

**Mine Action Review comments on:
Review of the operation and status of the Convention 2021-2026
(agenda item 5(a))
(delivered by NPA on behalf of Mine Action Review)**

CCM Second Preparatory Meeting for the Third Review Conference, 1 July 2026

Thank you, Mr President.

We also wish to thank the Presidency of the Lao PDR for its dedicated efforts in preparing the draft substantive documents for the Third Review Conference. We also congratulate Austria on its appointment as president designate of 14MSP.

Mine Action Review has already submitted detailed written comments on the draft Review Document. We would, however, like to reiterate the importance of ensuring that the Review Document comprehensively reflects *all* reported instances of cluster munition use during the review period, as will also be highlighted by our colleagues from the Cluster Munition Coalition.

This should include the recent alleged use of cluster munitions in the territory of the State Party, Mali. The presence of unexploded submunitions has been reported in two regions of Mali following airstrikes conducted in May 2026. These allegations warrant prompt and thorough investigation.

The Malian authorities have claimed responsibility for strikes in which cluster munitions were allegedly used, which if they were used, would make Mali responsible for the acquisition, stockpiling, and use of cluster munitions – all serious violations of Article 1 of the CCM. Mali would also be responsible if Africa Corps, which has been engaged by Mali to assist the Malian armed forces (FAMA) in suppressing domestic rebellions and which has engaged in military operations together with FAMA, itself used cluster munitions. Africa Corps, which officially replaced the Wagner Group in June 2025,¹ operates under the authority of the Russian Ministry of Defence.² In Mali, it also acts as a State agent of Mali, which bears responsibility for Africa Corps' acts under international law.³

The Review Document should also reflect the use of cluster munitions by non-signatory Thailand against non-signatory Cambodia, as well as the possible, though as yet unconfirmed, use of cluster munitions by non-signatory Pakistan on the territory of State Party Afghanistan. The latter allegation has been communicated by Afghanistan in its most recent Article 7 transparency report.

¹ "Au Mali, les Russes de Wagner quittent le pays, remplacés par ceux d'Africa Corps", *Le Monde*, 6 June 2025, <https://bit.ly/4uJolXE>; "Is Russia losing influence in Mali after rebel advances in Kidal", *The New Arab*, 29 April 2026, <https://bit.ly/4fhzlvV>; and Makuochi Okafor and Hafsa Khalil, "Russian fighters confirm withdrawal from northern Mali city after separatist attacks", *BBC*, 27 April 2026, <https://bit.ly/4tXvaJg>.

² Africa Corps is overseen by Russia's Deputy Minister of Defence Yunus-Bek Yevkurov. Major-General Vladimir Selivyorstov, a former member of the Russian Air Force, is believed to be the Africa Corps commander in Mali. S. Lawal, "Mali crisis: Who are the key leaders to know about?", *Al Jazeera*, 30 April 2026, <https://bit.ly/4vuHtOp>.

³ The conduct of an entity that is not a State organ but which is empowered by the law of that State to exercise governmental authority is an act of the State under international law. That is so, as long as the entity was acting in that capacity in the relevant instance. Article 5: "Conduct of persons or entities exercising elements of governmental authority", in ILC Draft Articles on State Responsibility, 2001.

According to its Article 7 report, Afghanistan has received reports and photographic evidence from communities living near the Durand Line alleging the use of cluster munitions by the Pakistani military. However, due to the security situation, rapid response teams have been unable to access the affected areas to confirm, survey and record any new contamination. Afghanistan further reports that the Mine Action Programme of Afghanistan (MAPA) needs to conduct survey, explosive ordnance disposal, and clearance operations across 30 districts and more than 600 communities along the Durand Line. Afghanistan has committed to provide the Implementation Support Unit with any further developments, particularly regarding the alleged use of cluster munitions by the Pakistani military.

Afghanistan remains a State Party to the Convention and continues to be legally bound by its obligations, irrespective of the question of international recognition of the current authorities. At present, Article 7 transparency reports constitute the only formal channel through which Afghanistan can communicate with fellow States Parties. It is therefore essential that the information contained in these reports is duly reflected in the Convention's reporting and review processes.

Mine Action Review hopes that States Parties can identify practical modalities to enable the Directorate of Mine Action Coordination (DMAC) to provide substantive updates on Afghanistan's implementation of the Convention at future treaty meetings, including on clearance, victim assistance, and any new reports of cluster munition use in areas under Afghanistan's jurisdiction or control, including through virtual participation where appropriate.

I thank you.