

## KEY DEVELOPMENTS

The six-week armed conflict between Armenia and Azerbaijan that broke out in September 2020 ended with Azerbaijan regaining control over seven districts of its internationally recognised territory, in addition to part of Nagorno-Karabakh. All parties to the conflict used cluster munitions in the course of the conflict but the extent of the resultant contamination from cluster munition remnants (CMR) in areas under Azerbaijan's jurisdiction and control is not yet known. A massive clearance effort of areas containing mines and explosive remnants of war (ERW), including CMR, is underway. The work involves the Army, the Ministry of Interior, and the Mine Action Agency of the Republic of Azerbaijan (ANAMA, formerly the Azerbaijan National Agency for Mine Action).

## RECOMMENDATIONS FOR ACTION

- Azerbaijan should commit to never again use cluster munitions and should accede to the Convention on Cluster Munitions (CCM) as a matter of priority.
- Azerbaijan should comply with its obligations under international human rights law to clear CMR on territory under its jurisdiction or control as soon as possible.
- ANAMA, which serves as the de facto national mine action centre, should work to establish a robust nationwide baseline of CMR-contaminated area using evidence-based non-technical and technical survey.
- Azerbaijan should mobilise funds to enable survey and clearance of all contaminated areas as quickly as possible.
- Azerbaijan should reinforce the necessary national structures to oversee efficient and safe mine action in the mined areas recently returned to its control. This process should be underpinned by the adoption or revision of national mine action legislation that reflects the International Mine Action Standards (IMAS).
- ANAMA should ensure that National Mine Action Standards (NMAS) are updated in line with IMAS.
- ANAMA should draft a new mine action strategy, to replace the one expired in 2018, reflecting the significant increase in explosive ordnance (EO) contamination now under Azerbaijan's control.
- ANAMA should complete the transition to Information Management System for Mine Action (IMSMA) Core as soon as possible.
- Azerbaijan should systematically collect and report publicly on data on contaminated areas as well as progress in survey and clearance.
- ANAMA should elaborate a gender and diversity policy for mine action and an associated implementation plan.

## UNDERSTANDING OF CMR CONTAMINATION

The precise extent of contamination from CMR in Azerbaijan is unknown. A significant portion of the CMR contamination, including abandoned cluster munitions and other abandoned explosive ordnance (AXO), is found in areas previously occupied by Armenia outside the Nagorno-Karabakh region. There may also be some residual contamination in territory under government control.<sup>1</sup>

CMR resulted first from the 1988–94 conflict between Azerbaijan and Armenia and ammunition abandoned by the Soviet army in 1991. Following the cease-fire in 1994, tensions flared up in April 2016 when fighting broke out briefly along the Line of Contact (LOC). While ground fighting was confined to areas close to the LOC, artillery fire penetrated more than 10km into Nagorno-Karabakh, and included use of cluster munitions. The hostilities added 2.4km<sup>2</sup> of CMR contamination,

all of which has since been cleared (see the Mine Action Review *Clearing Cluster Munition Remnants* report on Nagorno-Karabakh for further information).<sup>2</sup> No CMR contamination was reported on the Azerbaijan-controlled side of the LOC following the 2016 fighting.

In July 2020, fighting broke out on the international borders between Armenia and Azerbaijan, and in September 2020, Azerbaijan launched a fully-fledged military operation. Fierce fighting for six weeks was brought to an end on 8 November 2020 by a Russian-brokered ceasefire agreement. Under the terms of the "trilateral statement", Azerbaijan took full control of the five major cities of Fuzuli, Gubadi, Jabrail, Shusha, and Zangilan. Armenian troops also left the districts of Aghdam, Kalbajar, and Lachin, returning them to Azerbaijani control by 1 December 2020.<sup>3</sup> Azerbaijan also

gained control of a substantial part of Nagorno-Karabakh where a new LOC is patrolled by Russian peacekeeping forces, with the Nagorno-Karabakh local authorities retaining control over the north of the region.<sup>4</sup>

Both Armenia and Azerbaijan used cluster munitions in the course of the six-week conflict. Human Rights Watch documented repeated use of LAR-160 cluster munition rockets and M095 dual-purpose submunitions by Azerbaijan in a civilian neighbourhood in Hadrut and Stepanakert (or Khankendi in Azeri).<sup>5</sup> Another Human Rights Watch report

described cluster munition use by Armenia in Barda, Goranboy, and Tartar districts, including Smerch rockets containing 9N235 submunitions.<sup>6</sup> Amnesty International documented four cluster munition strikes resulting in civilians casualties by Armenian forces in towns and villages in Azerbaijan in October 2020. These consisted of three strikes in Barda dispersing dozens of 9N235 submunitions and a fourth in Qarayusufli.<sup>7</sup> CMR contamination in areas under Azerbaijan's control may be extensive.

## OTHER EXPLOSIVE REMNANTS OF WAR AND LANDMINES

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Many areas, including those formerly occupied by Armenia, are confirmed or suspected to contain ERW, both unexploded ordnance (UXO) and AXO. These include former military testing areas and a former shooting range.<sup>8</sup> Azerbaijan is also contaminated with landmines, the precise extent of which is unknown, but is believed to be massive following Azerbaijan's regaining of control of considerable territory as a result of the 2020 conflict (see Mine Action Review's *Clearing the Mines* report on Azerbaijan for further information).

## NATIONAL OWNERSHIP AND PROGRAMME MANAGEMENT

ANAMA, the Azerbaijan National Agency for Mine Action, was established by Presidential Decree 854 in 1999 to plan, coordinate, manage, and monitor mine action in the country. In mid-January 2021, by Presidential decree, ANAMA was restructured and given the status of a public legal entity as the Mine Action Agency for the Republic of Azerbaijan.<sup>9</sup>

Prior to the 2020 conflict, ANAMA had been conducting demining operations with two national operators it was contracting – Dayag-Relief Azerbaijan (RA) and the International Eurasia Press Fund (IEPF). In March 2020, the mine action programme was restructured and RA's field personnel were incorporated within ANAMA while RA as an organisation continued to provide logistical support to ANAMA.<sup>10</sup> Following the 2020 conflict, clearance operations were rapidly scaled up with the involvement of the Army and the Ministry of Interior (MoI) to address the significant mine and ERW contamination newly under Azerbaijan's control.

The United Nations Development Programme (UNDP) provides capacity development to ANAMA. In 2020, the capacity development project was extended to 2023.<sup>11</sup> In March 2021, the UNDP crisis response and UN's Central Emergency Response Fund provided US\$1 million to ANAMA to train, equip, and deploy emergency response teams to clear mines and UXO. UNDP planned to further scale up its financial and technical support to ANAMA.<sup>12</sup>

In its Article 7 report covering 2020 under the Anti-Personnel Mine Ban Convention (APMBC), Turkey reported it had

donated US\$200,000 to Azerbaijan for mine and UXO clearance of approximately 22km<sup>2</sup> in Azerbaijan.<sup>13</sup> According to media reports, Turkey exported seven remote-controlled demining machines to Azerbaijan between February and May 2021.<sup>14</sup> In addition, 140 personnel from Turkey's Special Mine Detection and Clearance Teams were deployed to assist in clearance operations in Azerbaijan.<sup>15</sup> Media sources also reported support from Russia in mine clearance. As at April 2021, 100 Russian military personnel were said to be using IMP-52 mine detectors and Uran-6 robotic systems in the region.<sup>16</sup> It is unclear if Turkish and Russian personnel are also addressing CMR as part of their demining operations in Azerbaijan.

As at May 2021, a draft national mine action law was being considered by the cabinet of ministers (CoM).<sup>17</sup> The process of elaborating the law has been ongoing for seven years.<sup>18</sup> In 2019, the Azerbaijani government funded 90% of ANAMA's operating costs and 90% of all survey and clearance in Azerbaijan.<sup>19</sup> The proportion of international contributions to ANAMA's budget is believed to have significantly increased since 2020.

ANAMA remains significantly underfunded and understaffed when compared to the huge needs resulting from the contamination in the territories regained in 2020. ANAMA is seeking international funds to clear the mined and ERW-contaminated areas in a timely manner and in compliance with the NMAS and IMAS.

## GENDER AND DIVERSITY

ANAMA does not have a gender and diversity policy in place. While women made up 30% of managerial and supervisory positions at ANAMA in 2020, as at May 2021, none was working in an operational role. ANAMA was planning to deploy a ten-strong all-woman demining team by the middle of 2021, but as at July 2021, the process was still ongoing.<sup>20</sup> The rapid upscaling of ANAMA's mine action operations taking place provides a valuable opportunity for ANAMA to improve the proportion of women in operational roles and to mainstream gender and diversity throughout its programme.

One of the goals of the UNDP-ANAMA capacity strengthening project is to introduce a gender-sensitive approach to mine action to Azerbaijan.<sup>21</sup> Women participate in risk education sessions and are said to be consulted during survey.<sup>22</sup>

## INFORMATION MANAGEMENT AND REPORTING

As at May 2021, ANAMA was in the process of transitioning to IMSMA Core and had already established an Online ArcGIS Portal. Draft forms to record daily progress, non-technical survey, and hazardous areas, and for external quality control (QC) were created and translated into Azeri. ANAMA intended to launch the new system for testing by August 2021.<sup>23</sup>

ANAMA reports that it regularly checks the quality of data in its database. Verification occurs initially at regional level and then at headquarters. With the significant increase in the scale of operations and area of responsibilities in 2020, the reporting period for progress was reduced from 15 days to one week and, as at May 2021, it was planned to generate daily progress reports.<sup>24</sup>

## PLANNING AND TASKING

The existing national mine action strategy was for 2013–18. Its main aims were said to be to continue mine and ERW clearance in support of government development projects and to provide safe conditions for the local population in affected regions.<sup>25</sup> The strategy expired at the end of 2018 and has not yet been replaced. As at May 2021, ANAMA reported that a new strategy was being developed with a UNDP Chief Technical Advisor contracted and deployed to Azerbaijan to contribute to and speed up the process.<sup>26</sup>

In the absence of a new multiyear strategic plan, tasks were being prioritised according to the State development plan and instructions from the government.<sup>27</sup> Since the 2020 conflict, however, and according to a secondary data review, ANAMA was prioritising clearance in former settlements in the newly-gained territories in preparation for population resettlement and despite surrounding areas being potentially highly contaminated and thus off-limits.<sup>28</sup>

## LAND RELEASE SYSTEM

### STANDARDS AND LAND RELEASE EFFICIENCY

Azerbaijan has its own NMAS which were adopted in 2001 and subsequently revised in 2003, 2004, and 2010 in accordance with the IMAS and best practice.<sup>29</sup> No major modifications to the standards were made in 2020.<sup>30</sup>

### OPERATORS AND OPERATIONAL TOOLS

ANAMA had a total capacity of 300 deminers, 6 machines, and 40 MDDs in 2020, and was planning to significantly increase the numbers of its non-technical and technical survey personnel in 2021 in order to implement its countrywide survey and resurvey operation.<sup>31</sup> According to media reports, ANAMA was undergoing a huge restructuring with plans to increase its capacity from 500 to between 12,000 and 15,000 employees in 2021. ANAMA was planning to deploy its deminers mainly in the regions around Nagorno-Karabakh.<sup>32</sup>

According to UNDP, ANAMA had initially planned to train, equip, and deploy an additional 100 deminers per month in order to respond to the surge in need since the end of the 2020 conflict. This monthly upscaling rate, however, could not be sustained and ANAMA instead has been encouraging the expansion of other operator capacities, including a significant commercial base, envisaging to strengthen its role as the national mine action centre.<sup>33</sup>

In 2019, the Azerbaijan mine action programme had more than 300 deminers/explosive ordnance disposal (EOD) personnel, 32 mine detection dogs (MDDs), and an 18-man team operating six machines.<sup>34</sup> MDDs and mechanical assets were used to support release through technical survey and manual clearance.<sup>35</sup>

## LAND RELEASE OUTPUTS AND PROGRESS TOWARDS COMPLETION

### LAND RELEASE OUTPUTS IN 2020

ANAMA released 100,977m<sup>2</sup> of cluster munition-contaminated area through survey and clearance in 2020. The breakdown of land release through survey as opposed to clearance was not reported. ANAMA reported the same area of mined land released in 2020,<sup>36</sup> indicating that the 0.1km<sup>2</sup> figure includes clearance of all EO contamination, and not only of cluster munition-contaminated area. A total of 293 submunitions were destroyed during spot tasks in 2020.<sup>37</sup>

In a statement to the APMBC intersessional meetings in July 2021, Azerbaijan declared that ANAMA has cleared about 30km<sup>2</sup> since the start of the demining operation in its reclaimed territories, destroying in the process 8,256 anti-personnel mines, 3,792 anti-vehicle mines, 9,211 items of UXO.<sup>38</sup> The 30km<sup>2</sup> released includes clearance of all EO contamination, and not only cluster munition-contaminated area.

## SURVEY IN 2020

ANAMA released a total of 100,977m<sup>2</sup> of cluster munition-contaminated area through survey and clearance in 2020.<sup>39</sup> The breakdown of land release through survey as opposed to clearance was not made available. The 100,977m<sup>2</sup> figure is thought to combine all EO contaminated land released, and not only of cluster munition-contaminated area.

No CMR survey took place in 2019.

## CLEARANCE IN 2020

A total of 100,977m<sup>2</sup> of cluster munition-contaminated area was released through survey and clearance combined in 2020. The breakdown of land release through survey as opposed to clearance was not made available. A total of 293 submunitions were destroyed during spot tasks in 2020.<sup>40</sup> ANAMA reports that more than 1,600 spot tasks were conducted between September 2020 and May 2021.<sup>41</sup>

No CMR clearance took place in 2019.

## PROGRESS TOWARDS COMPLETION

No target date has been set for the completion of CMR clearance in Azerbaijan.<sup>42</sup> ANAMA's long-term strategy was to be ready to start clearance of the occupied territories as and when this is possible.<sup>43</sup> In May 2019, Azerbaijan had stated that it would only accede to the CCM once all of its territories are liberated from occupation by Armenia and all internally displaced persons and refugees return to their lands.<sup>44</sup>

Azerbaijan has called on all States Parties to the APMBC to support its mine action efforts. According to its statement: "despite the huge resources allocated by Azerbaijan, the [demining operation] still requires more resources given the size of the contaminated areas. Azerbaijan urgently seeks broad international donor support, also in terms of funds and provision of technical equipment required to continue its demining efforts".<sup>45</sup>

1 Emails from Sabina Sarkarova, Public Relations Officer, Azerbaijan National Agency for Mine Action (ANAMA), 2 April 2019; and Nijat Karimov, Senior Planning and Development Officer, ANAMA, 30 July 2020.

2 Emails from Amasia Zargarian, Programme Support Officer, HALO Trust, 4 May 2018; and Asqanaz Hambardzumyan, HALO Trust, 26 April 2019.

3 ACAPS, Azerbaijan: Pre-Existing Situation and Impact of the 2020 Nagorno-Karabakh Conflict, 21 December 2020, at: <https://bit.ly/3hlUwt2>; "Armenia-Azerbaijan: Why Did Nagorno-Karabakh Spark a Conflict", BBC, 12 November 2020, at: <https://bbc.in/3ywhU2V>; and "The Armenia and Azerbaijan War, Explained", VOX, 3 December 2020, at: <https://bit.ly/3yrmqjj>.

4 International Crisis Group (ICG), "The Nagorno-Karabakh Conflict: A Visual Explainer", Last updated 7 May 2021, at: <https://bit.ly/3uiOou2>.

5 Human Rights Watch (HRW), Azerbaijan: Cluster Munitions Used in Nagorno-Karabakh, 23 October 2020, at: <https://bit.ly/3bT3QXE>.

6 HRW, Armenia: Cluster Munitions Kill Civilians in Azerbaijan, 30 October 2020, at: <https://bit.ly/3wv4UII>; and HRW, 'Armenia: Cluster Munitions Used in Multiple Attacks on Azerbaijan', 15 December 2020, at: <https://bit.ly/3vhYQ6v>.

7 Amnesty International, 'In the Line of Fire', 2021, at: <https://bit.ly/3zHXp3H>, pp. 10–11.

8 ANAMA, "Azerbaijan National Agency for Mine Action 2018", p. 17.

9 "Azerbaijan establishes Mine Action Agency", APA news, 15 January 2021, at: <https://bit.ly/35MhtEu>.

10 Email from Nijat Karimov, ANAMA, 28 July 2020.

11 Email from Nijat Karimov, ANAMA, 21 May 2021.

12 "ANAMA and UNDP join forces to support mine action in Azerbaijan", Press Release, UNDP website, 17 March 2021, at: <https://bit.ly/3hPXtrB>.

13 Turkey APMBC Article 7 Report (covering 2020), 28 April 2021, p. 17.

14 "5 More Turkish-Made Minesweepers Delivered to Azerbaijan", Anadolu Agency, 5 May 2021, at: <https://bit.ly/3yzcX9F>; and "Azerbaijan Receives More Turkish Minesweepers To Speed Up Mine Clearance in Karabakh Region", Caspian News, 7 May 2021, at: <https://bit.ly/3ws6c7D>.

15 "Mines, Karabakh and Armenia's Crisis", New Eastern Europe, 16 April 2021, at: <https://bit.ly/3vezeaC>.

16 Ibid.

17 Email from Nijat Karimov, ANAMA, 21 May 2021.

18 Email from Parviz Gidayev, ANAMA, 20 May 2015; and ANAMA, "Azerbaijan National Agency for Mine Action 2014".

19 Email from Sabina Sarkarova, ANAMA, 2 April 2019.

20 Emails from Nijat Karimov, ANAMA, 21 May and 23 July 2021.

21 UNDP, "Review & Recommendation to Azerbaijan National Agency for Mine Action (ANAMA) in Support of its Transformation into International Centre for Demining assessment 2018", 17 July 2018.

22 Emails from Sabina Sarkarova, ANAMA, 2 April 2019 and 8 June 2020.

23 Email from Nijat Karimov, ANAMA, 21 May 2021.

24 Ibid.

25 Email from Sabina Sarkarova, ANAMA 2 May 2018.

26 Email from Nijat Karimov, ANAMA, 21 May 2021.

27 Emails from Sabina Sarkarova, ANAMA, 2 April 2019 and 8 June 2020.

28 ACAPS, "Azerbaijan: Pre-Existing Situation and Impact of the 2020 Nagorno-Karabakh Conflict", 21 December 2020, p. 25.

29 Email from Tural Mammadov, ANAMA, 19 October 2016.

30 Email from Nijat Karimov, ANAMA, 21 May 2021.

31 Emails from Nijat Karimov, ANAMA, 21 May and 23 July 2021.

32 "Dying To Go Home: Displaced Azerbaijanis Risk Mines, Munitions To See Homeland", Radio Free Europe, 18 February 2021, at: <https://bit.ly/3vgaKh5>; and "Following war, Armenia and Azerbaijan Reckon with Unexploded Ordnance", EurasiaNet, 23 December 2020.

33 Email from Guy Rhodes, Chief Technical Advisor, UNDP, 23 June 2021.

34 Emails from Sabina Sarkarova, ANAMA, 8 June 2020; and Nijat Karimov, ANAMA, 28 July 2020.

35 Email from Sabina Sarkarova, ANAMA, 2 April 2019.

36 Email from Nijat Karimov, ANAMA, 23 July 2021.

37 Ibid.

38 Statement of Azerbaijan, APMBC Intersessional Meetings, 22–24 June 2021.

39 Email from Nijat Karimov, ANAMA, 23 July 2021.

40 Ibid.

41 Email from Nijat Karimov, ANAMA, 21 May 2021.

42 Email from Sabina Sarkarova, ANAMA, 8 June 2020.

43 ANAMA, "Azerbaijan National Agency for Mine Action 2014"; and GICHD, "Transitioning Mine Action Programmes to National Ownership: Azerbaijan", March 2012, Executive Summary.

44 Email from Sabina Sarkarova, ANAMA, 21 May 2019.

45 Statement of Azerbaijan, APMBC intersessional meetings, 22–24 June 2021.