Recall the text of the article – paragraphs 1 & 2

Highlighting that High Contracting Parties shall record and retain were practicable information on the use of ERW in an armed conflict, and the agreement to without delay, after the cessation of hostilities, transfer information – subject to legitimate security concerns – to parties or the party in control of the area – bilaterally or through the UN. Thus there is a basic recognition of responsibility to protect --but with some caveats

UNMAS remarks are associated with the transfer of information by High Contracting Parties and parties to an armed conflict who have used or abandoned explosive ordnance that may have become explosive remnants of war

Over the last decade UNMAS has received information post conflict (or in a pause in conflict) in a number of countries for example Afghanistan (2002) – Coalition Cluster strikes enabling rapid and targeted removal.

Also in Afghanistan today were it has been recognized that there is a legacy of ERW on firing ranges. The Regional Arrangement has shared with UNMAS the front gate points of these areas. This involves ERW contaminated areas perhaps amounting to 2,500 sq. km – thus an area maybe 5 times greater than the current MF contamination – albeit the task will be Battle Area Clearance (BAC) for surface contamination.

In Libya UNMAS received data on airstrikes - but this was partial and related to failed strikes and not to strikes on ammunition bunkers which in themselves added to the ERW problem due to throw out. UNMAS has also received information in Mali – so the experience is one of post conflict and during conflict.

UNMAS does however think there are a number of issues that should be drawn to the attention of the meeting that could perhaps be applicable to conflicts in the future

We perceive that the caveat of not releasing information because it is subject to legitimate security concerns needs some review – as this seems to lead to partial information being given to UNMAS;

We believe there is perhaps a gap in the protocol in terms of how regional arrangements transfer their information;

We perceive that there is inconsistency in the transmission of information – and this might be related to the subject of legitimate security concerns;
We also perceive that the mechanisms for sharing information as outlined in the Technical Annex are lose,

And finally we recognize that the timeliness of transmission is variable.

UNMAS therefore recommends that further work is done on un-classifying the classified so that information can be released,

That the reasons for releasing data are restated and better understood;

And that the mechanism structures for passing information are investigated and perhaps reshaped – and lifted from local mechanisms to a more formalized process.