

Review Conference of States Parties to the Convention on Cluster Munitions

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Item 10 of the agenda

Consideration of requests submitted under Article 3 and Article 4 of the Convention

Analysis of Mauritania's deadline extension request under Article 4 of the Convention on Cluster Munitions

Submitted by the Analysis Group of Article 4 Extension Requests —
Afghanistan, Montenegro, the Netherlands and Sweden*

I. Background

1. The Islamic Republic of Mauritania signed the Convention on Cluster Munitions (CCM) on 19 April 2010, ratified on 1 February 2012, and the Convention entered into force for it on 1 August 2012. In Mauritania's initial transparency report submitted on 20 March 2013, it reported to have a total of 10 km² of cluster munition contaminated area. In its subsequent annual transparency report submitted on 30 April 2014, the area of contamination was reduced to 1.96 km² and reported to have been completely cleared. Mauritania declared completion of clearance operations on 9 September 2013 and submitted its official declaration of compliance with Article 4 of the CCM at the 5th Meeting of States Parties (5MSP) held in September 2014. The Declaration of Compliance stated that in the event that areas previously unknown to have been contaminated by cluster munitions were identified after 2020, the Islamic Republic of Mauritania would, as soon as possible, take action "(a) to accurately identify the extent of the contaminated areas and destroy all cluster munitions found in those areas, using the most effective and efficient methods; (b) to ensure the effective exclusion of civilians from those areas until they are no longer contaminated; (c) to report such contaminated areas in accordance with its obligations under article 7 of the Convention and to share any relevant information with the general public, stakeholders and States parties through other formal and informal means; (d) to submit an additional declaration of compliance to States parties when those contaminated areas are identified and all remnants of cluster munitions in those areas have been cleared and destroyed."

2. In its 2019 annual transparency report submitted on 1 February 2020, Mauritania reported to have discovered 36 km² of previously unknown cluster munition contaminated areas. In its extension request submitted on 30 June 2021, Mauritania reported that following a non-technical survey conducted in March 2021, the estimated contaminated area has been reduced to 14.02 km². Under Article 4 of the Convention, Mauritania is obliged to clear and destroy, or ensure the clearance and destruction of cluster munition remnants (CMR) located in cluster munition contaminated areas under its jurisdiction or control by 1 August 2022. On 22 March 2021, Mauritania informed the CCM Implementation Support Unit (ISU) of its intention to submit an extension request.

* This document was submitted late due to unforeseen circumstances.



3. As the 1 August 2022 deadline would fall ahead of the 10th Meeting of States Parties (10MSP) now foreseen to take place in September 2022, Afghanistan and Sweden, CCM Coordinators on Clearance and Risk Education, sent a letter on 8 June 2021 reminding Mauritania to submit its extension request to the Second Review Conference (2RC) President by 15 June 2021 in order for the request to be considered at the 2RC Part 2. On 30 June 2021, Mauritania submitted an official request for a two-year extension of its Article 4 deadline up to 1 August 2024 to the 2RC President. On behalf of the 2RC President, the ISU informed States Parties to the Convention on 1 July 2021 that Mauritania had submitted its extension request and that the document was available on the CCM website.

II. Consideration of the request

4. Mauritania submitted its draft extension request to the CCM Implementation Support Unit (ISU) on 14 April 2021 for the ISU to make an initial assessment to ensure the request did not lack any critical components. Thereafter, Mauritania provided two further revised drafts on 20 May 2021 and 24 June 2021 on which the ISU provided additional feedback. On 30 June 2021, Mauritania officially submitted its Article 4 extension request.

5. The Analysis Group invited representatives of the Cluster Munition Coalition (CMC), International Committee of the Red Cross (ICRC), the Geneva International Centre for Humanitarian Demining (GICHD) and the Mine Action Review to a meeting on 8 July 2021 to join them in considering the request. To ensure a uniform approach to all requests, the Analysis Group used the *Methodology for requests of deadline extensions under Articles 3 and 4 of the Convention on Cluster Munitions* (CCM/MSP/2019/12) that was adopted at the 9MSP to analyse Mauritania's extension request.

6. Following the initial assessment of the extension request, on 9 July 2021, the Analysis Group requested additional information from Mauritania to facilitate its further analysis of its request. On 28 July 2021, Mauritania provided additional clarifying information in response to the questions put forward by the Analysis Group. The Analysis Group met on 30 July 2021 to consider the supplementary information provided by Mauritania.

7. Mauritania's extension request indicates that the cluster munition contamination is due to its involvement in the Western Sahara conflict of 1976-1978. The request further states that while Mauritania had declared compliance with Article 4 in September 2014, it had in 2019 identified previously unknown cluster munition contamination in nine areas located in the Tiris Zemmour region. The total area of contamination is currently estimated at 14.02 km². The contamination in all 9 areas has been visually confirmed and thus classified as confirmed hazardous areas (CHAs). However, further technical survey would still be conducted to further define the exact perimeter of each of the nine areas before clearance operations commenced.

8. The request informs that an initial period of six months will be needed to complete the mobilization of relevant resources needed to implement the work plan envisaged for the extension period. This includes the identification of funds, staff, equipment and other resources to deploy four Battle Area Clearance (BAC) teams to address the contamination. With a clearance rate of 15,000 m² per team per day based on previous clearance operations in Mauritania, and provided that the estimated amount of contamination remains the same, it will be possible to complete technical survey and clearance of the identified areas in one year. An additional six-month period would be needed to address any additional contamination as well as to finalize reporting and documentation before the submission of the completion report.

9. The request underlines that the total budget for the planned activities is estimated at USD1,800,000. This includes USD250,000 provided through the National Humanitarian Demining Programme for Development (PNDHD) from Mauritania's national budget over the two-year period. The remaining USD 1,550,000 will be fundraised by Mauritania to cover the USD 400,000 needed for equipment and USD 1,150,000 for staff and other running costs. Mauritania also informs of the in-kind support it intends to provide such as infrastructure and staff. Furthermore, Mauritania aims to form a Country Coalition to mobilize the requisite resources needed to address its clearance obligation.

10. The request also highlights the issue of further residual risk, which Mauritania plans to tackle through the strengthening of its national capacity during the extension period. Mauritania indicates its commitment to reporting on any other identified contaminated areas in accordance with its obligations under Article 7 of the Convention alongside other formal and informal communication.

III. Conclusions

11. The Analysis Group acknowledges that Mauritania had earlier declared completion of its Article 4 obligations in 2014 and commends Mauritania for its transparency in reporting on the previously unknown cluster munition contamination. The Analysis Group applauds Mauritania for only requesting the amount of time deemed necessary to meet all its obligations under Article 4 and not the maximum allowable time.

12. The Analysis Group notes that the work plan presented by Mauritania is feasible and can be monitored by States Parties. The Group also notes that the success of the plan is contingent upon the ability of Mauritania to secure funding and mobilize the requisite resources.

13. The Analysis Group further notes Mauritania's commitment to seek international cooperation and assistance to complete its clearance operations. The Group recommends that in line with Article 6 of the Convention, Mauritania takes actions to enhance resource mobilization including the establishment of a country coalition to improve coordination in implementing the work plan included in its extension request.

14. The Analysis Group strongly supports the PNDHD's intention to update its national mine action standards to be in line with the latest International Mine Action Standards (IMAS). The Group further recommends that during this review process Mauritania takes into consideration IMAS terminology relating to the land release process, its individual components (Non-Technical Survey, Technical Survey, Clearance) and their sequencing, and to provide an update at the 10MSP.

15. The Analysis Group noted that Mauritania needed to provide more emphasis on risk education/explosive ordnance risk education (EORE) activities particularly for the at-risk nomadic population and strongly recommends that Mauritania develops and implements a comprehensive plan for this as soon as possible including who will conduct EORE, the target groups and the methodology to be used.

16. The Analysis Group acknowledges Mauritania's commitment to ensure that gender and diversity are mainstreamed within mine action, and recommends that this consideration should include a plan to integrate these cross-cutting elements into all appropriate activities related to the survey and clearance of cluster munition remnants and implementation of EORE.

17. The Analysis Group notes that Mauritania will address any residual risk and recommends that it establishes a sustainable national residual capacity to deal with the residual risk of any submunitions discovered after completion, including mechanisms for reporting.

18. The Analysis Group notes that the Convention would benefit from Mauritania reporting annually through its Article 7 reports and at Meetings of States Parties or Review Conferences on the following:

- (a) Progress made relative to the work plan projections Mauritania made in its extension request;
- (b) Updated information on the remaining contamination after further technical survey and an updated work plan based on the new information gathered;
- (c) Resource mobilization efforts made to support implementation efforts;
- (d) Progress on the review/update of Mauritania's national mine action standards, in line with the latest International Mine Action Standards, development and implementation

of a risk education/EORE activity plan for the target community and progress on the establishment of a national residual risk capacity;

(e) Other relevant information.

19. The Analysis Group notes the importance, in addition to Mauritania reporting to the States Parties as noted above, of keeping the States Parties regularly apprised of other pertinent developments as necessary.

III. Draft Decision on the Article 4 Extension Request submitted by Mauritania

20. The Meeting assessed the request submitted by Mauritania for an extension of its deadline for completing the clearance and destruction of cluster munition remnants in accordance with Article 4.1 of the Convention and agrees to grant the request for an extension until 1 August 2024.

21. In granting the request, the Meeting commends Mauritania's commitment to performing technical survey as required and recommends Mauritania to regularly report to States Parties on the outcomes and to provide an updated workplan, schedule and budget at the 10MSP that takes into account the prevailing circumstances.

22. In this regard, the Meeting noted that the Convention would benefit from Mauritania reporting annually through Article 7 reports and at Meetings of States Parties or Review Conferences on the following:

(a) Progress made relative to the work plan projections Mauritania made in its extension request;

(b) Updated information on the remaining contamination after further technical survey and an updated work plan based on the new information gathered;

(c) Resource mobilization efforts made to support implementation efforts;

(d) Progress on the review/update of Mauritania's national mine action standards, in line with the latest International Mine Action Standards, development and implementation of a risk education/EORE activity plan for the target community and progress on the establishment of a national residual risk capacity;

(e) Other relevant information.

23. In addition to reporting as requested above, the Meeting noted the importance of Mauritania keeping the States Parties regularly apprised of other pertinent developments regarding the implementation of Article 4 during the period covered by the request and other commitments made in the request at Meetings of States Parties or Review Conferences as well as through its Article 7 reports due before 30 April every year.
