extensions will be a serious affair for States Parties. As Croatia itself remarked in September 2006, “the extension possibility is not there to serve as an excuse to mine-af-
fected States Parties for making every effort to destroy or ensure the destruction of all AP mines in mined areas under their jurisdic-
tion or control, but as a necessary tool”… “a vehicle for the full implementation of the Convention and not for getting around 6.

Given the challenging environment in which they find themselves.

2. It is clear that a detailed plan is in place to enable each to declare compl-

duction of all anti-personnel mines, what is the total area in which Article 5 obligations were fulfilled? What means were used to fulfill these obligations and how many other explosive rem-
nants of war destroyed?

How much area and which areas re-

main in which Article 5 obligations must still be fulfilled? Of these, which areas have been and how many other explosive rem-
nants of war destroyed?

Area results in which anti-person-
nel mines are suspected to be emplaced, whatever the state of the continuing suspicion and what is the estimated size of each area? What is the estimated size of each area? Whether mined areas indeed exist in suspected hazard areas?

Since January 2000, Kerry Brinkert has served as the Manager of the International Mine Action Centre for Humanitarian Demining. Prior to that, Brinkert was the Section Head of Research, Policy and Communications with the Mine Action Team of the United States Department of Foreign Affairs and International Trade.

Kerry Brinkert 2

Managers of the Ottawa Convention Implementation Support Unit at the Geneva International Centre for Humanitarian Demining.

Geneva, 11 December 2006

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