



GENEVA CALL

APPEL DE GENÈVE LLAMAMIENTO DE GINEBRA

An Inclusive Approach to Armed Non-State Actors and International Humanitarian Norms



**Report of the First Meeting of Signatories
to Geneva Call's Deed of Commitment**

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EXECUTIVE SUMMARY

In March 2000, Geneva Call obtained the first signature of the *Deed of Commitment for Adherence to a Total Ban on Anti-Personnel Mines and for Co-operation in Mine Action* (Deed of Commitment). Nearly five years on, more than 25 armed groups or non-State actors (NSAs) from Africa, the Middle East and Asia have followed suit and renounced the use of anti-personnel mines (AP mines) by signing the Deed of Commitment. In November 2004, as States were preparing to attend the First Review Conference of the Mine Ban Treaty in Nairobi, Geneva Call, in collaboration with the PSIO and the Armed Groups Project, convened a parallel meeting for non-State actors in Geneva. During the three-day event, representatives from signatory groups and prospective signatory groups, humanitarian actors, academics, diplomats and mine action practitioners had a unique opportunity to meet, exchange views and review Geneva Call's work.



Representatives from groups active in Iraqi Kurdistan, the Philippines (left), Somalia and Somaliland (right)

In convening this meeting, Geneva Call sought to

- better understand what is stopping non-signatory groups from adhering to the mine ban;
- identify the challenges that signatory groups face in implementing their obligations under the Deed of Commitment as well as in monitoring compliance with these obligations;
- create a forum for best practices to be shared and learned;
- explore the arguments for and against expanding its mandate to other humanitarian norms; and

- analyse the links that exist between mine action and the negotiation of peace, from the perspective of groups that are parties to a conflict and beneficiaries of mine action programmes, as well as from the perspective of organisations that are involved in building peace and in building mine action programmes.

This report summarises the discussions that took place in plenary and during the working groups on each of the four topics on the agenda:

- I. Implementing the Deed of Commitment**
- II. Monitoring and Promoting the Deed of Commitment**
- III. Expanding the Geneva Call Mechanism to Other Humanitarian Norms**
- IV. Mine Action and Peace Processes**

The first panel addressed the main challenges to implementation, discussing the difficulty of upholding a commitment to the mine ban when opponents on the battlefield continue to use landmines, the insufficiency of technical and financial resources for disseminating the ban and launching mine action programmes as well as the problem of access to NSA-controlled areas. The second panel reviewed the various mechanisms for monitoring compliance with the Deed of Commitment, examined the value of a sanctions regime and discussed ways of promoting the mine ban to non-signatory groups. The third panel focused on whether or not Geneva Call should expand its activities to other humanitarian norms such as the prohibition against other types of explosive devices, the use of child soldiers, torture, hostage-taking and forced disappearances. Finally, the fourth panel discussed NSAs and the mine ban in the wider context of peace processes, exploring the value of linking the two through the work of organisations such as Geneva Call.

Summary of Lessons Learned

On challenges to implementation:

1. While signatures are a crucial first step on the road to eradicating landmines, they are not enough.
2. Prior to signing the Deed of Commitment, NSAs and Geneva Call should develop a realistic implementation action plan that includes benchmarks to measure compliance in light of the particular situation and circumstances of the group.

3. Some groups point to the lack of reciprocity on the part of the parties they fight as a major impediment to implementation: reciprocal commitments to the mine ban can be achieved through the work of Geneva Call and advocacy groups but, first and foremost, NSAs must be convinced of the devastating humanitarian impact of landmines.
4. The main challenge to implementation is the lack of financial and technical assistance to destroy stockpiles, to map and clear mined areas, and to assist survivors. States and the international community must ensure equitable and sustained funding for meeting this challenge.
5. Access to NSA-controlled areas for third-party organisations, such as Geneva Call, is the key to implementation. Governments should be encouraged by the international community to remove political obstacles that stand in the way of organisations working with NSAs for humanitarian purposes.
6. Geneva Call must continue to work closely with local partners and expand its network to include a greater array of mine action organisations, such as demining agencies and organisations specialising in victim assistance and mine-risk education.

On monitoring and promoting the Deed of Commitment:

7. Self-monitoring is an important part of ensuring compliance with the Deed of Commitment. The reliability of this mechanism depends on the transparency with which reports are drafted and the regularity with which they are submitted to Geneva Call.
8. Third party monitoring requires the collaboration of local civil society organisations.
9. Follow-up and verification missions require financial assistance from the donor community and the cooperation of governments in countries where NSAs operate.
10. Continued cooperation and dialogue is more effective than the imposition of sanctions in situations of non-compliance.
11. Inducements in the form of mine action programmes improve compliance with the mine ban.
12. Peer pressure from groups that have signed the Deed of Commitment is a valuable way to promote adherence by other NSAs.

On expanding Geneva Call's mandate to other humanitarian norms:

13. Geneva Call has earned the trust and confidence of NSAs as an impartial and independent international humanitarian organisation that provides an opportunity for armed groups to commit to humanitarian norms where few such opportunities currently exist.
14. Participants were divided about whether Geneva Call should expand its mandate and seek to apply the Deed of Commitment model to other humanitarian norms.
15. Before expanding its mandate to include other humanitarian norms, Geneva Call must secure additional human and financial resources. In devising ways of applying the Deed of Commitment mechanism to the norm prohibiting the use of child soldiers, torture and other practices prohibited by international humanitarian law, Geneva Call must consult with organisations already active in these fields.
16. In the context of its work on landmines, Geneva Call should continue to advocate respect for international humanitarian law more broadly with armed groups.
17. Any expansion of Geneva Call's mandate should not come at the expense of its ability to deepen its current mandate.

On the links between mine action and peace processes:

18. Mine action can create confidence-building opportunities on the road to peace; mine clearance and stockpile destruction, in particular, are tangible activities that can involve both sides to a conflict, giving them an opportunity to work jointly in a spirit of peace.
19. It is difficult, but not impossible, to undertake mine action activities during an armed conflict. In such cases, expert advice and the commitment of the belligerent parties should be assessed by the donor community before deciding whether or not to fund mine action programmes in conflict zones.
20. Including cooperation on mine action in a ceasefire or peace agreement can be a positive step to the extent that it represents a tangible and achievable goal. Any commitment to the mine ban norm, however, should be included in a separate agreement in order to remain relevant should hostilities resume.
21. Geneva Call should be cautious in accepting invitations to act as a "facilitator" in the context of peace talks. While it is important to be attentive to the requests of NSAs, it is imperative that Geneva Call should maintain its neutrality and humanitarian mandate.

LIST OF ACRONYMS AND ABBREVIATIONS

AP Mines	Anti-personnel mines
ARNO	Arakan Rohingya National Organization (Burma/Myanmar)
ASNLF/GAM	Acheh Sumatra National Liberation Front / Free Acheh Movement (Acheh, Indonesia)
CNDD-FDD	Conseil National pour la Défense de la Démocratie - Forces de Défense de la Démocratie (Burundi)
DPIK	Democratic Party of Iranian Kurdistan (Iran)
ELN	Ejercito de Liberación National (Colombia)
FARC	Fuerzas Armadas Revolucionarias de Colombia (Colombia)
ICBL	International Campaign to Ban Landmines
ICRC	International Committee of the Red Cross
KNU	Karen National Union (Burma/Myanmar)
KRG/KDP	Kurdistan Regional Government - Erbil, Democratic Party of Kurdistan (Iraqi Kurdistan, Iraq)
KRG/PUK	Kurdistan Regional Government - Sulaimanyia, Patriotic Union of Kurdistan (Iraqi Kurdistan, Iraq)
LTTE	Liberation Tigers of Tamil Eelam (Sri Lanka)
Mine Ban Treaty	Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction
MILF	Moro Islamic Liberation Front (Philippines)
NCRI	National Council of Resistance of Iran (Iran)
NSA	Non-State Actor
NSCN	National Socialist Council of Nagalim (North East India)
NUPA	National United Party of Arakan (Burma/Myanmar)
Polisario Front	Front for the Liberation of Saguia el Hamra and Rio de Oro (Western Sahara)
PSIO	Program for the Study of International Organization(s) of the Graduate Institute of International Studies
SLM	Sudan Liberation Movement
SNF/SRRC	Somali National Front/Somali Reconciliation and Restoration Council (Somalia)
SPLM/A	Sudan People's Liberation Movement/Army (Sudan)
USC/SNA/SRRC	United Somali Congress/Somali National Alliance/ Somali Reconciliation and Restoration Council (Somalia)

INTRODUCTION

From 31 October to 2 November 2004, representatives of armed non-State actors (NSAs) from more than 22 war-torn countries met in Geneva, Switzerland, at a conference organised by Geneva Call in collaboration with the Program for the Study of International Organization(s) (PSIO) of the Graduate Institute of International Studies and the Armed Groups Project. The majority of the NSAs represented had previously renounced the use of anti-personnel mines (AP mines) by signing Geneva Call's *Deed of Commitment for Adherence to a Total Ban on Anti-Personnel Mines and for Co-operation in Mine Action* (Deed of Commitment). Other groups invited to participate in the conference had yet to commit to the mine ban but their presence at this event signalled an interest in joining the group of signatories to the Deed of Commitment.

"Mines have never helped to win a war but they have often hindered the reestablishment of peace."

The signatory groups represented at the conference came from Burma/Myanmar (ARNO, NUPA) Burundi (CNDD-FDD), North East India (NSCN), Iraqi Kurdistan/Iraq (KRG/KDP and KRG/ KUIP), the Mindanao/Philippines (MILF), Somalia (Puntland, SNF/SRRC and USC/SNA/SRRC) and Sudan (SPLM/A). The non-signatory groups represented came from Burma/Myanmar (KNU), Aceh/Indonesia (ASNLF/GAM), Iran (NCRI and DPIK), Somaliland/Somalia, Sri Lanka (LTTE) and Western Sahara/Morocco (Polisario Front). Members of two Colombian groups (FARC and ELN) were also present.



Leaders of Burmese groups



The conference created an opportunity for NSA representatives from Sudan, the Philippines, Iraqi Kurdistan, Burundi and Burma/Myanmar to discuss humanitarian principles

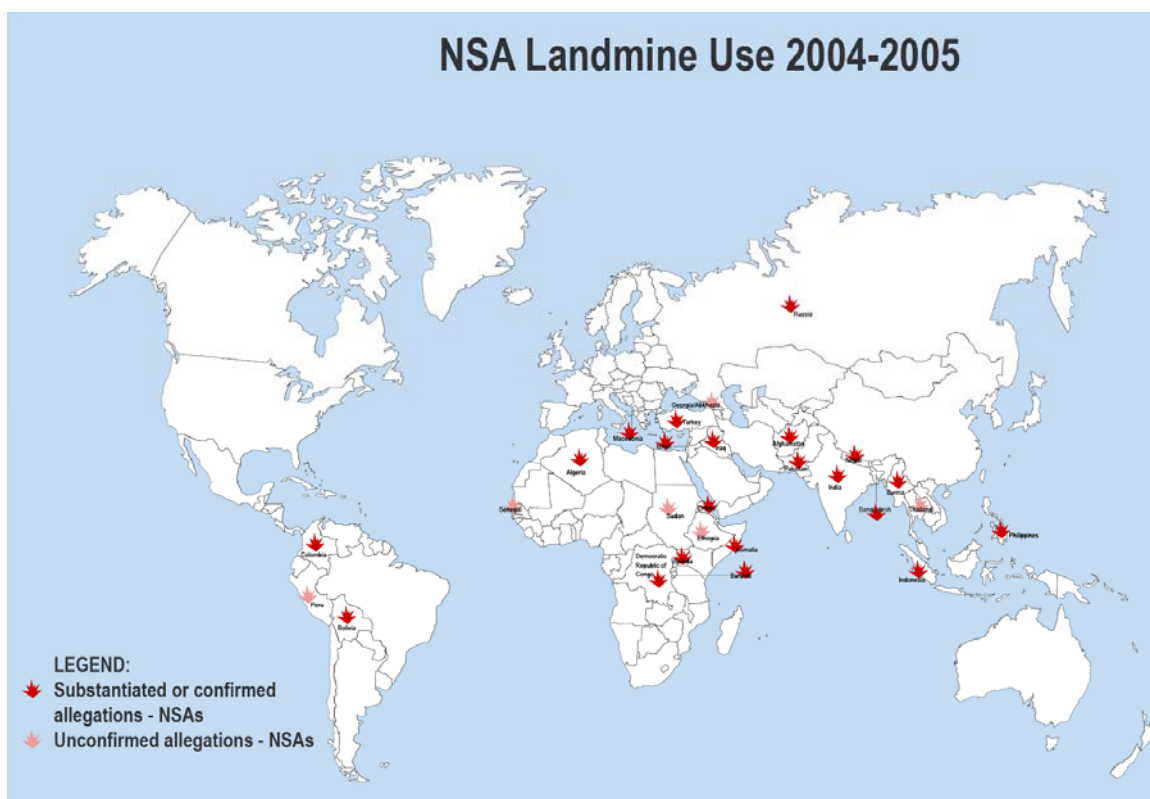
As well as NSAs, the participants included representatives from governments and intergovernmental organisations, such as the African Union and the European Union; representatives of the International Committee of the Red Cross (ICRC) and of United Nations agencies, such as the United Nations Development Program (UNDP), United Nations Children’s Fund (UNICEF) and the United Nations Mine Action Service (UNMAS); representatives from the International Campaign to Ban Landmines (ICBL) and national campaigns of the ICBL; mine action policy-makers and practitioners, such as the Geneva International Centre for Humanitarian Demining (GICHD), the Swiss Federation for Mine Action (FSD) and the Mines Advisory Group (MAG); and representatives from the academic and research community.



Members of the Nepalese and Indian campaigns of the ICBL

Geneva Call and the Deed of Commitment

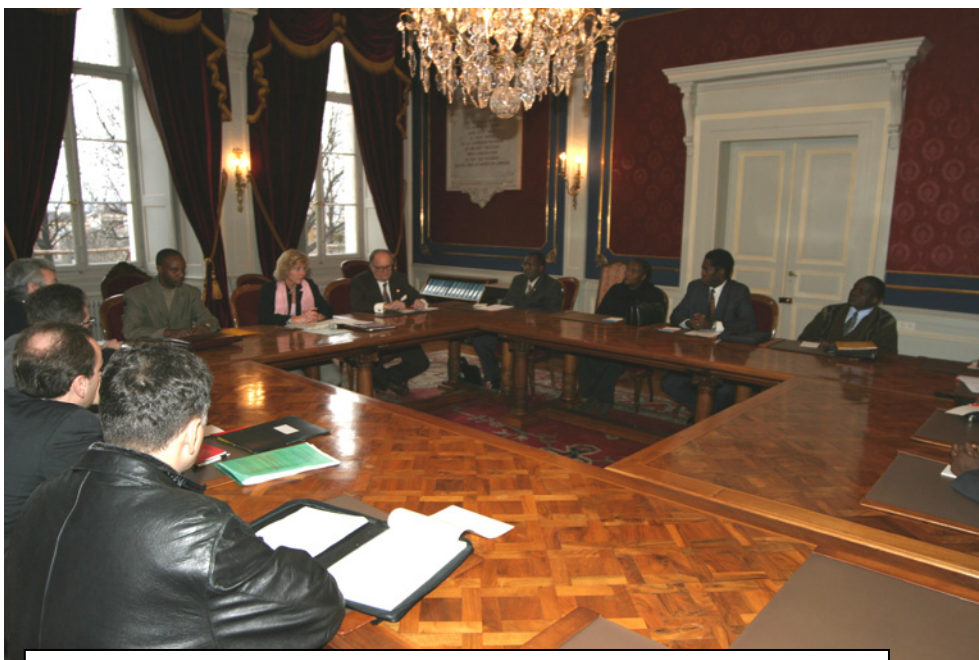
In 1997, the *Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction* (Mine Ban Treaty) came into force, crystallising the willingness of States to eradicate the humanitarian problems caused by landmines. As with other international treaties and conventions, acceding to the Mine Ban Treaty is a process that is exclusively for States. NSAs cannot participate in the negotiation or drafting of treaties, nor can they sign them. Yet the majority of contemporary armed conflicts occur within States, typically involving regular armed forces against NSAs or opposing two or more NSAs. Indeed, it is estimated that today landmines are a weapon predominantly used by non-State armed groups. People who live in mined areas controlled by NSAs are often beyond the reach of the national government. They face serious risks and can find themselves without proper access to humanitarian assistance. NSA mine use also impacts the mine policy of States. Some governments cite the activities of armed groups in their territory as a reason for not acceding to the Mine Ban Treaty or for not being able to fulfil their obligations as States Parties.



Geneva Call was created in response to the growing recognition that the fight against landmines cannot be universalised without the participation of armed groups. Since 2000, Geneva Call has been advocating an inclusive approach to the mine ban and involving NSAs from around the globe in a humanitarian dialogue by providing them

with a unique opportunity to publicly commit to the mine ban. This is done through the Deed of Commitment, an innovative and inclusive mechanism. When NSAs sign this document, they publicly commit to a total prohibition on the use, production, acquisition, transfer and stockpiling of AP mines, and agree to cooperate in mine action programmes aimed at protecting the civilian population living in areas under their control or where they are active. Signatory groups also agree to issue the necessary orders to commanders and the rank and file for the implementation and enforcement of their obligations, and to treat their adherence to the Deed of Commitment as one step in a broader commitment to the ideals of international humanitarian norms.

NSAs who decide to be bound by the Deed of Commitment are invited to Geneva, where a ceremony is held to mark the event. This takes place in the Alabama Room of the Town Hall, where the first Geneva Convention was signed. The custodian of the signed documents is the Government of the Republic and Canton of Geneva. As of March 2005, 27 armed groups from the Philippines, Sudan, Iraq, Somalia, Burma/Myanmar, India and Burundi have signed the Deed of Commitment, and in many regions, mine action programmes (demining, mine-risk awareness and education, victim assistance) have been launched as a result.



Representatives of the CNDD-FDD (Burundi) signing the Deed of Commitment in the Alabama Room in December 2003

The First Meeting of Signatories

The “First Meeting of Signatories to Geneva Call’s Deed of Commitment” was scheduled a few weeks prior to the First Review Conference of the Mine Ban Treaty. As resources were being mobilised for the organisation of this important multilateral conference in Nairobi, Kenya, Geneva Call felt that it was crucial to simultaneously highlight the progress made in universalising the mine ban through the inclusion of NSAs.

In her opening address to the conference, Elisabeth Reusse-Decrey, President of Geneva Call, summarised the reasons for convening a meeting of signatories to the Deed of Commitment. She said that it is not only important, but vital to involve armed groups in the eradication of the landmine problem. Elisabeth Reusse-Decrey explained that now that Geneva Call has a well-established practice of engaging NSAs, it is crucial to take stock of the progress made and identify the challenges that lie ahead. To do so in an inclusive manner means, first and foremost, listening to the voices of those concerned.



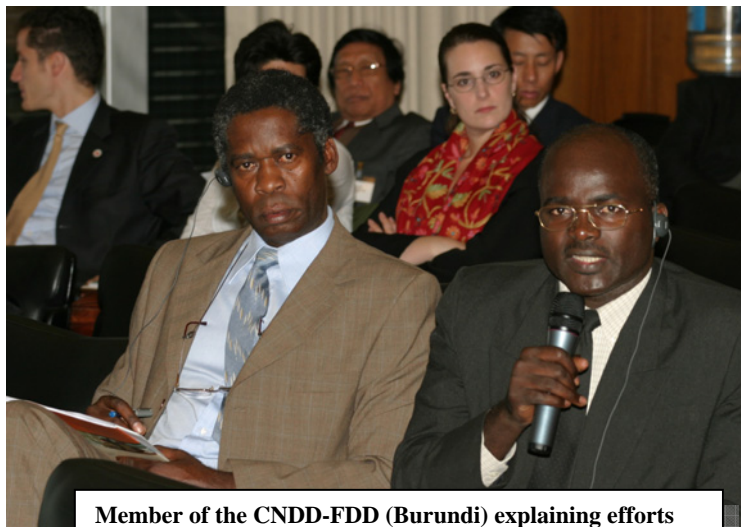
The meeting included representatives of non-signatory armed groups in order to hear their views on the work of Geneva Call and the mine ban. It also included representatives from the academic and policy-making world in order to maximise knowledge-sharing.

The meeting's main objectives were:

- to provide a unique opportunity for NSAs to discuss the successes and challenges they encounter in implementing their obligations under the Deed of Commitment and to discuss ways of improving Geneva Call's role in assisting NSAs to implement their obligations (Panel I);
- to assess the accountability, monitoring and sanctioning mechanisms provided for by the Deed of Commitment and to discuss ways of improving them (Panel II);
- to debate the value of extending Geneva Call's mandate and the application of the Deed of Commitment to other humanitarian norms (Panel III); and
- to discuss the role that mine action in conflict zones can play in the promotion of peace and in the long-term socio-economic rehabilitation and reintegration of former combatants (Panel IV).

I. IMPLEMENTATION OF THE DEED OF COMMITMENT

One of the meeting's key goals was to identify the problems encountered by signatories in implementing their obligations under the Deed of Commitment and to explore possible solutions with a range of stakeholders. It was hoped that by bringing together representatives from groups having signed onto the mine ban, a clearer picture would emerge of the common challenges involved in implementation. The meeting was meant as a forum for sharing experiences, both positive and negative, and learning how to work towards a truly effective and inclusive mine ban.



Member of the CNDD-FDD (Burundi) explaining efforts made by his group to implement Geneva Call's Deed of Commitment

Throughout the panel discussions, representatives from Geneva Call repeatedly stressed the fact that getting groups to sign the Deed of Commitment is not enough. The best indicator of success is the effective implementation of the ban and the positive impact of this implementation on mine-affected communities. While most signatories have adopted measures to implement their obligations, such as issuing orders prohibiting the use of landmines to the rank and file, developing mine action policies and establishing monitoring focal points, the discussions highlighted a number of outstanding challenges.

"The stronger the leadership of an armed group commits to the ban and its subsequent implementation, the bigger the impact on the base of the group"



Member of the PUK-led Iraqi
Kurdistan regional government

Challenges to Implementation

Challenges to the acceptance of the norm

Some groups expressed difficulty in upholding a commitment to ban the use of landmines in the face of continued use by opposing parties or where they are militarily weaker than their opponents. Armed groups typically face strong conventional armed forces, something that can make it difficult for them to renounce any method of warfare. However, one of the driving ideas behind the Deed of Commitment mechanism is that the military utility of mines is vastly outweighed by their humanitarian cost. Some groups seemed to challenge this, however, invoking military arguments in favour of using landmines. This suggests that Geneva Call and other members of the landmine community need to do more to make the case for a mine ban to NSAs and States.

Lack of clarity of the definitional scope of the Deed of Commitment

Some representatives of armed groups felt that the obligations contained in the Deed of Commitment were not entirely clear. Specifically, the definition of AP mines raised questions for some groups who felt that greater clarity might lead to more effective implementation. One representative mentioned the fact that systematically translating the Deed of Commitment into local languages would be an important first step toward clarifying the scope of the document for those concerned.

Lack of technical and financial resources

In the words of a Filipino representative, “AP mines are cheap to produce and acquire and they are easy to use. Removing them and destroying stockpiles can be incredibly expensive and requires expertise.” The problem of resources is central to the question of implementing the mine ban, whether one is dealing with States or NSAs. However,

it is particularly relevant for NSAs. As Dr. Daniel Warner (PSIO) explained, the international community has already begun to lose interest in the landmines issue, thereby reducing the funds available for mine action. This development, combined with the fact that donors are generally reluctant to pledge money to armed groups, amounts to a significant challenge in the implementation of the Deed of Commitment. Not only are commitments not being respected because stockpiles are not destroyed, but the continued existence of stockpiles means that landmines are available to looters and can become a temptation for armed groups.

A number of demining practitioners made the point that among the main challenges facing clearance operations were the lack of documents mapping mined areas and the wide variety of explosive devices used. Participants agreed it was useful for leaders of armed groups to hear the testimonies of demining experts in order to be able to better understand the importance of mapping mined areas.



Representative of an international demining organisation

Splinter groups

In some situations, landmines find their way into the hands of factions that are not under the control of those having signed the Deed of Commitment. Elisabeth Reusse-Decrey (Geneva Call), noted that in some cases NSAs may face their own rebels where a splinter group has been formed. A new or emerging group may not feel bound by the obligations contracted by its former leaders under the Deed of Commitment since it no longer recognises the leadership of those who committed to the mine ban. In such cases, Geneva Call must adapt to the new reality and strive to engage the new groups separately.

The problems of security and access

A number of NSAs raised the important point that regions where they operate are often unstable. A shifting security situation can dramatically hamper the implementation of the Deed of Commitment, especially with respect to the signatory group's commitment to cooperate and undertake mine action. During the meeting, one participant from Iraqi Kurdistan gave the example of Iraq where the central and southern regions are still very unstable, making it virtually impossible to carry out mine action.

The security question is closely related to the political question of gaining access to mine-affected regions where NSAs operate. Some States obstruct access to mined areas by "outside" actors such as Geneva Call and mine action organisations. Without the possibility of undertaking assessment missions that evaluate the impact of landmines on affected communities or the extent to which NSAs are complying with their commitment, it is difficult to make advances in the field of implementation.

Recommended actions

In order to deal with the above-mentioned challenges to implementation, the participants identified some actions that could be undertaken by the signatory groups themselves, by States and the international community, and by Geneva Call.

- ***Signatory Groups.*** NSAs themselves can improve their implementation track record by regularly reporting on progress made and communicating the challenges they face and their assistance needs to Geneva Call. Many armed groups agreed that universal benchmarks and timelines do not work. It was suggested that implementation strategies be developed on a case-by-case basis. Upon signing the Deed of Commitment, Geneva Call and the NSA could agree on an implementation plan suited to the specific situation and context of the group and the mine-affected areas and communities it represents.
- ***States and the international community.*** The governments of States in which signatory groups operate should facilitate or, at the very least, not place obstacles in the way of organisations such as Geneva Call that are engaging armed groups for humanitarian purposes. In situations where the mines are in NSA areas but have been planted by States, it is important to enlist the cooperation of governments in providing maps of mined areas. The international community should recognise that it has a role to play in encouraging States to cooperate with "outside" organisations that require access to mined areas and armed groups. Political pressure and funding are needed in order for third parties to assess mine action needs and monitor compliance with the Deed of Commitment. States should ensure equitable and sustained funding for mine action programmes and understand the importance of this funding even in situations where hostilities have not entirely subsided.

While it goes without saying that States must respect their own obligations under the Mine Ban Treaty, it is useful to recall that the effective implementation of the Deed of Commitment by armed groups can only be reinforced in situations where the States themselves adhere to the mine ban. Yet, some States have made their ratification of the Mine Ban Treaty contingent upon armed groups ceasing to use landmines. The only way out of a potential impasse where States and NSAs refuse to move first on the landmine issue is negotiation and ongoing dialogue. Third party organisations and donors can help on this front by emphasizing the marginal military utility of landmines when compared to their devastating humanitarian impact.



The Sudanese Ambassador to the United Nations in Geneva sitting next to the Ambassador of Colombia to Switzerland. Government representatives were also invited to the conference, given the essential role they play in facilitating the work of Geneva Call and other organizations working with NSAs

- **Geneva Call.** Geneva Call should provide more support to signatory groups by mobilising technical and financial resources and promoting policy developments within States and inter-governmental organisations that support implementation activities. The organisation must continue to work closely with local partners in mine-affected regions and expand its network to include a greater array of mine action organisations, such as demining agencies and organisations specialising in victim assistance and mine-risk education.



A commander of the SPLM/A sitting with the Vice-President of the ICRC, Jacques Forster

As a “third party”, Geneva Call should continue to maintain its neutrality and use its humanitarian mandate and intermediary capacity to:

- facilitate the establishment of relationships amongst and between armed groups and those in a position to assist in the implementation process;
- create a favourable environment for dialogue involving States and NSAs in order to include humanitarian concerns in the political agenda;
- monitor the implementation of the Deed of Commitment and hold signatories accountable;
- disseminate the mine ban by providing material resources to NSAs, such as a *Handbook on implementation*, which is accessible to the rank and file; and
- raise awareness about the importance of engaging NSAs.

II. MONITORING AND PROMOTING THE DEED OF COMMITMENT

Monitoring commitments

Monitoring compliance with the Deed of Commitment is a task that is primarily incumbent upon the signatory groups. It is also a responsibility of Geneva Call and its local and international partners. The ultimate aim of monitoring implementation is to ensure that armed groups continue on the right track and contribute to ending the suffering inflicted by mines. Greater emphasis should be placed on getting this message and the message of international humanitarian norms, more generally, across to the rank and file of armed groups. Disseminating the mine ban and ensuring proper communication between leadership and the rest of the group on the obligations contained in the Deed of Commitment are the first steps in monitoring compliance. Indeed, the leadership of a group has a monitoring role in that it is in a privileged position to assess the extent to which obligations are effectively complied with or not.

However, in order to be credible, monitoring requires the involvement of independent third party organisations. To this end, it is stipulated in Article 3 of the Deed of Commitment that NSAs must: “[...] allow and cooperate in the monitoring and verification of [their] commitment to a total ban on anti-personnel mines by Geneva Call and other independent international and national organisations associated for this purpose with Geneva Call. [...]”

Geneva Call understands monitoring activities in terms of three pillars:

1. Assessing the reports issued by NSAs on the measures they have undertaken to implement their obligations under the Deed of Commitment¹;
2. With the direct involvement of NSAs, facilitating on-site monitoring by independent local and international organisations operating in the field; and,
3. Undertaking field verification missions where there have been allegations of mine use.

During the conference, participants agreed that, taken together, these three pillars could constitute a reliable way of monitoring compliance and non-compliance with the Deed of Commitment. However, participants also noted that, individually,

¹ On the basis of Article 3 of the Deed of Commitment, Geneva Call has set up a reporting mechanism for signatories whereby groups are expected to answer questions regarding the concrete measures they have undertaken to implement their commitment and, where they have not, provide detailed reasons for their failure to do so.

different monitoring approaches had both strengths and weaknesses. The following section outlines some of the advantages and disadvantages inherent in each of the three approaches.

Self-monitoring

Self-monitoring by signatory groups has the advantage of ensuring that NSAs take full responsibility for their commitment, and it represents the most realistic first step on the path to effective compliance. This measure is modelled on Article 7 of the Mine Ban Treaty, which requires that States Parties produce an annual report on the implementation of their mine ban commitments. The reliability of this monitoring mechanism depends on the transparency with which reports are drafted and the regularity with which they are submitted to Geneva Call for assessment. Since the reporting format was first circulated to signatory groups in the spring of 2004, more than half of the groups have submitted compliance reports. Geneva Call is in the process of analysing their content. Most participants welcomed the self-reporting approach, while acknowledging that on their own, they do not constitute a sufficient basis from which to conclude that the Deed of Commitment is being followed on the ground.



Members of a Somali armed group filling out Geneva Call's compliance report

Third party monitoring

Third party monitoring requires local networks and partners that are familiar with the NSAs, the affected communities and the mine issue in the region. It also requires conditions of transparency and a proper access to information. In order to perform their functions, third party organisations need to operate in a safe space. During the conference, participants identified civil society groups as key to monitoring, but also pointed out that such groups needed to be selected carefully in order to ensure their impartiality and their safety. Geneva Call explained that it was in the process of negotiating new partnerships with local non-governmental organisations in order to raise awareness about the mine ban and create conditions in which the signatories would feel more tightly monitored. In September 2004, Geneva Call led a mission to

Somalia as part of its responsibility to follow up commitments made by faction leaders. The purpose of this mission was to assess the country's landmine situation, the progress made by signatory factions in implementing the Deed of Commitment and the need for humanitarian mine action assistance.²

Verification missions

Verification missions are difficult and tremendously expensive to undertake. To date, Geneva Call has only organised one such mission. This was in 2000 in the Mindanao region of the Philippines where it was alleged that the MILF had used landmines in defiance of its obligations. Briefly stated, the mission concluded that the types of mines covered by the Deed of Commitment were unclear to the signatory group. This led to a subsequent commitment on the part of the MILF leadership to a total and *unconditional* ban on AP mines and a better understanding by Geneva Call of the extent of the technical assistance needed by the group in order to implement the Deed of Commitment.³



**Members of the MILF (Philippines)
attending the conference**

Currently, the Sudan Liberation Movement (SLM), which is active in the Darfur region of Sudan, is being accused by the Government of planting mines. Through intermediaries, the SLM has invited Geneva Call to investigate these allegations. During the conference, the UN agency responsible for coordinating mine action,

² See *Landmines in Somalia*, Report of the Geneva Call Follow up Mission to Puntland, Hiran and Bakol Regions, 15-27 September 2004, available online: <http://www.genevacall.org/news/latest-news.htm>

³ Report of the Geneva Call Mission to the Moro Islamic Liberation Front (MILF) in Central Mindanao, Philippines, Geneva and Manila, 30 April 2002, available online: <http://www.genevacall.org/resources/publications.htm>

UNMAS, told Geneva Call that it would be willing to explore the possibility of developing a common strategic approach to addressing the need for more systematic verification missions.

Sanctioning non-compliance

The question of sanctions is closely linked to that of monitoring. What should happen when monitoring activities reveal instances of non-compliance with the mine ban? The Deed of Commitment provides for “naming and shaming” as a means of sanctioning non-compliance.⁴ The other types of sanctions discussed by participants included withdrawal of financial and technical assistance and exclusion from the Deed of Commitment. It was suggested that the utility of sanctions varies widely and that they must be tailored to each specific situation in order to be effective. Some participants argued for an incremental application of sanctions to signatories who failed to comply with the Deed of Commitment while others argued that sanctions are, on the whole, ineffective.

All the participants, representatives of States included, agreed that violations needed to be actively addressed and emphasized that continued cooperation, education, dialogue and technical assistance are more effective than the imposition of punitive sanctions and the “demonisation” of non-compliance. Inducements were raised as a useful alternative to sanctions. Implementation and acceptance of the mine ban could, for instance, lead to the financing of mine clearance activities by international donors. This could be used as a leverage to encourage adherence. According to such a view, financial and technical assistance could be presented as an incentive throughout the engagement process. In the context of peace agreements, the possibility of mine action programmes could be held up as an incentive for bringing an end to hostilities. Summarizing the view of the majority of those present during the discussions, Dr. Daniel Warner (PSIO) argued in favour of incentive schemes given the reality that there are very few examples of successful sanction regimes in the world.

Promoting adherence to the Deed of Commitment

Promoting adherence to the Deed of Commitment is also a joint task: it is undertaken by the signatories under Article 8 where they commit to do their part in attracting the adherence of other armed groups, and it is a core aspect of Geneva Call’s work. Elisabeth Reusse-Decrey (Geneva Call) recalled that many important armed groups, such as the ELN in Colombia and some Burmese groups have yet to sign the Deed of Commitment.

⁴ Under Article 7 of the Deed of Commitment, signatory groups “understand that Geneva Call may publicize [their] compliance or non-compliance [...]”

In her view, engaging them can only be achieved through a collaborative effort. Peer pressure is a useful tool in this context: armed groups that have signed the Deed of Commitment can have a significant effect on other groups if they explain their reasons for adhering to the ban and share their experience, especially in the area of mine action.

The representatives of armed groups who were present at the conference acknowledged their responsibility in promoting the ban with friendly or neighbouring armed groups. Some invoked the powerful arguments articulated by participants from Sudan and Burundi, such as:

- When NSAs use landmines, governments are given a new reason to demonise the groups and challenge their legitimacy.
- Many NSAs are fighting to establish their own homeland. When a group succeeds, its first task will be the reconstruction of its territory, which includes mine clearance. Mines that were planted to defeat the enemy can become one's own challenge once the conflict has ended.

Some participants raised the possibility that individuals of high moral standing are best suited to promote the Deed of Commitment. A representative of the NSCN (Nagaland, North East India) stated that his group was preparing a workshop during which representatives of other armed groups in the region would gather and learn about the Deed of Commitment. He also stated that this was being done in collaboration with the local ICBL campaign, a partner of Geneva Call in this project.



Representatives of the NSCN (Nagaland, North East India) during the opening ceremony

Representatives of groups in Aceh and Burundi that had yet to sign the Deed of Commitment indicated their intent to adhere to the mine ban as soon as the situation

in their areas was conducive to independent monitoring. The Colombian group, ELN, sent a message to the meeting, explaining that they were working toward reducing the humanitarian impact of mines on the civilian population under their control.⁵ To this end they are currently seeking a humanitarian agreement with the Government of Colombia.

While expressing their willingness to sign onto the Deed of Commitment, representatives of ASNLF/GAM (Acheh, Indonesia) explained that they have not done so yet because they feel that the Government of Indonesia will not allow verification missions. This, they argue, will mean that the group can be accused of using landmines and have no possibility of disproving allegations. A similar situation exists in Chechnya and Turkey. These concerns suggest that the problem of access, which was raised during the discussion of obstacles to implementation, is also relevant to the question of successfully promoting adherence to the mine ban.



Members of ASNLF/GAM (Acheh, Indonesia) sitting with a volunteer (middle) during the conference

Finally, it was noted that if and when signatories to the Deed of Commitment become part of a recognized government, they have a role to play in ensuring that the State they now represent adheres to the Mine Ban Treaty. A good example of this last point is the case of the CNDD-FDD in Burundi that signed the Deed of Commitment when it was still an NSA and, upon being admitted as a political partner in the new government, encouraged Burundi to implement its obligations under the Mine Ban Treaty. Another example is that of Somalia, where the Transitional Federal Government is composed of leaders of factions that signed the Deed of Commitment. In continuity with the commitments that they signed as NSAs, these leaders have played an influential role in the new government's intention to accede to the Mine Ban Treaty.

⁵ See below, Annex II, Selection of Declarations Made by Non-State Actors.

III. EXPANDING THE GENEVA CALL MECHANISM TO OTHER HUMANITARIAN NORMS

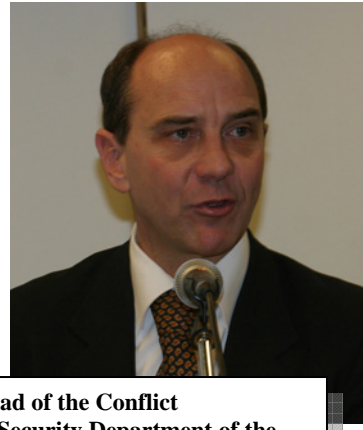
In discussing the possible expansion of Geneva Call's mandate, two separate questions were addressed by the participants: (a) whether Geneva Call as an organisation should expand its mandate to cover other international humanitarian norms and (b) whether the Deed of Commitment was a suitable mechanism for engaging NSAs on other international humanitarian issues.

Throughout the discussion, participants commented on the confidence placed in Geneva Call by the armed groups, but also by the donor community. Many representatives of signatory groups expressed a deep sense of trust in and respect for the organisation. However, the issue of expansion raised some concerns among participants. Some felt it might be a distraction from Geneva Call's core mission concerning landmines. Others raised concerns about a lack of expertise and experience in dealing with other humanitarian issues such as child soldiers. These comments made it all the more appropriate for Geneva Call to explore with those present if, when, where and how best to expand its mandate.



“Geneva Call should build on the trust it has established with NSAs to explore new avenues for humanitarian engagement.”

Representatives from the African Union and the United Nations Development Program (UNDP) called for the expansion of Geneva Call's mandate to other humanitarian norms. They explained that the successful track record of the organisation, the trust established with NSAs and the originality of the Deed of Commitment mechanism were all elements that signalled the appropriateness of expansion. Other delegates, however, expressed reservations about the organisation's capacity (in terms of financial resources and expertise) to expand while furthering the work currently underway on landmines. Some felt that Geneva Call should consolidate its achievements since much work was still required to: (a) ensure the effective implementation of the Deed of Commitment and (b) fine tune this engagement mechanism. Moreover, consolidation also involves engaging the many armed groups that have yet to adhere to the ban. Broadening the scope of activities could take away the focus from the landmine ban.



On the left: El Ghassim Wane, Head of the Conflict Management Division, Peace and Security Department of the African Union
On the right: James Rawley, Deputy Director of the Bureau for Crisis Prevention and Recovery, UNDP, European Office

Some comments were made about the role of other organisations, such as the ICRC, who also enjoy a degree of trust from NSAs and who should be consulted when considering whether or not to expand into other areas of humanitarian work. Some suggested that Geneva Call should be resourceful and should enlist the support of other organisations that could complement its mandate and abilities. The mechanism of the Deed of Commitment could also be “lent out” to other organisations that could make it operational and monitor commitments. Alternatively, Geneva Call could get involved in other areas by offering to share its expertise and experience of creating “safe-spaces” with humanitarian organisations or coalitions such as the Coalition to Stop the Use of Child Soldiers.

Some participants drew a distinction between expanding and deepening the mandate of Geneva Call. Those who favoured a deepening of the current mandate emphasized the importance of solidifying commitments that had already been made by NSAs and acquiring additional expertise in strengthening monitoring and verification. However, it was also noted that deepening Geneva Call’s activities and expanding the use to which the Deed of Commitment could be put were not mutually exclusive. Geneva Call could continue to improve its work in the landmine area while examining how to put its expertise to use on other humanitarian norms. A Swiss Government representative made the point that five years ago, people worried that the creation of Geneva Call would hamper the Mine Ban Treaty process. Five years on, this worry no longer exists but a new one has emerged regarding Geneva Call’s ability to expand into other areas. According to this participant, the organisation should at least explore the possibility of expansion.

In answering the question of whether Geneva Call should expand its mandate to cover other humanitarian norms, the discussion groups agreed that this would depend on a certain number of issues, such as:

- Who was pressing for an expansion and who opposed it (the donor community, the NSAs themselves, other humanitarian organisations, etc.).
- Whether other organisations are already working with NSAs in a given area.
- The existence of clear-cut synergies between landmines and other issues, i.e. looking for issues that have similarities with landmines in terms of a clear prohibition and the possibility for launching humanitarian action to assist those most affected.

In terms of the areas that could be relevant to Geneva Call's work, it was noted that no issue has a closer relationship to the organisation's current mandate than anti-vehicle mines, UXOs and explosive remnants of war. It was suggested that these were not only connected to AP mines but they also presented the advantage of being less controversial and somewhat apolitical when compared with norms such as the prohibition of torture, child soldiers and small arms and light weapons. One representative from Somalia mentioned the problem of small arms and light weapons as one needing particular attention and as being ripe for the attention of a mechanism such as the Deed of Commitment. The relative strengths and weaknesses of other humanitarian norms may affect working relationships: the "flexible" approach adopted by Geneva Call with respect to the AP mine ban may be problematic in expanding into other norms where campaigners insist on a more rigid approach; conversely, trying to enact a ban or a certain standard of behaviour among NSAs in areas where an international consensus with respect to the conduct of States has yet to emerge may also prove challenging.

In summary, the meeting cautioned against the rapid expansion of Geneva Call's mandate. Any future expansion should not be undertaken unless sufficient additional human and financial resources were provided to the organisation. However, in the context of the organisation's engagement work, the issue of other humanitarian norms (such as the alleged use of child soldiers, kidnapping, torture as well as anti-vehicle mines and explosive remnants of war) will, and should continue to be raised. In the short to medium term, Geneva Call needs to consolidate its work and build on its strengths – its main strength being its access to armed groups, the trust and confidence that it has elicited from these groups and its ability to operate in an open and transparent manner. Much work remains in assisting signatories to implement their commitments and many more armed groups must be brought on board.

For the foreseeable future, Geneva Call should:

- deepen its mandate rather than widen it;
- investigate the best means of using its expertise with regard to other humanitarian norms;

- collaborate with other relevant organisations by sharing its experience and acting as a bridge to NSAs; and
- capitalise on its unique position with NSAs to begin engagement work in other humanitarian areas as soon as additional resources are made available.

IV. MINE ACTION AND PEACE PROCESSES

The topic of mine action and peace processes was chosen as a result of Geneva Call's recent experiences in the field. In some cases, its engagement work has led to the question of mine action being placed at the centre of the peace agenda. In other cases, it has brought warring parties together when no other issue could. Discussing a concrete and tangible topic such as landmines opens new possibilities for dialogue. Geneva Call has managed to bring together parties to a conflict who would otherwise refuse to speak because they could agree on the urgency of finding solutions to the humanitarian problems caused by landmines. In every case, Geneva Call has come to realise that its engagement efforts are vastly influenced by the progress (or lack of progress) of peace negotiations. The fight against landmines cannot be disassociated from the broader framework of peace and it is therefore relevant to enquire into the nature of the link between the two.

Mine action v. Mine ban

As the discussion on the question of mine action and peace processes developed, it became apparent that a key distinction had to be drawn. This concerned the difference between the commitment to mine action (demining, victim assistance and mine-risk education) and the commitment to the norm that prohibits the use of landmines. Mine clearance and programmes that seek to assist mine-affected communities are an important aspect of NSAs' commitments under the Deed of Commitment. In some instances, mine action may even be undertaken as an incentive for NSAs to adhere to the mine ban. Either way, mine action can create confidence-building opportunities on the road to peace. The prohibition on the use of landmines is also linked to peace but in a more tenuous way. While renouncing the use of any weapons may be done in the spirit of putting an end to violence, the underlying rationale for prohibiting landmines is to lessen the suffering associated with war.

This point was highlighted by Professor Marco Sassoli (University of Geneva) who warned against linking peace processes and humanitarian action. By definition, landmines are used by those who continue to wage war and one of the key goals pursued by the campaign to ban the use of these weapons is to ensure that parties that continue to engage in hostilities do so without using landmines. It is therefore crucial to avoid a situation where if a peace process collapses, the parties to the conflict can justify the use of landmines on the basis that the ban was part of the so-called "deal". Hence, the importance of concluding "stand alone" agreements, such as the Deed of Commitment, that continue to apply even when a peace agreement or cease-fire agreement fails.

Some participants reminded the conference that within humanitarian mine action, there are distinctions to be drawn between activities such as advocacy efforts, promotion of international humanitarian law, mine clearance, surveying and victim assistance. These activities are complementary elements that impact peace building differently; they should therefore be addressed separately in order to avoid inappropriate generalisations about mine action and peace processes. Moreover, everything that has to do with mine action is not necessarily humanitarian. One mine action practitioner pointed out that demining equipment can be used to breach a minefield or to acquire munitions. It is therefore important to qualify the type of mine action that favours peace.

Mine action and peace processes

Professor Pablo Policzer (Armed Groups Project) noted that removing mines is not a purely technical activity, but a highly political one. He distinguished the various phases of armed conflict, arguing that mine clearance is primarily understood as something that takes place after the hostilities have ended, at the peace consolidation or peace building stage. It requires information-sharing which is an integral part of building trust and humanization. In situations where there is no war (because there is no active fighting) but there is also no formal peace process underway, demining can provide an opportunity for parties to work together on a specific issue. The act of demining is in itself a reflection of a willingness to move towards peace. However, Professor Policzer cautioned against seeing mine clearance as a catalyst for peace. If disagreement arises regarding the way forward on the landmine issue, it can develop into a major impediment to progress on other fronts that are central to the peace. There is therefore a case to be made for keeping the two processes on separate tracks.



The Sudanese Ambassador to the United Nations in Geneva with a commander of the SPLM/A. A good example of positive collaboration on mine action by parties to a conflict

During the discussion, however, many participants expressed the view that mine action and peace processes are linked. Making areas under the control of armed groups accessible for mine clearance and victim assistance programmes has the potential of being a first step in the direction of a ceasefire agreement or indeed a precursor to “talks-about-talks”. The inclusion of mine action clauses within peace agreements can also act as an important confidence building measure between parties to the conflict – especially if such an agreement includes the possibility of “joint mine action operations”. Representatives of armed groups recognized that mine action can contribute to an environment of normalcy and an atmosphere of peace. Mine clearance creates socio-economic opportunities that may deter former combatants from returning to the use of arms. By providing an opportunity for parties to cooperate in, for instance, stockpile destruction or in finding common solutions to the humanitarian effects of landmines, mine action can contribute to reconciliation.

During times of war, it is challenging to promote the mine ban and it can sometimes be impossible to carry out mine action programmes. A participant from Burundi gave the example of UNICEF’s mine-risk awareness campaign during the recent civil war and explained that it had yielded practically no results. Moreover, because of the ongoing hostilities, the activities had been limited to the capital, Bujumbura. Another participant, from Sri Lanka, pointed out that stability was a pre-condition for successful demining. Giving the example of Cambodia, a mine action practitioner argued this was not always the case. He explained that in Cambodia successful demining operations had begun in 1992 while fighting was still going on. The necessity of mine clearance came from the fact that refugees were being escorted home from Thailand to land that was mined.

Every conflict is different and participants recognised that generalisations were inappropriate. Some participants were nonetheless adamant that ongoing conflict should not stop organisations and donors from carrying out and funding mine action programmes, especially demining initiatives. They argued that the donor community needs to place more trust in the organisations that have the expertise to determine what is feasible. In times of war, there may be a percentage of mines that are deactivated only to be replanted, but this should not distract from the high percentage of mines that are deactivated and then destroyed.

“It is not necessary to have peace to start saving lives.”

Geneva Call and peace processes

In terms of Geneva Call's work in the context of peace negotiations, it was reiterated that the confidence-building potential that the organisation offers should be recognised and further explored. By way of example, it is useful to recall the organisation's work in Colombia. In the last two years, Geneva Call has been working with the Colombian campaign against landmines to try to get the ELN to sign the Deed of Commitment. Until recently, the group was not willing to discuss the possibility of adhering to an outright ban. Their leaders said that this weapon was essential in the armed struggle that the group was waging against the government.

In the face of such a categorical refusal, Geneva Call decided not to end the dialogue with the group because to do so would amount to abandoning the humanitarian cause of the people in the region. In June 2004, the leadership of the ELN came forward and proposed that peace negotiations with the government be reopened around, notably, the conclusion of a humanitarian agreement that includes a commitment to limiting the use of AP mines. This attested to the successful confidence-building process of the previous year, led by Geneva Call and its local partners.⁶



Despite the apparent success of linking the peace process and the mine ban in Colombia, participants at the meeting felt that Geneva Call should be cautious when it

⁶ See E. Reusse-Decrey, "Engaging Non-State Actors in the Fight Against Landmines: A Key to Negotiating Peace in Colombia" (2004) 8:2 Journal of Mine Action, available online: <http://maic.jmu.edu/journal/8.2/feature/reusse.htm>

comes to any possible role as a “facilitator” in peace negotiations. This could jeopardise its ability to successfully pursue its core mandate by putting too much pressure on the organisation to broker “a deal”. The following recommendations were formulated with respect to Geneva Call’s work in the context of peace talks:

- it should prioritise transparency and endeavour to work in partnership with local organisations and communities;
- it should use its impartiality to ensure that mine action initiatives favour rather than hinder peace efforts;
- it should respond positively to requests by NSAs to intervene in peace negotiations only to the extent that this does not jeopardise its impartiality and humanitarian mandate; and
- it should focus on supporting the stakeholders that are in a position to further negotiations.

CONCLUSION

The First Meeting of Signatories to Geneva Call's Deed of Commitment was a unique opportunity for leaders of armed groups to meet each other and to share their experiences of the mine ban with other stakeholders. It was also a unique occasion for Geneva Call to hear from the signatories how *they* thought the organisation could improve its work. The gathering was characterised by open and frank discussions about the challenges facing NSAs in meeting their commitments under the Deed of Commitment and the role that Geneva Call should play in assisting NSAs to surmount the obstacles before them.

Armed groups reaffirmed the trust and confidence they place in Geneva Call as an impartial and independent international humanitarian organisation. They also commended the organisation for providing a safe space for them to express their views and for making their voices heard in high-level international *fora*. It was clear from the discussions that took place during the plenary sessions that all of the participants were deeply interested in ensuring that Geneva Call continues to involve NSAs in the fight against landmines. They believe this is the best way to ensure humanitarian assistance to mine-affected areas and communities under NSA control.

It was agreed that Geneva Call still had much to do in order to fulfil its existing mandate, but that it should be encouraged by the success it has so far enjoyed. It can look to the future knowing that it enjoys a strong measure of support from NSAs as well as from the community of humanitarian practitioners working with armed groups.

"You have created a mini-United Nations for non-State actors."

Implementing the Deed of Commitment

A number of challenges to the effective implementation of the Deed of Commitment were identified, including the need for sustained financial and technical assistance to destroy stockpiles, to carry out clearance operations, to disseminate the ban and to assist mine victims. It was recognised that donor countries must be sensitive to possible accusations of interference in the affairs of other States, but it was also emphasized that humanitarian organisations need assistance if they are to continue working with mine-affected communities in areas where NSAs are active.

On the battlefield, when the enemy continues to use landmines or when it uses superior weaponry, some armed groups appear reluctant to accept the ban. This argument was even invoked by some signatories to justify their failure to implement the mine ban in practice. This problem goes beyond the question of implementation and signals the need for Geneva Call to re-focus its discussion with NSAs on the humanitarian rationale for the ban. In some cases, signatories may not fully understand the obligations that are incumbent upon them under the Deed of Commitment, for instance, the precise scope of the definition of AP mines. In other cases, the loose command and control structure of the groups may hamper the efficient dissemination of the ban to the rank and file. The unstable security situation often prevailing in NSA controlled areas represents a common challenge for all signatories in implementing their commitment to the mine ban.

Monitoring commitments, sanctioning non-compliance and promoting adherence

Monitoring international commitments and verifying alleged instances of non-compliance is always a challenging task, regardless of whether one is dealing with the commitments of States or NSAs. The fact that the leadership and structure of armed groups can fluctuate and that the security environment in which they operate is often unstable makes monitoring all the more difficult. Indeed, while States continue to be bound by their international obligations regardless of a change of government, in the case of NSAs, there is often no obvious continuity when new factions appear or the leadership is dissolved.

An important part of Geneva Call's monitoring strategy involves assessing reports prepared by the NSAs themselves. While this approach may not yield a perfectly accurate picture of the situation on the ground, it provides a window into the complex reality facing the leadership of signatory groups and sets the stage for third party monitoring initiatives. Third party monitoring is crucial but it also has its limitations, the most important of which is gaining full and secure access to the areas and the relevant information. Financial constraints dictate a limited field presence for Geneva Call staff and limit the ability of the organisation to contract out monitoring activities or to train local organisations to carry out the task. Individual States and the international community have a crucial role to play in exercising political pressure and providing financial support for monitoring activities. The interplay between self-monitoring, independent third party monitoring and verification missions is designed to compensate for any weakness inherent in the individual monitoring tools.

As for sanctions, the majority of participants agreed that their effectiveness is limited. Geneva Call advocates dialogue, cooperation, training and education over sanctioning because of the poor track record of negative sanctions in international settings. Given the central role of confidence and trust in the relationship that Geneva Call endeavours to build with the NSAs it engages, the possibility of "naming and

shaming” those who breach this confidence may be the most appropriate way of sanctioning non-compliance. Participants also referred to inducements as a useful alternative to negative sanctions: financial and technical assistance in mine action programmes should be used to reward compliance.

The meeting also noted the important role of armed groups as potential disseminators of the mine ban norm. Armed groups that have signed the Deed of Commitment can have a significant effect on other groups if they explain their reasons for adhering to the ban and share their experiences, especially in the area of mine action.

Expanding Geneva Call’s mandate to other humanitarian norms

The most important message that came out of discussions on this topic is that Geneva Call has earned the solid trust of NSAs and should continue its engagement work with a view to sharing its experience and inclusive approach with other organisations. It may be possible in the long term for Geneva Call to expand and deepen its mandate to other humanitarian norms. The most obvious area for expansion is with respect to other types of mines and explosive devices. When it comes to the norms prohibiting the recruitment of children or practices such as torture, hostage taking or forced disappearances, some synergies exist but more work is needed to determine whether the Deed of Commitment mechanism is appropriate.

Participants cautioned against the rapid expansion of Geneva Call’s mandate. It should only be broadened if sufficient human and financial resources are made available to the organisation. The organisation should focus on consolidating its core work and build incrementally on its strengths – its main strength being its unprecedented access to armed groups and the trust that these groups have placed in the organization and its ability to operate in a neutral and transparent manner.

Mine action and peace processes

Making areas under the control of armed groups accessible for mine clearance and victim assistance programmes has the potential of being a first step in the direction of a ceasefire or peace agreement. Mine action programmes can contribute to an environment of normalcy and an atmosphere conducive to peace. It can constitute an important confidence-building measure between parties to a conflict and between the public and the peace process. Mine clearance, specifically, creates socio-economic opportunities that may deter former combatants from returning to the use of arms.

Geneva Call should continue to make use of the confidence and trust it has established with NSAs to serve as a bridge and a facilitator in the context of peace negotiations.

In order to carry out its role as a third party, Geneva Call must remain neutral and transparent and work not only with the leadership but also with local communities.

Follow-up

As the three-day meeting came to an end, a number of participants voiced their hope that similar meetings would be organised again in the future and that follow-up activities would be initiated by Geneva Call and its partner organisations.



The spirit of the Conference: leaders of armed NSAs (Iraqi Kurdistan and Aceh Sumatra National Liberation Front) sitting with a representative of an intergovernmental organisation (European Commission), a representative of the academic world (Graduate Institute of International Studies) and a representative of Geneva Call

ANNEX I - SELECTION OF OFFICIAL STATEMENTS

Opening Address by Ambassador Thomas Greminger, Head of Political Affairs Division IV (Human Security), Swiss Federal Department of Foreign Affairs

Ladies and Gentlemen, Colleagues and Friends,

It's an honour and a great pleasure for me to address this audience dedicated to translating into reality the principles of protection of individuals and populations. This is also the heart of Switzerland's human security policy, and I feel I am among like-minded in this endeavour.

The need to engage armed groups to respect their use of anti-personnel mines comes constantly in our peace and human rights efforts. I remember this clearly also from my years in the field, particularly in Mozambique, where these devastating devices are real affliction.

I. Acknowledging the role of armed NSAs

We work in a State centred world, where States too often interact solely among themselves. However to achieve our objectives of ensuring respect for humanitarian values and mainly the protection of unarmed civilians often caught as a pawn in the cross fire of armed conflict, we need to take the reality of the existence of non-governmental armed groups into account. We have to be willing to find ways to engage all parties in a conflict, whether they are governmental or not. Major intergovernmental *fora* have already put this issue of engaging more actively with armed groups on their policy agenda, and we see a number of initial efforts to clarifying ways of doing so.

Over the last decade, the UN Security Council has repeatedly called upon armed groups to either cease military action, or to adhere to international standards during internal conflicts. The UN is currently developing a "Manual of Field Practices in Humanitarian Negotiations with Armed Groups". Similar appeals are to be found in resolutions by the European Parliament, the OSCE, the Inter-Parliamentary Union, and in the conclusions of recent meetings of States Parties to the Ottawa Convention.

II. What role for States in engaging with armed groups?

However, besides such intergovernmental efforts, individual States have been rather reluctant to look at ways of engaging armed groups.

States need to understand what motivates armed groups to use these anti-personnel mines, despite their military utility. Ways need to be found to interact in order to ban their use, because of the overwhelming human suffering that these devices cause.

The tangible realities of our peace and human rights activities offer many “contact points” with armed groups, for instance on the issues of mines, small arms and light weapons, child soldiers, business and conflict, humanitarian action, and basic respect for humanitarian norms. This means that if we are committed to our vocation as guarantors of the Geneva Convention and of the protection of the civilian population, we must be willing to think outside of our usual boxes and to see how ways can be found to engage armed groups. Your presence shows commitment to these fundamental issues and I thank you for it.

Today, States’ answers rest on *ad hoc*, short-term reactions. Instead, we need to build on a well- informed and policy-oriented strategy to engage armed groups. But we lack clarity on how to achieve that and to embed it in our global human security agenda. This is why my Ministry organised an informal meeting last week in Montreux, where representatives of interested States, experts and *former* members of armed groups had an opportunity to seek mutual guidance on feasible levels and types of State engagement with this issue.

One of our initial questions was that of the comparative advantage of existing multilateral or civil society channels and of States engaging armed groups. We heard that the issue of trust is paramount, which is why many armed groups may rather engage with members of civil society than with States directly. We agreed that we should concentrate on avenues where States could add value, and also recognise when things can be done more efficiently by others.

III. NGOs at the forefront of engagement with armed NSAs

This leads me to the central part of my address. It is true that the most advanced and effective efforts so far for engaging with armed groups come from NGOs. They have succeeded in mobilising this issue early on and have undertaken concrete and innovative demarches with armed groups.

This of course includes the remarkable work undertaken by Geneva Call in urging armed groups to commit to a ban on mines. As you know, Geneva Call is a strategic partner of my Ministry and I am pleased to be here today to express my satisfaction at its success and our continued support for this innovative way of bringing armed groups closer to the universal commitment to respect the civilian population. The Deeds of Commitment track, that seeks to bring armed groups into a parallel process similar to that which States committed to when becoming parties to the Ottawa Convention, is one of the most original and effective ways of promoting universal implementation of the Convention’s objectives.

And on this basis, this meeting will now reflect on the way forward.

IV. Way forward for Geneva Call

Now that the Deeds of Commitment track has been very effectively launched, there are many issues linked to the implementation of the mine ban. Appropriate and lasting solutions need to be found. Within our possibilities, we are willing also to consider what sort of assistance we could offer to you in this context.

Accountability and monitoring is an issue on your programme that I would like to emphasise. It is crucial to develop tools and to generate *objective* and *policy-relevant* information on progress and obstacles. This in turn helps us States willing to consider ways of engaging in formulating our own policies and initiatives. Finally, after initial success in launching a first series of DoC, the effort needs to be sustained and greater adherence needs to be obtained from within the groups as well as from new groups. So a future agenda is already there and is quite substantial. I would recommend that some of these crucial questions be examined and pursued by Geneva Call and all those working under its umbrella. In addition, your programme invites reflection on a possible expansion of the Geneva Call mechanisms to other humanitarian norms. This in itself is a worthwhile forward-thinking exercise. However I would caution against the risk of being diverted from the current focus and its immediate tasks, which are already huge.

Conclusion

We need and we want to make progress on this issue of engaging armed NSAs. This meeting is dedicated in particular to reinforcing the major contribution already made by Geneva Call. Thanks to your work and that of others such as the International Campaign to Ban Landmines, we have already today a much clearer idea of what can be done in engaging armed groups to adhere and implement these fundamental humanitarian norms, such as the ban on anti-personnel mines.

On our side, we will not only continue to support such work, but also seek complementary ways for States to engage more firmly in this area. We need to work together... to make a difference, and only by working together, do we stand a better chance of reaching our common objective.

Let me finally wish you success in your exchanges over the next few days and also an enjoyable and inspiring stay in Geneva. Thank you.

Opening Address by El Ghassim Wane, Head of the Conflict Management Division, Peace and Security Department of the African Union

I am extremely pleased to be here, more so since I almost could not make it. I have just arrived in Geneva from Abuja, Nigeria, where I have been taking part in the negotiations between the Sudanese Government and the two armed movements in Darfur. In fact, I was advised not to come as the negotiations on the Humanitarian and Security Protocols that have been tabled by the AU-led Mediation entered a very critical phase, but I felt that I should be here because the discussions that we are going to have are part of the exercise we are undertaking in Abuja. There is no doubt that a better understanding of the problematic of the Non-State Actors (NSAs) will contribute positively to our work as we work towards the conclusion of a comprehensive peace agreement between the parties in Darfur.

I am also pleased to be here to reciprocate, because, a month or so ago, we organised the Second Continental Conference of African Experts on Landmines, and Geneva Call was kind enough to respond positively to our invitation and to make a significant contribution to our deliberations. I felt that I should be here as a way of thanking them for their contribution to our efforts to achieve our goal of a Landmine-Free-Africa.

We, at the African Union (AU), deeply appreciate the efforts being undertaken by Geneva Call to contribute to the effective implementation of the Ottawa Convention and compliance with that instrument by the NSAs. As you are aware, Africa is the most affected continent in terms of landmines and their effects. Therefore, we see the initiatives taken by Geneva Call as a part of our overall efforts to promote peace and security in our continent. In this respect, I would like to stress that, at the Second Continental Conference on Landmines, which was held in Addis Ababa last September, emphasis was placed on the need to involve NSAs in the efforts to implement the Ottawa Convention. Accordingly, NGOs like Geneva Call were encouraged to engage in sustained efforts to bring on board the NSAs. As such, this meeting is extremely important to us and is in line with the ongoing efforts at the AU.

Some years ago, the OAU, which was replaced by the AU in July 2002, dealt only with representatives of governments and, whenever an internal conflict broke out in one of our member states, the automatic response was to support the government of the day, regardless of the factors that contributed to the outbreak of violence. In those days, the OAU's main focus was, understandably, to consolidate the newly independent states and to preserve their unity and territorial integrity. The only NSAs we worked with were the liberation movements fighting against colonialism and racial discrimination in various parts of the continent.

Things began to change in the early 90s, with the adoption of the Declaration on the Fundamental Changes Taking Place in the World and their Consequences in Africa and the recognition by African leaders that, for the continent to effectively address issues of peace and security, there was need to deal in a more vigorous way with the internal conflicts and their root causes. That evolution led to the adoption, in June 1993, of the Cairo Declaration on the Establishment, within the OAU, of a Mechanism for Conflict Prevention, Management and Resolution. The Protocol Relating to the Establishment of the Peace and Security Council (PSC), adopted in July 2002 and which entered into force in December 2003 provided the AU with a much stronger legal basis to deal with the conflict situations obtaining in the continent and to interact with all the actors involved.

Since the early 90s, there are very few inter-state conflicts in Africa; the border war between Ethiopia and Eritrea, which broke out in 1998, was an exception. Most of the conflicts we are dealing with today are conflicts within our own member states, and, indeed, we have no choice but to work with NSAs, if we are to have a chance to reach a peaceful solution. Nowadays, we spend much of our time with these so called NSAs, almost as much time as we spend with representatives of governments, and I believe it is a significant evolution in the orientation and work of the OAU/AU. Yet, in so doing, we continue to remain faithful to our principles on the rejection of unconstitutional changes of Government, including through armed rebellion.

Therefore, over the past decade, we have been engaging increasingly with NSAs. We were involved, significantly, in Burundi in 1994, 1995 and 1996 and we are still involved there, even though the UN has taken over the peacekeeping responsibilities in that country since June 2004, through the deployment of the United Nations Operation in Burundi (ONUB) which replaced the African Mission in Burundi (AMIB). Somalia is also a very good example of our ongoing efforts. We are in constant contact with a number of factions there and we were effectively involved in the efforts that led to the results achieved by the Somali National Reconciliation Conference in M'Baghati, Kenya, especially the establishment of the Transitional Federal Government (TFG). We are now working with all Somali factions and, of course, the newly elected President of the TFG, to deploy a peace support mission in that country. It is clear that the envisaged mission in Somalia can only succeed if we secure the co-operation of all actors involved, whether they are state actors or NSAs.

We are also undertaking similar efforts in Darfur, where the conflict pits the Government of Sudan (GoS) against two rebel movements, the Justice and Equality Movement (JEM) and the Sudan Liberation Movement/Army (SLM/A). We are dealing directly with these two movements, and they have been invited on a number of occasions to the AU HQ. The same applies in a number of other conflict situations in Africa. So, this is just to say that what we are doing on the issue of landmines should be situated in the broader context of AU's engagement of the NSAs. We have no choice, as we cannot bring about lasting peace in Africa if we do not deal with NSAs.

I would like to address one other issue which was raised by the Chairperson of Geneva Call, namely whether Geneva Call should expand its activities to cover other areas outside the landmine issue. I have listened carefully to the answer given by the representative of the Swiss Ministry of Foreign Affairs. I would beg to offer an alternative view, speaking, of course, in my own capacity. I believe that it would be, indeed, important to expand your area of interest and action, because the issue of landmines and the engagement of NSAs cannot be effectively addressed in isolation from the multiple aspects of armed conflict, whether they relate to the proliferation of small arms and light weapons, the use of child soldiers or the widespread violation of international humanitarian law. Provided you have the capacity, I believe that, in the long run and even in the medium term, it would be important to expand your action to cover other areas and engage the NSAs accordingly. In many of the African conflicts, you can see that all these aspects are closely interrelated.

Finally, I would like to emphasize on the need for organisations such as Geneva Call to interact with inter-governmental organisations like the AU, as we have a lot to learn from each other. I might be probably psychologically more prepared to speak to representatives of governments rather than representatives of NSAs. Yet we have to deal with them and we have to find the right language to speak to them. We have a lot to learn from your experience and to see how we can apply the lessons learnt to our efforts in engaging the NSAs, especially as it is most likely that we will be dealing with them for many years to come, because of the prevailing conflicts in Africa.

I thank you.

***Opening Address by James W. Rawley, Deputy Director of the UNDP
Bureau for Crisis Prevention and Recovery***

Distinguished guests, ladies and gentlemen,

On behalf of the United Nations Development Programme (UNDP), thank you for inviting me to this First Meeting of the Signatories to Geneva Call's Deed of Commitment. I would like to commend Geneva Call, the Graduate Institute of International Studies and the Armed Groups Project of the University of British Columbia for organizing this important conference.

As you are no doubt aware, the Deed has provided a framework to assist with developing an understanding amongst Non-State Actors (NSAs) that mines do not serve any military utility, nor do they serve any other purpose other than to maim and kill their own people and deny access to humanitarian assistance and recovery and reconstruction efforts. This complements the work of the UN and others working with Governments to help them reach a similar level of understanding on the futility of using mines. In a number of countries this understanding has proven to be the initial entry point for peacebuilding and confidence building work whilst reinforcing the impartiality and neutrality of the UN and NGOs, which is an important precondition to successfully work in post conflict situations. This understanding can often then pave the way for the beginning of mine action efforts, particularly in countries such as Sudan.

In Sudan we have been working closely with our colleagues in the UN Mine Action Service in the UN's Department of Peacekeeping Operations, the Government of Sudan (GoS) and the Sudan People's Liberation Movement (SPLM) to build on the initial breakthrough achieved by the signing of a Memorandum of Understanding (MoU) that explained the roles and responsibilities of each party to the MoU. For example UNDP has recently hosted a workshop for the GoS and SPLM in Nairobi that successfully developed an agreed National Mine Action Strategy for Sudan, which was agreed to well in advance of a final political settlement to the conflict in Sudan.

This focus on including NSAs in countries such as Sudan is contributing to the overall mainstreaming of conflict resolution work into UNDP's recovery and reconstruction efforts. Moreover the success in the mine action sector could provide substantial impetus to similar efforts in the areas of conflict recovery and reconstruction, small arms and light weapons and disaster management. It is important that we work together to further enhance these linkages.

The results achieved since the Deed of Commitment was opened for signature have been both exciting and ground breaking and indeed have the potential to influence other humanitarian and development endeavours. Of particular note is not only the Deed's pivotal advocacy role, but also how it has facilitated the launching of mine action operations in post conflict areas. Moreover the Deed's linkages with the Anti-

Personnel Mine Ban Convention (which is itself embedded in the principles of International Humanitarian Law) provide a potential platform for confidence building between Governments that are States Parties to the Convention and NSAs who are Signatories to the Deed of Commitment can explore possibilities for agreement on other fronts. Indeed, perhaps the participants in this conference may wish to consider how mine action experience with NSAs might serve as a model or catalyst for engaging with NSAs in other key humanitarian and development areas, bearing in mind that NSAs are a reality in many conflict areas where we work.

In closing, allow me on behalf of UNDP to congratulate you for your achievements to date and to wish you a successful conference.

Keynote Address by Jacques Forster, Vice-President of the ICRC

It is a great privilege for me to address this First Meeting of armed groups signatories to Geneva Call's "Deed of Commitment" and I wish to thank the co-organizers for giving me this opportunity. This meeting sets a notable precedent, and I commend Geneva Call, the Program for the Study of International Organisations, and the "Armed Group Project" of the University of British Columbia for undertaking this important initiative. I would also like to take this opportunity to congratulate Geneva Call for its very valuable work in engaging armed non-state actors to respect the anti-personnel mine ban.

The Geneva Call "Deed of Commitment" represents an important means of achieving the goal of alleviating human suffering through the elimination of anti-personnel mines, and we look forward to hearing your thoughts as to how this initiative might be further developed and strengthened. The goal of the elimination of anti-personnel mines is very relevant to the objective of protecting lives and of preserving human dignity in armed conflicts, which is at the heart of the work of the International Committee of the Red Cross and of our efforts to ensure respect for international humanitarian law more generally.

Many of you know the International Committee of the Red Cross from interacting with us in the field. The mission of the ICRC is to work for the faithful application of International humanitarian law and, therefore, to endeavour to ensure the protection of and assistance to all those affected by armed conflict and internal violence. In over 80 countries worldwide, the ICRC strives on the ground to fulfil this mission – by being close to those affected by the situation, by monitoring respect for international humanitarian law and by being in close dialogue with the warring parties.

In order to do its work – to ensure protection of and assistance to civilians and other victims of war – the ICRC strives to be in daily contact with all sides of a conflict, be they representatives of governmental armed forces or of non-state armed groups, whatever their allegiance. Through these contacts – including with many of you who

are present today – we encourage respect for international humanitarian law – also known as the law of armed conflict or laws of war.

The rules of humanitarian law regulate the conduct of hostilities and prevent and limit the suffering of persons affected by armed conflicts, both international and non-international. Respect for the rules of humanitarian law is vital in the mist of armed conflict: they aim at protecting civilians, internally displaced persons, sick and wounded combatants who are no longer participating in the hostilities and persons who are detained. In addition, it is important to remember that respect for these rules can also have a preventive effect on further or future conflicts. Indeed, the way a war is waged influences the way peace is built. It is in the best interest of a society, as it hopefully moves towards the resolution of a conflict, for the parties to respect humanitarian norms.

Although all parties to an armed conflict – State and armed non-state actors – are bound to respect international humanitarian law, its provisions are all too often disregarded. Where international humanitarian law is not respected, human suffering becomes all the more severe and the consequences all the more difficult to overcome. Yet the problem of lack of respect for the law is not related to the adequacy of the rules themselves; the challenge is to increase the political will on the part of the parties to a conflict to respect the rules – to improve both adherence and implementation.

Given that the majority of armed conflicts today are internal in nature, respect for international humanitarian law in situations of non-international armed conflict is of particular importance. While most rules of humanitarian law were developed in the context of international armed conflict, it is generally accepted today that many of these rules apply also to non-international armed conflicts. As stated in the Tadic decision of the Appeals Chamber of the International Criminal Tribunal for the former Yugoslavia, “what is inhumane, and consequently proscribed, in international wars, cannot but be inhumane and inadmissible in civil strife”.

From our contacts in the field, the ICRC is aware of the dilemmas faced by armed groups party to non-international armed conflicts. We are aware that, unlike government soldiers, members of armed groups could face prosecution for their mere participation in the hostilities, a prospect that could leave them with little legal incentive to comply with IHL during the conflict. We are aware that many conflicts are asymmetrical in nature; that armed groups feel limited in the means they have at their disposal to wage war. We are aware that armed groups might not consider themselves bound by treaties that they did not help to draft or to which they have not formally adhered. Our constant aim being to ensure respect for IHL in all circumstances, we are committed to a continued dialogue with armed groups, to listen to their concerns and not merely to tell them what they should do.

The ICRC remains indeed dedicated to maintaining its role as a neutral and independent intermediary, engaging in dialogue with all actors involved in or affecting the way the war is waged. As I am sure you are aware, we conduct a range of activities – with both State and non-state armed actors around the world – aimed at

making known the rules of IHL, including through the training of armed forces. In addition, through the contacts with all parties to a conflict, the ICRC negotiates for access to civilians, in order to provide them with assistance, if needed, and to monitor respect for IHL by all sides. We work with both State and non-State armed forces to assist in the development of internal codes of conduct or disciplinary measures for those who violate the law. Through the use of declarations of intention, we encourage armed groups to make an express commitment to adhere to international humanitarian law. Such express commitments may also be made through a special agreement signed by both the State and armed groups party to a conflict. Where possible, the ICRC helps to facilitate dialogue on humanitarian issues between the parties to a conflict, thus helping to establish or restore a minimum degree of trust.

Ladies and Gentlemen,

The focus of this Conference is on ensuring respect for the ban of anti-personnel mines. Geneva Call's "Deed of Commitment for Adherence to a Total Ban on Anti-Personnel Mines and for Cooperation in Mine Action" represents a valuable tool for engaging non-State actors in adhering to and implementing this important humanitarian norm.

As you know, anti-personnel mines have dreadful consequences for the civilian population. ICRC's surgeons/medical teams and delegates around the world are witnessing a profound medical, human and social crisis caused by anti-personnel mines in nearly every conflict situation in which these weapons had been or are still being used. In medical terms, they have created an "epidemic" of exceptionally severe injury, death and suffering. Epidemics are not stopped by treating their victims, but by eliminating their source. The ICRC therefore made a public appeal in 1994 for a complete ban of anti-personnel mines, adding its voice to that of the International Campaign to Ban Landmines.

Growing public abhorrence with the devastating effects of anti-personnel mines on civilians led States to adopt in 1997 the Ottawa Convention. This marked one of the very few times in history that States agreed to ban completely, on the basis of international humanitarian law, a weapon that was already in generalised use. They recognized that the very limited military utility of anti-personnel mines was far outweighed by their appalling human costs. The Convention provides a comprehensive response to the humanitarian crisis caused by anti-personnel mines: not only does it ban the use of anti-personnel mines and require their destruction, it obliges States to take a range of remedial measures to respond to the effects of anti-personnel mines on civilians, such as raising awareness in the civilian population about the dangers of mines, removing the threat of mines already in the ground through mine clearance, and assisting mine victims.

In exactly four weeks from today, the Nairobi Summit on a Mine Free World, the name given to the Convention's First Review Conference, will celebrate its successes and address the remaining challenges. And the successes are quite impressive. Today, anti-personnel mines have been stigmatized and the anti-personnel mine ban norm is

rapidly becoming universal. Three-quarters of the world's countries have joined the Ottawa Convention. Worldwide use, production and transfer of anti-personnel mines have sharply decreased, including by armed groups. Over 37 million antipersonnel mines have been destroyed by States party to the Convention within their deadlines. Significant mine clearance activities are taking place in mine-affected countries in all regions of the world. Most importantly, the ICRC has found that where the Convention is being fully implemented, the annual number of new mine victims has fallen dramatically, in some cases by two thirds or more.

But the scourge of landmines is far from over. Millions of anti-personnel mines continue to litter fields, pastures, footpaths and playgrounds around the world. This deadly legacy of armed conflicts continues to claim thousands of victims each year, and hinders post-conflict reconstruction. Vast tracts of valuable lands remain unusable due to the presence of anti-personnel mines, impoverishing communities. Too many landmine survivors are not receiving the long-term care and rehabilitation that they desperately need. As with all rules of international humanitarian law, in order to be truly effective, the anti-personnel mine ban norm must be respected by all parties to an armed conflict, State and non-State actors alike. As long as some States remain outside of the Convention, as long as stockpiles of anti-personnel mines continue to exist and parties to conflicts continue to use anti-personnel landmines, these insidious weapons will be a persistent problem. The International Committee of the Red Cross remains absolutely committed to the Ottawa Convention's humanitarian objectives and to bringing about a world free of anti-personnel mines. In this we actively encourage the States that have ratified the Ottawa Convention to engage significantly in implementing their mine clearance and victim assistance obligations under the Convention, and we actively encourage those States that have not yet joined the Convention to do so at the earliest opportunity. We also call on all armed non-State actors, whatever their allegiance, to respect the anti-personnel mine ban, with a view to protecting civilians from the effects of these indiscriminate weapons.

In order to demonstrate their commitment to this norm, armed groups should consider signing the Geneva Call's "Deed of Commitment". We congratulate the groups, including those represented here at this conference, that have already signed the Deed of Commitment. We encourage other armed groups to consider doing so at the earliest opportunity, and to fully implement its provisions. Universal adherence to and implementation of the mine ban norm will spare future generations the unspeakable suffering caused by anti-personnel mines and ensure that they live free from their silent menace.

Closing Address by Laurent Moutinot, conseiller d'État, Government of the Republic and Canton of Geneva

Au cours de ces derniers jours, vous avez eu l'occasion de débattre de sujets particulièrement chers au gouvernement de la République et canton de Genève que j'ai le plaisir de représenter aujourd'hui:

- l'extension, l'impact et le suivi des engagements pris par des groupes non étatiques armés de ne pas recourir aux mines antipersonnel;
- la promotion du droit international humanitaire au sein de ces groupes.

Les mines terrestres sont à l'origine de véritables drames humains. Outre les milliers de blessés et de morts qu'elles causent chaque année, elles ont des conséquences catastrophiques notamment en rendant les terres inutilisables, en empêchant le retour des réfugiés et en paralysant des régions entières. De même, le droit international humanitaire qui vise à protéger en temps de guerre les personnes ne participant pas ou plus aux hostilités est encore bien trop souvent bafoué.

Il ne m'apparaît pas nécessaire de rappeler ces tristes réalités que vous connaissez certainement trop bien. Il m'importe toutefois de souligner que, dans votre engagement et vos actions, vous avez tout le soutien des autorités genevoises qui, elles aussi, sont conscientes de toutes ces tragédies humaines dues au non-respect du droit international humanitaire.

La République et canton de Genève a en effet notamment le plaisir et l'honneur d'apporter sa contribution en tant que dépositaire des actes signés par les groupes armés qui s'engagent à renoncer définitivement à l'utilisation de mines antipersonnel. A cet égard, nous sommes heureux et fiers du travail remarquable qu'effectue l'Appel de Genève et l'encourageons à étendre la pratique mise en œuvre dans le domaine des mines antipersonnel à d'autres normes de droit humanitaire. L'Appel de Genève est désormais connu et reconnu dans le monde entier et contribue à la réputation de Genève, lieu de promotion du droit, de la paix et du dialogue.

Nous sommes également heureux et fiers d'accueillir à Genève toutes les institutions qui contribuent à réduire les souffrances humaines liées aux conflits armés, dont - notamment - le Comité international de la Croix-Rouge (CICR) et le Centre international de déminage humanitaire qui ont leur siège à Genève et qui ont participé activement à cette première Conférence des groupes armés signataires d'engagements à renoncer définitivement à l'utilisation de mines antipersonnel.

Enfin, je saisis l'occasion qui m'est ici donnée pour remercier tous ceux qui ont collaboré à l'organisation de cette conférence et relève en particulier la collaboration de l'Institut universitaire des hautes études internationales et de l'Université de British

Columbia. Il est en effet important de développer un maximum de synergies entre le monde académique et le terrain et par-delà les frontières.

Au nom de la République et canton de Genève, je souhaite que cette conférence ait permis d'envisager des pistes innovatrices pour l'avenir et je vous encourage à persévérer dans cette voie.

***Statement by Gustavo Laurie, Liaison Officer,
Geneva Office of UNMAS***

Distinguished Guests, Ladies, and Gentlemen,

On behalf of Mr. Martin Barber, Director of the UN Mine Action Service (UNMAS), who unfortunately cannot be here with us today, we would like to congratulate Geneva Call, the Graduate Institute of International Studies, and the Armed Groups Project of the University of British Columbia for convening this very significant event.

Geneva Call's Deed of Commitment to Ban Landmines (DoC) represents and innovative means to bring NSAs into the normative framework that is embodied in the 1997 [Mine Ban Treaty]. Adherence to this commitment by an NSA might serve to generate trust and confidence among parties to a conflict and, in some case, might help to induce a government to ratify or accede to the [Mine Ban Treaty] (e.g. Sudan).

In the case of Sudan, a country that has been at war for 27 of the last 40 years, mine action has served to stimulate confidence-building among members of the SPLM and the [Government of Sudan (GoS)], and both Geneva Call and the UN have fostered this productive engagement. The SPLM/A signed the DoC in October 2001 and reaffirmed this commitment in August 2003. The GoS, SPLM/A, and the UN signed a Tripartite Agreement on mine action in September 2002. As a result, former SPLM and government troops have participated jointly in training sessions to become deminers, and have conducted joint clearance operations in the Nuba mountains. As a result of the clearance activities made possible by this Tripartite agreement, the cost of delivering humanitarian assistance has been reduced. On 23 October 2003, the GoS ratified the [Mine Ban Treaty], and in May 2004, the GoS and the SPLM/A signed the framework peace agreement, which we hope will culminate in a comprehensive peace agreement in the near future.

We hope that the effort to convince the LTTE to agree to the DoC in Sri Lanka, will contribute to a similar process of confidence building there. In May 2004, UNMAS supported Geneva Call in convening a workshop in Jaffna to inform local NGOs and civil society groups about the global effort to ban anti-personnel mines and to obtain a commitment to ban these weapons from both the Government of Sri Lanka (GoSL) and the Liberation Tigers of Tamil Ealam (LTTE). On 14 July 2004, the GoSL stated that it would sign the Convention on Conventional Weapons and its amended Protocol

II restricting the use of landmines, as well as submit a voluntary Art. 7 report of the [Mine Ban Treaty], which would provide information on stockpiled mines and the location of mined areas in Sri Lanka.

In an efforts to further analyse how best to engage with NSAs and how to influence their behaviour, a Working Group on a UN approach to NSAs was formed under the umbrella of the UN Inter-Agency Standing Committee. The UN Mine Action team members have recognized that the mine problem cannot be solved if we do not include NSAs as part of the solution. Through the Voluntary Trust Fund for Assistance in Mine Action, UNMAS has been supporting the work of Geneva Call in countries like Burundi, the DRC, Ethiopia, India, Somalia, Uganda, Sri Lanka, Sudan, with approximately US\$335,000 to-date and a further sum in 2005.

In November 2003, the president of the UN Security Council, the UN organ which has primary responsibility for the maintenance of international peace and security, issued a statement (*Statement by the President of the Security Council on the Importance of Mine Action for Peacekeeping Operations*, S/PRST/2003/22) indicating that:

“The Security Council urges all parties to armed conflicts to abide by their mine-related commitments...”

In addition, a preambular paragraph in the 2003 General Assembly Resolution on Assistance in Mine Action (A/RES/85/127) stressed:

“... the pressing need to urge non-State actors to halt immediately and unconditionally new deployments of mines and other associated explosive devices...”

The *Revised UN Mine Action Strategy* commits the UN to achieving the objective of eliciting:

“Objective 6.5 – Commitments from non-State actors... to halt immediately and unconditionally new deployments of anti-personnel mines and comply with pertinent international human rights and humanitarian norms and standards.”

The 2003 and 2004 Secretary-General Reports to the General Assembly on Assistance in Mine Action concretely describe progress towards the achievement of the strategic objectives contained in the 2001-2005 UN mine action strategy. The 2003 Secretary-General Report to the General Assembly on Assistance in Mine Action (A/58/260) explains that:

“UNMAS has supported the work of Geneva Call to encourage armed non-State actors to uphold the principles of the Mine Ban Convention. Some non-State actors use and produce anti-personnel mines and are in de facto control of mine-affected areas. UNMAS also supported activities of the International Campaign to Ban Landmines by funding the global meeting of Landmine Monitor researchers in April 2003.”

The 2004 Secretary-General's Report on Assistance in Mine Action (A/59/284), states that the:

“United Nations mine action staff in Colombia, Sri Lanka, the Sudan and elsewhere worked closely with Geneva Call in support of efforts to elicit commitments from non-State actors to refrain from the use of landmines. United Nations colleagues also assisted in the monitoring of compliance with such commitments.”

The UN encourages UN mediators, moderators, and others involved in peace processes to raise mine action as a potential peace and confidence-building measure. This is explicitly described in the “UN Mine Action Guidelines for Ceasefire and Peace Agreements”. The Guidelines read as follows:

“The parties to the [peace] accord should commit themselves to immediately stopping the use, production, transfer and stockpiling of mines, especially antipersonnel mines. For governments, this commitment should involve ratification of, or accession to the Antipersonnel Mine Ban Convention... For Non-State Actors, this could involve signing the “Deed of Commitment” deposited with the Government of the Republic and Canton of Geneva...”

The UN Mine Action Advocacy Strategy (Goal 4) also includes a goal that reads:

“Armed non-State actors adhere to and comply with commitments and obligations to halt immediately and unconditionally new deployments of anti-personnel mines and to comply with relevant international human rights and humanitarian norms and standards.

To achieve this goal the UN aims:

Objective 4.1 To elicit commitments from armed non-State actors to comply with international norms regarding landmines or explosive remnants of war.

Objective 4.2 To elicit commitments from armed non-State actors to comply with international norms regarding the rights of persons affected by landmines or explosive remnants of war.

Objective 4.3 To monitor and report on relevant commitments by armed non-State actors in the appropriate forms.”

Despite Geneva Call's successes, much remains to be done – not only in obtaining new adherents to the DoC but also in monitoring and follow-up once the DoC is signed. We propose to work together with Geneva Call on a strategic approach towards this problem, which could include the assessment of

- the type and nature of the various armed groups that are currently using mines;

- the nature, extent and impact of mine use by these armed groups;
- the prioritization of advocacy efforts in accordance with clearly articulated criteria; and
- the identification of incentives that might be brought to bear to elicit a commitment to the mine ban, ensure access to monitor compliance, and identify measures that might induce compliance if or when violations of the commitment are identified.

We hope that this important event will take stock of what has been achieved to date, to identify gaps in our efforts, and serve as a planning forum on how to move forward toward universal respect for a global mine ban.

Thank you.

ANNEX II - SELECTION OF DECLARATIONS **MADE BY NON-STATE ACTORS**

Declaration to the Nairobi Summit by Signatories to Geneva Call's Deed of Commitment

This Declaration was drafted at the end of the Conference and distributed in Nairobi, Kenya to participants at the First Review Conference of the Convention on the Prohibition of Anti-Personnel Mines - The Nairobi Summit on a Mine-Free World, 29 November to 3 December 2004.

Considering that:

- Antipersonnel (AP) mines are weapons that do not distinguish between civilians and soldiers,
- Mines will remain active, even after the conflict has ended, causing humanitarian crisis and curbing development,
- Many displaced persons can not return home due to the presence of mines,
- Communities living in areas under the control or influence of armed non-state actors generally have poor access to humanitarian assistance.

We, the following armed non-state actors (NSAs),

- Reaffirm our commitment to ban the use of antipersonnel mines and to actively cooperate in mine action and monitoring,
- Express our satisfaction with the outcomes of the first meeting of signatories to the Geneva Call Deed of Commitment held in Geneva, Switzerland, October 31 to November 2nd and our interest in the follow-up of this important process,
- Call on all NSAs throughout the world to ban the use of AP mines in their struggles and to sign the Deed of Commitment of Geneva Call,
- Commit to actively promote, in collaboration with Geneva Call, the Deed of Commitment among non-signatory armed non-state actors,
- Are convinced that mine action can play an important role in confidence building and peace building processes among parties to conflict,

- Invite all armed non-state actors to actively facilitate the work of the international community and specialised NGOs in launching mine action and development in areas under their control or influence,
- Call on the international community and specialized NGOs to assist or increase assistance for demining, victim assistance and mine risk education programs in areas under the control or influence of armed non-state actors having signed the Deed of Commitment or who are engaged in the fight against landmines,
- Call on states to support or facilitate the work done by Geneva Call and other specialised NGOs in universalising the mine ban.

November 2004

Statement Made by the ASNLF/GAM (Acheh, Indonesia)

Madame President,
Ladies and Gentlemen,

On behalf of the people of Acheh and the Acheh/Sumatra National Liberation Front, we would like to express our esteem gratitude for inviting us to this meeting today. Although we are not a signatory of this Deed of Commitment (DoC), we are privileged to be here with you in participating in this conference.

Our organization, the ASNLF or popularly known as GAM has been struggling for the last 28 years to exercise our rights of self-determination and independence as a sovereign nation against Indonesia. Ever since then the intensity of the Indonesian mass military operation has not subsided until today.

On our side, we are always ready for a peaceful political solution, at least for a dialogue to end the hostilities. We are encouraged that the EU is taking very active initiative to this end, especially in ending the total isolation of our country, by asking the new President of Indonesia to allow foreign journalists to visit Acheh.

We have had good relations with Geneva Call but have not so far yet concluded any formal commitment due to the current unclear situation. But we do condemn the use of anti-personnel mines which is devastating to mankind even long after a conflict is over. We look forward in the future to be also a signatory of the Deed of Commitment once all the procedural matters are settled.

Our forces, the Free Acheh National Armed Forces have always tried to uphold international norms. We do not possess mines at all and we have no intention of acquiring them. Not to say the least of using them in the field because it would only expose the civilian population to the danger of these mines. Even animals living in our

tropical rainforest of our country could be affected. But it is to be noted that there is an Indonesian weapon factory, at Pindad, in Bandung, West Java, that produces anti-personnel landmines.

We commend Geneva Call for all its strenuous efforts in campaigning against the use of anti-personnel mines. We would also like to re-iterate that we would be signing the Deed of Commitment in due course.

Thank you.

Dr. Zani Abdullah
Foreign Minister in exile
State of Aceh

Press Release Issued by the CNDD-FDD (Burundi)

COMMUNIQUE N° 005/2004/OCTOBRE 28, 2004

Le CNDD-FDD lance un cri d'alarme en faveur des actions de déminage et d'assistance aux victimes des mines antipersonnels.

Le Parti CNDD-FDD demande à la population burundaise d'éviter de fréquenter des lieux à haut risque de contamination par des mines antipersonnels, dont les anciennes positions militaires. Cette mise en garde fait suite à un accident survenu le 23 Octobre 2004 près de la route reliant Musenyi et Kibuye, colline Nyarurambi, secteur Nyomvyi, commune Mpanda en Province Bubanza (Nord-Ouest du pays). Un jeune homme, Lin KARENZO, fils de Gabriel TUYAGA et de Margueritte NTIRUVAMUNDA, âgé de 24 ans, a été gravement blessé par une explosion d'une mine lorsqu'il travaillait au champ avec neuf autres personnes. KARENZO, dont au moins deux doigts de sa main gauche seront amputés, a été évacué sur Bujumbura où il reçoit des soins au Centre Hospitalo-universitaire de Kamenge (CHUK).

Il est important de souligner que les maisons situées aux alentours du lieu de l'accident ont été occupées depuis 1999 jusqu'à 2003 par une position des Forces Armées Burundaises (FAB) de Nyarurambi, qui, pour se protéger contre des attaques éventuelles des combattants des Mouvements armés, utilisaient classiquement des mines antipersonnel. Suite à cet accident qui n'est pas le premier de ce genre, le CNDD-FDD lance encore une fois son cri d'alarme au Gouvernement burundais et aux organisations humanitaires internationales de conjuguer leurs efforts en faveur des actions de déminage du Burundi et d'assistance aux victimes.

Rappelons que cet appel intervient au moment où se tient à Genève (Suisse) du 01 au 02 Novembre 2004 la première rencontre des signataires de l'Acte d'Engagement à

l'interdiction des mines, lancée par l'Appel de Genève, une organisation humanitaire. Etant l'un des 26 acteurs non étatiques signataires de cet engagement, le CNDD-FDD, encourage enfin tous les autres acteurs, étatiques et non étatiques, à mettre en application les engagements qu'ils ont signés, soit dans le cadre de la Convention d'Ottawa soit dans le cadre de l'Appel de Genève.

Pour le CNDD-FDD
KARENKA Ramadhani
Porte Parole du Parti

Letter Sent by the ELN (Colombia)

The Colombian group, Ejército de Liberación Nacional, sent a message to the meeting, explaining that they were working toward reducing the humanitarian impact of mines on the civilian population under their control and that they were seeking a humanitarian agreement with the Government of Colombia.

Mis. Elisabeth Reusse-Decrey, Presidente Llamamiento de Ginebra,
Dr. Daniel Warner, Director Ejecutivo, Programa para el Estudio de Organizaciones internacionales, Instituto de Graduados de Estudios Internacionales,
Drs. David Capie y Pablo Policzer, Proyecto de Grupos Armados - Universidad de British Columbia,
Todos los participantes en el Primer Encuentro de los Firmatarios de compromiso del Llamamiento de Ginebra,

En el Foro Internacional Minas Antipersonales y Acuerdos Humanitarios organizado y dirigido por Geneva Call y la Campaña Colombiana Contra Minas el 4 de junio del 2004 en Colombia, el Comando Central del Ejército de Liberación Nacional hizo publica la propuesta de un Acuerdo Humanitario que el ELN ha ratificado y sustentado de manera permanente a través de las comunicaciones dirigidas al gobierno y por medio de muchas intervenciones de prensa.

Sabemos que a este evento asisten hermanos de lucha alzados en armas que con su pueblo y desde sus países se levantan en contra de las estructuras de injusticia, opresión y exclusión; igual que Uds. el ELN en Colombia también lucha en armas por un mundo de paz y justicia social. Entendemos que la labor de Uds. y la de nosotros dignifica nuestro ideario político si cada día la hacemos mas humana, mas justa y mas respetuosa de los intereses y las necesidades de los mas pobres y más inteligentes de nuestras naciones. Nuestro mensaje entonces es a que trabajemos por humanizar estos conflictos mientras encontramos los caminos de la paz y construyamos un nuevo orden de justicia social y dignidad.

Miles y miles de organizaciones en el mundo trabajan hoy por la paz, el respeto a los derechos humanos y el Derecho Internacional Humanitario, por la vida y la libertad de millones de prisioneros políticos y de conciencia, por los niños que mueren en la

guerra y por los que mueren de hambre, y por muchas causas mas, a todas estas ONGs. y a Uds., que de alguna forma las representan, los saludamos y ofrecemos nuestro aporte desde aquí explorando caminos de Acuerdo Humanitario y rutas para la construcción de la paz la Justicia social. Uds. son imprescindibles en la conciencia crítica y constructiva de las naciones, en la facilitación y los buenos oficios para la solución de los conflictos, en la reflexión colectiva y en el trabajo de campo y en su misión por la paz.

Conocemos que en este evento Uds. trabajarán el tema de “Relación entre la acción contra minas y procesos de paz” queremos aportar a la reflexión informándoles el estado actual del acercamiento entre el ELN y el Gobierno colombiano:

- La humanización del conflicto expresada en la atención y solución de la crisis humanitaria, en la protección de la población y atención a las victimas y en la regulación de armas, es un camino hacia la construcción de la Paz.
- En la actualidad hemos hablado y ratificado nuestra propuesta de cese al fuego bilateral y temporal, que junto a un acuerdo sobre limitación del uso de las minas y artefactos explosivos y una amnistía general para los presos políticos y prisioneros de guerra, conforman un Acuerdo Humanitario que podría crear confianzas entre las partes y generar un amplio apoyo nacional e internacional. En toda guerra y en todo proceso de paz se requiere de unas normas que regulen el uso del armamento, el cuidado y la protección de la población, el asunto de los prisioneros de guerra, de no atinarse en esta materia, la guerra se puede precipitar hacia escenarios desalmados, hacia donde el ELN jamás irá.
- En particular un convenio sobre la limitación del uso de minas y artefactos explosivos será objeto de discusión y trabajo una vez este proceso de exploración nos conduzca a la mesa de dialogo con el Gobierno Nacional.
- La propuesta de Acuerdo Humanitario nació de nuestra iniciativa, el gobierno ha esquivado responder a ella. Las bases para un acuerdo de esta naturaleza son la bilateralidad, la reciprocidad y la formalidad de un acuerdo entre dos partes, no podemos seguirnos moviendo en el campo de los gestos unilaterales donde el gobierno esquiva compromisos.
- Hemos enviado correspondencia al Gobierno colombiano donde preguntamos sobre el tema esencial que permitirá construir un camino de paz para Colombia preguntando si el actual gobierno, en un posible proceso de paz, estaría dispuesto a realizar transformaciones sociales, económicas y políticas, donde se mejore sustancialmente la vida de todos los colombianos. Sin esta premisa todo proceso de paz es incierto.

- El mundo ha dicho que en Colombia existe un conflicto interno, y el presidente se empeña en desconocerlo, y pretende que la insurgencia acepte un tratamiento de delincuentes. Un posible diálogo entre las partes será posible cuando haya el reconocimiento a nuestra condición política y se vayan despejando los interrogantes.
- El diálogo verdadero coloca al centro el interés nacional y supera la intención de una parte por sacar ventajas para sí. En segundo lugar es un diálogo incluyente, en la medida que prioriza la participación de la sociedad en la superación de la crisis de la sociedad y del conflicto mismo. Tercero es entender que a través del diálogo deben buscarse las causas sociales que originaron el conflicto y que sólo con su superación el conflicto cederá. Todo diálogo que se aparte de estas tres premisas es un diálogo falso.

Por otra parte el Gobierno colombiano está desarrollando una negociación con los paramilitares y nos preocupa seriamente su rumbo, puesto que son los paramilitares que han realizado las más grandes masacres de la historia de América Latina y todo parece indicar que este gobierno va a legalizar las fortunas de estos actuales narcotraficantes e indultar todos sus crímenes de lesa humanidad. Seguramente que legalizará los cientos de miles de hectáreas de tierra que les fueron robadas a los campesinos a sangre y fuego, es bueno que el mundo sepa que estamos ante un hecho desamparante de legalización del crimen.

El mundo clama hoy con igual urgencia la necesidad de la paz y la solución del hambre; la superación de este largo conflicto de guerra y de hambre nos convoca a todos los presentes a conformar una unidad de acción y de pensamiento en torno a un proyecto común de humanización del conflicto y de trabajo por la paz y la justicia social. En tal sentido estamos interesados en conocer sus experiencias en torno a acuerdos humanitarios, a la firma de compromisos de desminados y sus efectos sobre la seguridad de las fuerzas insurgentes y la población.

Este intercambio de ideas y esperanzas que hemos iniciado no se puede terminar aquí, estamos interesados en darle continuidad y alimentarlo a través de nuestros amigos comunes y de nuestra página Web: www.eln-vozes.com

Invitamos a todas las organizaciones presentes y a los organizadores de este evento para que nos sigan acompañando en este proceso de construcción de un Acuerdo Humanitario.

Comando Central
Ejército de Liberación Nacional
Montañas de Colombia
Octubre 29 del 2004

Oral Statement Delivered by the Chairman of the SNF/SRRC (Somalia)

Ladies and Gentlemen,

As you are aware, Somalia has experienced 14 years of civil war. As a result, so much life has been lost. Among the arsenal used were landmines. These have caused a devastating effect on human beings and property, and have led vast agricultural land to waste.

I am one of the signatories to the Deed of Commitment from Somalia. I am glad to report that I represent all the other colleagues who have signed the Deed of Commitment from Somalia. Although we expect a working government soon, the problem is beyond way and above a new cherished government.

In South and Central Somalia alone there are hundreds of thousands of mines. The complexity of the problem is made worse by the fact that these regions are unstable. I would therefore urge Geneva Call not to relent in their advocacy since Geneva Call is already a household name.

What might have been seen or reported is just the tip of the iceberg. Lives of humans and livestock are lost on a daily basis due to this menace in the areas of Middle and South Somalia. The situation is made more complex by the fact that recurring conflicts occur in these areas. An example is the current conflict between the SPM and the JVA that affects almost four provinces. The question is should the international community ignore the plight of the inhabitants. I request Geneva Call not to do so.

In conclusion I would like to assert that I am ready to discuss the location of minefields in GEDO region and the stocks held by SNF/SRRC, the group I chair. Finally, although I cannot speak for the other groups regarding their stockpiles, I have been sent to assure you that they are willing to discuss openly with Geneva Call as and when called upon regarding the above subject.

Thank you.

Mohamud Sayid Aden
Chairman
SNF/SRRC

**ANNEX III - DEED OF COMMITMENT UNDER
GENEVA CALL FOR ADHERENCE TO A TOTAL BAN ON
ANTI-PERSONNEL MINES AND FOR COOPERATION IN
MINE ACTION**

"We, the undersigned rebel movement or armed group («Non-State Actor»), through our duly authorized representative".

Recognising the global scourge of anti-personnel mines which indiscriminately and inhumanely kill and maim combatants and civilians, mostly innocent and defenceless people, especially women and children, even after the armed conflict is over;

Realising that the limited military utility of anti-personnel mines is far outweighed by their appalling humanitarian, socio-economic and environmental consequences, including on post-conflict reconciliation and reconstruction;

Rejecting the notion that revolutionary ends or just causes justify inhumane means and methods of warfare of a nature to cause unnecessary suffering;

Reaffirming our determination to protect the civilian population from the effects or dangers of military actions, and to respect their rights to life, to human dignity, and to development;

Resolved to play our role not only as actors in armed conflicts but also as participants in the practice and development of legal and normative standards for such conflicts, starting with a contribution to the overall humanitarian effort to solve the global landmine problem for the sake of its victims;

Accepting that international humanitarian law and human rights apply to and oblige all parties to armed conflicts;

Acknowledging the norm of a total ban on anti-personnel mines established by the 1997 Ottawa Treaty, which is an important step toward the total eradication of landmines;

NOW, THEREFORE, hereby solemnly commit ourselves to the following terms:

1. TO ADHERE to a total ban on anti-personnel mines. By anti-personnel mines, we refer to those devices which effectively explode by the presence, proximity or contact of a person, including other victim-activated explosive devices and anti-vehicle mines with the same effect whether with or without anti-handling devices. By total ban, we refer to a complete prohibition on all use, development, production, acquisition, stockpiling, retention, and transfer of such mines, under any circumstances. This includes an undertaking on the destruction of all such mines.

2. TO COOPERATE IN AND UNDERTAKE stockpile destruction, mine clearance, victim assistance, mine awareness, and various other forms of mine action, especially where these programs are being implemented by independent international and national organisations.
3. TO ALLOW AND COOPERATE in the monitoring and verification of our commitment to a total ban on anti-personnel mines by Geneva Call and other independent international and national organisations associated for this purpose with Geneva Call. Such monitoring and verification include visits and inspections in all areas where anti-personnel mines may be present, and the provision of the necessary information and reports, as may be required for such purposes in the spirit of transparency and accountability.
4. TO ISSUE the necessary orders and directives to our commanders and fighters for the implementation and enforcement of our commitment under the foregoing paragraphs, including measures for information dissemination and training, as well as disciplinary sanctions in case of non-compliance.
5. TO TREAT this commitment as one step or part of a broader commitment in principle to the ideal of humanitarian norms, particularly of international humanitarian law and human rights, and to contribute to their respect in field practice as well as to the further development of humanitarian norms for armed conflicts.
6. This Deed of Commitment shall not affect our legal status, pursuant to the relevant clause in common article 3 of the Geneva Conventions of August 12, 1949.
7. We understand that Geneva Call may publicize our compliance or non-compliance with this Deed of Commitment.
8. We see the desirability of attracting the adherence of other armed groups to this Deed of Commitment and will do our part to promote it.
9. This Deed of Commitment complements or supersedes, as the case may be, any existing unilateral declaration of ours on anti-personnel mines.
10. This Deed of Commitment shall take effect immediately upon its signing and receipt by the Government of the Republic and Canton of Geneva which receives it as the custodian of such deeds and similar unilateral declarations.

ANNEX IV - ABOUT THE ORGANIZERS



Geneva Call is an impartial, international humanitarian non-governmental organisation formed under Swiss law, launched in March 2000 with the objective to engage armed non-State actors (NSAs) worldwide to adhere to a total ban on AP mines and other humanitarian norms. To facilitate this process, Geneva Call provides a mechanism whereby NSAs, who are not eligible to enter into formal treaty processes, can commit themselves to the mine ban norm by signing a “Deed of Commitment for Adherence to a Total Ban on Anti-Personnel Mines and for Cooperation in Mine Action”. They also consider that their commitment is a first step or part of a broader commitment in principle to the ideal of humanitarian norms. The custodian of these Deeds is the Government of the Republic and Canton of Geneva.

To date, 27 NSAs have signed the Deed of Commitment, stopped using landmines and support mine clearance and victim assistance programs in areas under their control.

www.genevacall.org

PSIO PROGRAM FOR THE STUDY OF
INTERNATIONAL ORGANIZATION(S)

The Graduate Institute of International Studies created the **Program for the Study of International Organization(s)** in 1994 to facilitate collaboration between the international and academic communities in Geneva and worldwide. It is both a research program aiming to further the study of international organization(s) and a forum designed to stimulate discussions between academics and policy makers within the environment of the Graduate Institute and Geneva.


The Program harkens back to the original mandate of the Graduate Institute with the establishment of the League of Nations in Geneva and recognizes the growing importance of Geneva as one of the world’s centres for international organizations.

www.unige.ch/psio/index.html

**ARMED
GROUPS
PROJECT**

The **Armed Groups Project** is an international research network that brings together scholars, policy makers, and humanitarian actors to discuss policy-relevant research about the instruments available to the international community to curb human rights and humanitarian violations committed by armed groups.

www.armedgroups.org



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Rapporteurs

Simone Buchman
Kevin de Souza
Ilaria Ercolano
Anne Glatz
Martin Georgos Kelemenis
Alexandra Spanu
Gabriella Steinemann
Melissa Su Thomas
Dima Yared
Helena Zihlerl

Interpreters

Anouk Alena
Delphine Brunel
Jennifer Cassels-Scupham
Cristina Fertis
Claudia Fresan Payas
Christel Goumaz
Alistair Sparke

APPEL DE GENÈVE LLAMAMIENTO DE GINEBRA

GENEVA CALL

P.O. Box 334
1211 GENEVA 4
SWITZERLAND
TEL: +41 22 879 1050
FAX: +41 22 879 1051
E-MAIL: info@genevacall.org
WEBSITE: www.genevacall.org



PSIO PROGRAM FOR THE STUDY OF INTERNATIONAL ORGANIZATION(S)

Institut universitaire de hautes études internationales, Genève

HEI

THE GRADUATE INSTITUTE OF
INTERNATIONAL STUDIES
P.O. Box 36
1211 GENEVA 21
SWITZERLAND
TEL. +41 22 908 57 00
E-MAIL: psio@hei.unige.ch

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GROUPS
PROJECT**

ARMED GROUPS PROJECT
WEBSITE: www.armedgroups.org