It is a great honour for me to participate in the 10th anniversary of the Convention for the Elimination of Antipersonnel Mines. In 2005 I was the third generation Nicaraguan diplomat responsible for the follow-up of the Convention in Geneva, and was honoured to co-chair with my Norwegian colleagues the Standing Committee on Victim Assistance and Socioeconomic reintegration. I say a third generation diplomat because there is a long tradition of Nicaraguan women involved in the Convention. After taking a leave absence from the Ministry I was privileged to experience the Convention through fairly different standpoints, as Landmine Monitor researcher and subsequently as victim assistance consultant for Implementation Support Unit at the Geneva International Centre for Humanitarian Demining (GICHD). I have been privileged to contribute to the works of this Convention, and overall to be a part of the strong partnership between States and civil society that has transformed international law as we once knew it.

Today I would like to discuss with you three things. What makes the Convention for the Elimination of Antipersonnel Mines different to other international instruments and unique in its kind? Which mechanisms have been put in place to make implementation possible, understandable and followed? How can State Parties continue to prioritize and remain committed to the Convention amid pressing demands in other areas by their constituencies?

Nicaragua and the world are certainly more secure today than they were 10 years ago. State Parties have halted the use of landmines and the majority of non State Parties observe the Convention; they have destroyed their stockpiled mines in compliance to their deadlines; they have progressively removed mines from the ground; and though
lagging behind on victim assistance, State Parties are more aware and committed to the needs of landmine survivors. A large part of this success is due to the partnership between governments and civil society since the inception of the Convention.

Nicaragua is an example of how a small country with limited resources can actively participate in decision-making at the international level.

**Unique Convention and follow-up mechanisms**

The implementation of the Convention was the result of political will and continued commitment of State Parties and civil society; negotiation and signing of the Convention was only the first step in riding the world from landmines. Success in the implementation of the Convention owes a great deal to the thinking and negotiation that took place after it was adopted. The first three meetings of the State Parties were crucial in establishing the mechanisms of the implementation process as we know it today.

The Convention is implemented simultaneously at three levels: at the international level where the mine action community meets on a yearly basis to evaluate progress; at the national level where priorities are established; and at the local level where activities are implemented.

At the **international level** implementation of the Convention has been successful due to its structure, participation and transparency.

**Structure**

In terms of structure, the regionally balanced and permanent partnership between mine affected and non mine affected State Parties, established in the bodies of the Convention has been significant in terms of ownership and legitimacy. Mine affected State Parties, usually among the poorest countries in the world and generally exerting little influence in the international agenda; participate actively in the decision-making process of this Convention which has resulted in greater commitment to its implementation. Nicaragua
has been one of those countries and the fact that it participated actively at the international level reinforced its commitment at the national level. Also for the first time in an international setting civil society has had a role beyond that of advocate or observer; it has directly influenced decision-making, outcomes and results.

The downside to this approach is that partnership is generally focused on very few countries - committed donors and a few mine affected State Parties; leaving the Convention in the hand of the same players. If we consider that success of the Convention is due in large part to the involvement of small and medium States Parties, then efforts should be made to encourage a wider participation at the decision-making level. Nicaragua which has been one of those key players is nearing completion of its 2009 deadline and will most likely become less involved in the future works of the Convention. Which mine affected countries will carry on with the leadership?

Participation

Regarding participation the Sponsorship Programme has been crucial in advancing the Convention. It is likely that many mine affected State Parties would not have become as involved in the implementation of the Convention had this program not existed. Likewise the ICBL has guaranteed a permanent presence of NGOs. The direct effect of this ample participation is two-fold: a balanced representation of governments and civil society working at the national level and contribution to a more meaningful understanding of the scope of the problems and its challenges.

Transparency

Finally, the success of the process at the international level owes a great deal to transparency. Reporting has been essential in substantial follow-up and an important source in anticipating challenges. The Landmine Monitor Report has been a reliable source to monitor and verification of information provided by governments, through their Article 7 Reports. The potential limitation into the formal reporting mechanism of the Convention and the informal verification provided by civil society is that mine action is evaluated from stand alone perspective, taking into account to a limited extent the
developmental dimension of the problem. If we think of mine action in purely humanitarian terms, then there is room for an isolated analysis of the problem, such as in conflict or immediate post-conflict areas. Nevertheless, after the initial post-conflict phase is over the more complex task of budgeting and prioritization takes place at the governmental level. Seeing mine action through this broader perspective remains a challenge.

However the elements that have contributed to the follow up of the Convention at the international level: structure, participation and transparency, do not necessarily replicate at the national level. In fact there is a gap with what is discussed and decided at the international level and how it is translated into practice at the national and local level. In some State Parties there maybe strong mine action offices delimitating priorities and working in partnership with local NGOs, in other countries this may be virtually inexistent. The different development stages between State Parties make it difficult to analyze this gap from a one size fits all approach. Instead, I would like to identify some of the common problems faced by governments in implementing the Convention at the national and local level, to reflect the gap between the international framework and the national level using the victim assistance pillar as an example.

One of the main findings of the 2004 First Review Conference was that victim assistance unlike other pillars of the Convention was difficult to measure in a sound way. In 2005 the Standing Committee of Victim Assistance and Socio Economic Reintegration, then headed by Nicaragua and Norway launched the “Victim Assistance Questionnaire,” to provide a State Parties with a mechanism to establish a national plan on victim assistance and to provide the Convention with a tool to measure progress in this area. However, up until now few countries have established comprehensive plans of victim assistance. The victim assistance questionnaire is virtually unknown to those outside the mine action world at the national level. The ISU-GICHD is making efforts to bridge the gap with what is discussed at the international level and what is actually taking place at the national level by making in-country visits. Yet this example reflects the different speeds
Commitment to the Convention

I would now like to turn to one of the most remarkable aspects of this Convention, the continued commitment by State Parties and civil society to its implementation. How can State Parties confronted with complex realities and priorities at the national level and pressing demands from their constituencies, including lack of basic services, food shortages, a wide array of diseases, among others, continue to remain committed to its implementation? Well they have no option but to do so, because they assume the obligation by the conventions. It’s important to recover the spirit with which the Convention was forged.

I believe the continued partnership between government and civil society is crucial. Civil society needs to continue participating actively at the national level to pressure governments to live up to its commitment.

Thank you very much for your attention.