

**Meeting of the States Parties to the Convention
on the Prohibition of the Use, Stockpiling,
Production and Transfer of Anti-Personnel
Mines and on Their Destruction**

1 October 2013

Original: English

Thirteenth Meeting

Geneva, 2-5 December 2013

Item 12 of the provisional agenda

Consideration of requests submitted under Article 5

**Analysis of the request submitted by Turkey for an extended
deadline for completing the destruction of anti-personnel
mines in accordance with article 5 of the Convention**

**Submitted by the President of the Twelfth Meeting of the States Parties
on behalf of the States Parties mandated to analyse requests for
extensions***

1. Turkey acceded to the Convention on 25 September 2003. The Convention entered into force for Turkey on 1 March 2004. In its initial transparency report submitted on 1 October 2004, Turkey reported areas under its jurisdiction or control containing, or suspected to contain, anti-personnel mines. Turkey is obliged to destroy or ensure the destruction of all anti-personnel mines in mined areas under its jurisdiction or control by 1 March 2014. Turkey, believing that it will be unable to do so by that date, submitted on 28 March 2013 to the President of the Twelfth Meeting of the States Parties, a request for an extension of its deadline. On 14 May 2013, the Co-Chairs of the Standing Committee on Mine Clearance, Mine Risk Education, and Mine Action Technologies wrote to Turkey to request additional information. Turkey provided a response on 31 May 2013. Turkey's request is for 8 years (until 1 March 2022).

2. The request indicates that as part of its defence policy at the time, Turkey laid anti-personnel mines along borders and adjacent to military installations. The request also indicates that mines and improvised explosive devices (IEDs) have been laid by "separatist terror organizations." The request further indicates that a total of 637 mined areas measuring 2,615,648 square meters and containing 97,446 mines were located around military installations throughout 11 provinces and that an additional 2,537 mined areas measuring 212,116,659 square metres and containing 906,497 mines were located in border areas along 14 provinces (Armenian border: 43 mined areas measuring 1,291,520 square meters and containing 20,434 mines; Azerbaijani border: one mined area measuring 85,800 square meters and containing 2,994 mines; Iranian border: 507 mined areas measuring 14,321,810 square meters and containing 198,74 mines; Iraqi border: 715 mined areas

* Document submitted after the established deadline to allow the States parties to provide comprehensive information on their activities.

measuring 5,917,529 square meters and containing 69,046 mines, and; Syrian border: 1,271 mined areas measuring 190,500,000 square meters and containing 615,449 mines). The request also indicated that in addition to the known mined areas, as a result of accidents in the region, 346 suspected mined areas (67 in areas other than borders and 279 on the border with Iraq) have been recorded with an unknown total area. The States Parties mandated to analyse requests submitted under article 5 of the Convention (hereafter referred to as “the analysing group”) noted with that the request contains the most comprehensive information on the location of areas known or suspected to contain mines that Turkey has ever provided.

3. The request indicates that, since mine clearance activities began in 2007, six areas totalling 1,150,297 square meters have been cleared along the Turkey’s border with Syria and with 760 anti-personnel mines and 974 anti-tank mines have been destroyed. The request also indicates that an additional 24,287 anti-personnel mines have been cleared from areas other than borders and in border areas other than the Syrian border in order to facilitate the movement of military personnel and that these areas are not considered “cleared” given that in most cases the scope of clearance in the area was limited to allow safe passage of personnel. The analysing group noted that, between entry into force and 2007, no humanitarian demining work had been undertaken and that since that time little progress had been made. The analysing group, recalling the obligations under article 1 and article 5 of the Convention, noted that no mined areas located around military installations in Turkey had been cleared since entry into force.

4. The request indicates that Turkey carried out mine clearance using manual clearance, canine detection, and mechanical clearance with all land release activities being based on the standards and principles outlined in the Syrian Border Mine Clearance Standards (SBMCS) which were prepared by the Ministry of National Defence and which are based on the United Nations’ International Mine Action Standards (IMAS).

5. The request indicates that the remaining challenge includes the following:

Table: Turkey’s remaining challenge to destroy emplaced anti-personnel mines

<i>Location of Mined Areas</i>	<i>Number of areas to be cleared</i>	<i>Number of mines to be cleared</i>		<i>Area of territory to be cleared (square meters)</i>
		AP	AT	
Areas other than borders ¹	704	77,122	0	2,615,648
Armenian Border	43	20,306	0	1,291,520
Azerbaijani Border	1	2,994	0	85,800
Iranian Border	507	194,755	0	14,321,810
Iraqi Border ²	994	69,030	0	5,917,529
Syrian Border	1,265	449,892	163,823	189,349,703
Total	3,514	814,099	163,823	213,582,010

6. The request indicates the following as impeding circumstances: (a) delays in the establishment of the National Mine Action Authority (NMAA) and Mine Action Centre (MAC); (b) inconvenient weather conditions allowing for mine clearance operations to be

¹ The size of 67 of these areas suspected to contain mines in areas other than borders is “undetermined” and not included in the total area.

² The size of 279 areas suspected to contain mines along Turkey’s border with Iraq is “undetermined” and not included in the total area.

conducted only for five or six months a year; (c) continuation of a terrorist threat creating security problems for mine clearance operations; (d) metal residue contamination (empty shells, ammunition, shrapnel, etc.) due to fight against terrorism; (e) uncertainties with regard to the mine-free status of certain areas due to some registries being complete irregularly and some benchmark points stated within the documents not being found in the field, and (f) topographical challenges of mined areas. The analysing group noted that presumably the delay in proceeding with implementation as soon as possible after entry into force hampered Turkey in fulfilling its obligations under article 5 of the Convention by its deadline.

7. The request indicates that the greatest socioeconomic impact of mined areas has been the maiming and killing of people and that during the period of 2004-2012 a total of 882 military personnel have fallen victim to mines with 260 having been killed and 622 injured. The request indicates that in addition to the military victims, anti-personnel mines have claimed the lives of 56 civilians (48 males, eight females) and injured an additional 112 (105 males, seven females). The request also indicates that, of these victims, 50 (16 killed, 34 injured) have been between the ages of 0-18, 110 (36 killed and 74 injured) have been between the ages of 18-65 and eight (four killed and four injured) have been over 65 years of age. The analysing group noted that Turkey has collected and provided data on victims “disaggregated by sex and age” in keeping with commitments made in the Cartagena Action Plan.

8. The request indicates that in addition to claiming human victims mined areas have prevented access for development in these areas including for infrastructure development as well as for agriculture use and other civilian uses such as archaeological work in border areas. The request further indicates that there have been significant socio-economic gains made since entry into force as a result of article 5 implementation including through the opening of two customs stations, one train station, one frontier post, and one access road for military patrols and that archaeological work has also been facilitated. The analysing group noted that completion of article 5 implementation during the requested extension period had the potential of making a significant contribution to improving human safety and socio-economic conditions in Turkey.

9. The request indicates that mine clearance has been the responsibility of different national authorities in Turkey with the Army responsible for contaminated areas around military installations, the Ministry of Interior overseeing work on the eastern borders, and the Ministry of Defence responsible for clearance along the Syrian border. The request indicates that in order to improve the effectiveness of Turkey’s response to mine clearance through the centralization of the coordination of mine clearance activities, the Ministry of Defence is working to establish a National Mine Action Authority (NMAA) and National Mine Action Centre (NMAC) to supervise mine clearance activities, develop National Mine Action Standards (NMAS) and issue certificates for released areas in accordance with these standards. The request also indicates that a law on the establishment of the NMAA and NMAC has already been drafted and is currently awaiting input from other ministries in order for it to be presented to the Prime Ministry from where it will be submitted to the Parliament, and that this law is expected to pass in 2014.

10. The Co-Chairs asked Turkey to provide an update on the status of the law to establish the NMAA and NMAC and, if it had been deemed necessary to establish the structure, if there is a reason why this structure was not established sooner. Turkey responded by indicating that significant efforts have been made regarding the establishment of the NMAA and NMAC and that for the time being the draft law is in the evaluation phase of the relevant ministries. The analysing group noted that the delay in establishing

structures to oversee implementation as soon as possible after entry into force may have contributed to a slow pace of implementation of article 5.

11. As noted, Turkey's request is for eight years (until 1 March 2022). The request indicates that the Turkey's eastern and south-eastern borders as well as some areas other than borders are the most complicated areas to address due to topographical difficulties and that, therefore, the amount of time necessary for the clearance project of the eastern and south-eastern borders and areas other than borders was a critical factor in determining the amount of time necessary for Turkey to fulfil its article 5 obligations of the Convention. The request further indicates that this timeframe is subject to the pending tendering process and clearance activities on the ground and that Turkey commits to advise States Parties of any alteration to the timeframe. The analysing group noted the commitment of Turkey to keep the States Parties informed of any changes to the time frames contained in its request.

12. The request indicates that the Syrian Border Mine Clearance Project is planned to be tendered as two regions, with the first region stretching between Cizre and Cobanbey (527 kilometres) and the second region stretching between Cobanbey and Denizgoren (384 kilometres) and with the cost estimated to be US\$ 550,000,000. The request further indicates that the region between Cizre and Cobanbey will be tendered first and will be divided into four sectors: Cizre-Nusaybin (140 kilometres), Nusaybin-Ceylanpınar (125 kilometres), Ceylanpınar-Akcakale (104.5 kilometres) and Akcakale-Cobanbey (157.5 kilometres). The request also indicates that the tender process for the second region will be initiated after the first sector is awarded and will be divided into two sectors: Cobanbey-Hassa (104 kilometres) and Hassa-Denizgoren (280 kilometres). In addition, the request indicates that the final selection process of organizations to address the first region is currently on-going and that the signing of the contract is expected to take place as soon as the evaluation process is completed and that the tender process for the second region is expected to commence by the end of 2013. The request further indicates that the mine clearance timetable will have more clarity following the signing of the contract with the demining companies but that it is estimated that the first region will be completed by 2017 and the second by 2019.

13. The request indicates that work along the eastern and south-eastern borders will begin in order of priority from north to south, beginning with the Armenian border and continuing southward to the borders of Azerbaijan, Iran and finally Iraq. The request further indicates that the project will be carried out in three phases with phase 1 addressing 13.5 million square meters at a cost of € 26,400,000, phase 2 addressing 2.4 million square meters at a cost of € 4,467,409, and phase 3 addressing 5,917,529 square meters at a cost of € 23,627,000. The request indicates that two thirds of the total cost of the first two phases, amounting to € 30.0 million, will be covered by the European Union under the "Pre-accession financial Assistance Scheme" and that the project will be overseen by the Ministry of interior with active contribution by a project implementation group comprised of the Turkish General Staff, Ministry of National Defence, Ministry of Finance and the Turkish Land Force Command. The request also indicates that the financial agreements for phase 1 and phase 2 were signed in December 2012 and that a two year period will be needed to prepare, tender and sign the contract with the undertaking companies with the foreseen date of initiation being the end of 2014 and phase 3 expected to start in 2018.

14. The request indicates that until the establishment of the NMAA and the NMAC, the partial clearance of mined areas in areas other than borders will be conducted by the Turkish Armed Forces employing manual clearance, mine detection dogs and mechanical clearance and that once the NMAA and NMAC are established, clearance will be tendered with the order of priorities being areas that are used for military operations, areas with little

or no risk of terrorist attacks, and areas that will benefit the local population in terms of agriculture and animal breeding. The request contains annual projections for the number and location of areas and the total amount of area to be addressed and the total number of anti-personnel mines to be destroyed (see section 17 of the request). The request further indicates that no dedicated budget has been allocated for the clearance of areas other than borders but that the Turkish Armed Forces will provide funding for personnel and cost of equipment used in demining until the establishment of the NMAA and NMAC. The request also indicates that after the establishment of the NMAA and NMAC work will be tendered with the cost estimated at approximately € 5.3 million euros calculated on the basis of € 2 euros per square meter. The analysing group noted that it was unclear how efforts to clear mines in areas other than borders would be funded. The analysing group further noted that given the socioeconomic impact of mines in areas other than borders Turkey could benefit from ensuring that areas that will benefit the local population are prioritized.

15. The request indicates that although standards were developed exclusively for the Syrian border, they are applicable for the clearance of other areas. The analysing group, in recalling that Turkey's implementation challenge involves a significant number of suspected hazardous areas, the size of which is "undetermined," noted that Turkey could benefit from ensuring the use of the full range of technical and non-technical means to release suspected hazardous areas in keeping with the recommendations adopted by the Ninth Meeting of the States Parties. In this regard, the analysing group noted the importance of Turkey ensuring that the most effective and efficient means of addressing contamination are employed by partners and that Turkey report on its progress in a manner consistent with commitments the States Parties had made through the adoption of the Cartagena Action Plan by providing information disaggregated by release through clearance, technical survey and non-technical survey.

16. The request includes other relevant information that may be of use to the States Parties in assessing and considering the request including examples of minefield records, Syrian Border Mine Clearance Standards, and photographs of mined areas.

17. The analysing group noted that, while little demining had taken place in Turkey since entry into force, while it was a concern that no area containing mines around military installations had been cleared since entry into force, and while Turkey had not yet established structures it has expressed are essential to overseeing implementation, Turkey had nevertheless made a clear commitment through its extension request to carry out mine clearance operations and ultimately comply with its obligations by 1 March 2022. The analysing group further noted that with speedy establishment of a NMAA and NMAC, Turkey may find itself in a situation wherein it could complete implementation before 1 March 2022. The analysing group also noted any additional delays in the establishment of a NMAA and NMAC should not further delay demining efforts from proceeding, particularly given the indication in the request that the Turkish Armed Forces will provide funding for personnel and cost of equipment used in demining until the establishment of the NMAA and NMAC.

18. The analysing group, in recalling that a number of efforts to be carried out in 2013-2014 would be crucial to the success of the implementation of Turkey's plan to implement article 5 during the extension period, noted that the Convention would benefit from Turkey reporting to the Third Review Conference on the following:

(a) The tendering processes for the clearance of areas along Turkey's border with Syria, the results of any related demining efforts, and annual milestones of expected progress;

- (b) The tendering processes for the clearance of areas along Turkey's eastern borders;
- (c) Developments in the establishment of the NMAA and the NMAC; and
- (d) Progress in the clearance of mined areas in areas other than borders by the Turkish Armed Forces.

19. The analysing group noted as the plan contained in the request is subject to timeliness of tendering and contracting processes, the establishment of the NMAA and the NMAC, and the timely receipt of funding from the European Union, the plan may be subject to considerable change. In this context, the analysing group noted that the Convention would benefit from Turkey submitting to the States Parties, by 1 March 2015, an updated detailed work plan for the remaining period covered by the extension. The analysing group noted that this work plan should contain an updated list of all areas known or suspected to contain anti-personnel mines, annual projections of which areas and what area would be dealt with during the remaining period covered by the request and by which organization, and a detailed budget.
