

**MEETING OF THE STATES PARTIES TO
THE CONVENTION ON THE PROHIBITION
OF THE USE, STOCKPILING, PRODUCTION
AND TRANSFER OF ANTI-PERSONNEL
MINES AND ON THEIR DESTRUCTION**

16 January 2007

ENGLISH ONLY

**Seventh Meeting
Geneva, 18 – 22 September 2006**

**TURKEY'S VIEWS ON UNIVERSALISATION OF THE MINE BAN
CONVENTION AND THE COMPLEMENTARY ROLE OF NON-
GOVERNMENTAL ORGANISATIONS¹**

Presented by Turkey

1. For the Mine Ban Convention to reach its target of a mine free world, universalisation is of paramount importance.
2. The States Parties underlined the importance of universal adherence at the Nairobi Summit in 2004, when they drew up the Nairobi Action Plan, a political document on the way forward for 2005-2009. A positive, progressively evolving trend of universalisation is continuing, with the number of States Parties having reached 151. Turkey looks forward to the accession of other States to the Convention as soon as possible. In this context, Turkey, with many of its neighbours not having acceded to the Convention thus far, expects more efforts to be exerted in geographic regions that lag behind in terms of accession to the Convention. Turkey will continue to play its part with a view to raising awareness on the Convention, including in her neighbourhood.
3. The Mine Ban Convention confers certain rights and duties to the States Parties. Certain Articles of the Convention do refer to NGOs. However, these references do not authorise the NGOs to directly participate in the implementation of the Convention.
4. Against this background, in the Nairobi Action Plan, amongst matters essential for achieving the Convention's aims, States Parties also addressed the question of mine action to assist affected populations in areas under the control of "armed non-state actors". The Convention itself does not contain any provision regarding "armed non-state actors", a particularly delicate issue since there is no definition of "armed non-state actors". Nevertheless, States Parties, which are in a position to do so, have stipulated to work, as appropriate, towards such a goal in the context of Action 46 of the Plan. Some States Parties have benefited from the

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work of the NGOs in this context. However, it should be underlined that Action 46 is formulated to assign a task only to States Parties. NGOs, of course, can be helpful to a State Party in the performance of its task. Nonetheless, NGOs could not be a substitute for States Parties. Therefore, for them to play a role in this context, the consent of the State Party concerned is a prerequisite, irrespective of the venue of such engagements.

5. This understanding has been reflected in paragraph 17 of the Zagreb Progress Report and paragraph 48 of the Final Report of the Sixth Meeting of States Parties (APLC/MSP.6/2005/5 dated 5 April 2006). This paragraph reads: “Also in this context, as rights and obligations enshrined in the Convention and commitments in the Nairobi Action Plan apply to State Parties, some State Parties are of the view that when engagement with armed non-state actors is contemplated, State Parties concerned should be informed, and their consent would be necessary in order for such an engagement to take place.”

6. In paragraph 8 of the Geneva Progress Report, there is a reference to an NGO, namely the Geneva Call, and further signings of its “Deed of Commitment”. One of these signings took place without the prior information and consent of the State Party concerned, the Republic of Turkey. Consequently, it contradicts the understanding of a number of States Parties, including Turkey, in paragraph 17 of the Zagreb Progress Report and, therefore, is inappropriate and unacceptable.

7. Moreover, the interlocutor declared by the Geneva Call to have signed the so-called “deed of commitment” is PKK/KADEK/KONGRA-GEL, which is a terrorist organisation that is on the lists of international terrorist organisations of the European Union, NATO and a number of States Parties. As such, this should be an eye opener for all, and States Parties should all act with utmost caution and prudence in order to prevent that work carried out in conjunction with the implementation of the Convention is not exploited for the purposes of terrorism.

8. NGOs can play an important supporting role in the implementation of the Convention. However, they have the obligation to conduct their work in a responsible and acceptable manner. They must demonstrate utmost care so that they do not become instrumentalised. Otherwise, this will not only diminish their credibility and tarnish their own reputation, but also place countries that support them in an inappropriate position. This Convention is between States Parties; divisions should not be introduced between them. Wrong signals should not be sent to countries that are seriously contemplating acceding to the Convention.
