

Mr Daniel Ávila Camacho
Director
PAICMA
Carrera 10 #24-55
Bogotá
Colombia

Geneva, 12 April 2012

Re: Humanitarian Demining by Civilian Operators in Colombia

Dear Mr Ávila Camacho,

I am writing on behalf of the International Campaign to Ban Landmines (ICBL), a global network of non-governmental organizations working to eradicate antipersonnel landmines and co-laureate of the 1997 Nobel Peace Prize on the subject of humanitarian demining in Colombia.

The ICBL, and its member the Colombian Campaign to Ban Landmines, are concerned about the recent report called "El Desminado Humanitario en Colombia" by the Procuraduría General de la Nación, issued in December 2011, which expresses doubts that civilian demining organizations should conduct humanitarian mine clearance in Colombia. The report appears to undermine years of efforts aimed at increasing Colombia's capacity to clear its mined areas in a prompt manner, in accordance with its legal obligation under the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on Their Destruction (or Mine Ban Treaty), while ensuring the safety of local communities. The creation of a significant civilian demining capacity was also an important part of Colombia's request for a 10-year extension to its clearance deadline, approved by States Parties in December 2010.

The Mine Ban Treaty commits each State Party to "make every effort to identify all areas under its jurisdiction or control in which anti-personnel mines are known or suspected to be emplaced", and to clear these areas "as soon as possible." Colombia must therefore do all in its power to increase its demining capacity, including by ensuring civilian demining organizations are allowed to operate wherever this can be done in accordance with the strong regulatory framework established by the Law 1421, Decree 3750, Rules and Procedures of the Inter-Institutional Instance for Humanitarian Demining, and National Standards on mine action.

Under this framework, civilian demining organizations would be deployed only when security allows, in areas where non-state armed groups are no longer active and where landmines have no perceived strategic value. Clearance activities could be halted if the security situation deteriorates. An appropriate assessment would ensure that local communities are not put at risk. As a matter of fact, in conflict situations, affected populations often prefer if landmine clearance is conducted by civilian organizations that are perceived as more neutral than the military.



1997 Nobel Peace Prize Co-Laureate
www.icbl.org

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CAMPAIGNING SINCE 1992

**International Campaign
to Ban Landmines**

9, Rue de Cornavin
CH-1201 Geneva, Switzerland
Tel: +41.22.920.03.25
Fax: +41.22.920.01.15
icbl@icblcmc.org

The ICBL strongly believes that civilian demining organizations, many of which are members of the ICBL, are an essential asset in any national mine action strategy, given their lengthy experience in conducting mine action in an efficient and effective manner. In addition, they often receive direct support from donors, increasing the funding and other resources available for the affected state. For these reasons, the vast majority of mine-affected states make use of non-profit organizations and commercial entities to carry out all aspects of mine action, either alone or alongside military deminers.

Civilian demining organizations have also been active in countries with ongoing conflict. These organizations have collectively gained decades of expertise in mitigating risk related to operations in conflict environments. Experience has demonstrated in a number of countries, including Afghanistan, Iraq and Sudan, that by taking a range of preventive measures, the operators can ensure that any potential risk is managed adequately, and that both affected communities and deminers are appropriately protected.

The world's eyes are turned to Colombia since the highly successful 2009 Cartagena Summit on a Mine-Free World. It would therefore be very disappointing if Colombia chose not to apply widely accepted international practices in humanitarian demining, and to disregard lessons learned from other mine action programs where civilian demining organizations operate successfully in conflict situations.

Any further delay in allowing civilian demining organizations to conduct humanitarian mine clearance in Colombia only increases the risks for populations in affected areas, and hampers the full realization of the fundamental human rights of Colombian citizens such as security, adequate standard of living, and the right to economic and social development. It will also call into question Colombia's ability to respect the commitments it made in its clearance extension request, and may negatively affect Colombia's ability to attract international funding for mine action.

The ICBL urges Colombia to find a way forward in the promptest manner to allow life-saving clearance activities by civilian demining organizations. We stand ready to discuss this important matter with you in the spirit of openness and partnership that characterizes our relations.

I am at your disposal for further exchanges by email at kasia@icblcmc.org or by phone at +41-22-920-0320.

Please receive the assurance of my highest consideration.

Sincerely,



Kasia Derlicka
Director

- cc. H.E. Mr Juan Carlos Pinzón Bueno, Minister of National Defense, Colombia
H.E. Ms Alicia Victoria Arango Olmos, Permanent Representative, Permanent Mission of Colombia to the United Nations in Geneva
Mr Alvaro Jiménez Millán, National Coordinator, Colombian Campaign to Ban Landmines